

No.MCI-6(2)/2003-Med./

MEDICAL COUNCIL OF INDIA

GENERAL BODY

126th SESSION

Minutes of the meeting held on 29th March,2004

The Council met in the Council Office, Aiwan-E-Galib Marg, Kotla Road, New Delhi on 29th March, 2004 at 12.00 Noon with Dr. P. C. Kesavankutty Nayar, President(Acting), Medical Council of India, in the Chair.

Present:

1.	Dr. P. C. Kesavankutty Nayar	President (Acting) & Former Dean, Medical College, Trivandrum
2.	Padamshree Prof. P.N. Tandon	Former Prof. & Head of Neuro-Surgery, AIIMS, New Delhi & Member, Adhoc Committee appointed by the Hon'ble Supreme Court
3.	Dr.(Mrs.) S. Kantha	Former Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Karnataka & Member, Adhoc Committee appointed by the Hon'ble Supreme Court
4.	Dr. Amrith Lal	Professor & Head, Department of ENT, Kamineni Instt. of Medical Sciences, Narketpalli, Nalgunda Distt., Andhra Pradesh
5.	Dr. Ajay Kumar	Consultant Urologist, Palm View Hospital, Patna & Hony. Secretary, Urologist Society of India (USI)
6.	Prof. A. Rajasekaran	Former President, National Board of Examinations, New Delhi
7.	Dr. A.C. Borah	Former Director, Medical Education, Govt. of Assam, Guwahati
8.	Dr. B.C.Chhapparwal	Former Vice-Chancellor, Devi Ahilya Vishwavidyalaya, R.N. Tagore Marg, Indore

9.	Dr. B.S. Kothari	Consultant Surgeon, Kothari Hospital, Mill Para Main Road, Rajkot
10.	Dr. B.A.Rudrawadi	Professor of Medicine, M.R.Medical College, Gulbarga
11.	Dr. Bijoy Mukherjee	Principal, Burdwan Medical College, Burdwan
12.	Dr. C.S.Jayachandran	Former Director of Medical Education, Govt. of Tamil Nadu, Chennai
13.	Dr. C.V.Bhirmanandham	Vice-Chancellor, Dr. M.G.R. Medical University, Chennai
14.	Dr. C. Das	Honorary Advisor on Health to Govt. of Meghalaya, C/o Dr. A.K. Das Eye Specialist, Thana Road, Dispur, Guwahati-781 008
15.	Dr. D.G.Benakappa	Consultant Paediatrician, Bangalore Hospital, R.V. Road, Bangalore
16.	Dr. D.J. Borah	Professor of Medicine & Joint Director, Medical Education, Govt. of Assam, Guwahati
17.	Dr. D.K. Sharma	Former Professor & Head, Department of Paediatrics, LLRM Medical College, Meerut
18.	Dr. G. Sham Sunder	Vice-Chancellor, NTR University of Health Sciences, Vijayawada
19.	Dr. G.B. Gupta	Professor & Head, Department of Medicine, Pt.J.N.M. Medical College, Raipur (Chhattisgarh)
20.	Dr. G.K. Thakur	Head of the department of Radiology, S.K.Medical College, Muzaffarpur
21.	Dr. H.P.Bhalodiya	Professor of Orthopaedics, B.J.Medical College,Ahmedabad
22.	Dr. H.L. Kapoor	Principal, Indira Gandhi Medical College, Shimla
23.	Dr. Indrajit Ray	Principal, Bankura Medical College, Bankura (WB)
24.	Dr.(Mrs.) J.H. Soren	Govt. of Jharkhand
25.	Dr. J.N. Sony	Professor of Forensic Medicine, G.R.Medical College, Gwalior
26.	Dr. J.R.Kher	Professor of Physiology, J.N.Medical College, Swangi (Wardha)
27.	Dr. K.N. Barua	Principal, Gauhati Medical College, Gauhati

28.	Padamshree Dr. K.S. Chugh	Emeritus Professor of Nephrology & Director, National Kidney Clinic and Research Centre, Chandigarh
29.	Dr. Ketan Desai	Professor & Head, Department of Urology, B.J. Medical College, Ahmedabad
30.	Dr. K.M. Rameshchandra Babu	Associate Professor, Deptt. of Chest Diseases, Govt. Medical College, Calicut
31.	Dr. L.S. Chawla	Former Vice-Chancellor, Baba Farid University of Health Sciences, Faridkot
32.	Prof. M. Mobashir	Principal, J.N. Medical College, Aligarh
33.	Dr. Mahendra Nath	Former Director, Medical Education, Govt. of Himachal Pradesh, Shimla
34.	Dr. Mukesh Kr. Sharma	Department of Surgery, S.M.S. Medical College, Jaipur
35.	Dr. Muzaffar Ahmad	Nagin, Hazratbal Road, Srinagar-190 008
36.	Dr. M.K. Bhowmik	Director of Family Welfare & Preventive Medicine, Govt. of Tripura, Tripura (West)
37.	Dr. Naveen Nahar	Consulting Surgeon, Nahar Hospital, Indore
38.	Dr. O.N. Nagi	Professor & Head, Department of Orthopaedic Surgery, P.G.I., Chandigarh-160 012
39.	Dr. P.V. Hayavadana Rao	Dean, Rajah Muthiah Medical College, Annamalainagar
40.	Dr. P.K. Sur	Director, Institute of Postgraduate Medical Education & Research, Kolkatta
41.	Dr. Prakash M. Shah	Chandan Hospital, Baroda
42.	Dr. P.K. Mukherjee	Principal, MGM Medical College, Kishanganj, Bihar
43.	Dr. P.K. Patel	Department of Forensic Medicine, Govt. Medical College, Surat
44.	Dr. R.M. Tripathy	Associate Professor of Community Medicine, M.K.C.G. Medical College, Berhampur (Orissa)

45.	Dr.(Mrs.) Rani Bhaskaran	Professor & Head, Department of Neurology, Medical College Hospital, Trivandrum
46.	Dr. R. Chandrashekara	Vice-Chancellor, Rajiv Gandhi University of Health Sciences, Bangalore
47.	Dr. S.J. Penkar	Former Professor, Department of Obst. & Gynae., Seth G.S. Medical College, Mumbai
48.	Dr. S.H. Srivastava	B-5, Sri Krishna Hospital Campus, Karamsad
49.	Dr. S.B. Siwach	Professor & Head, Department of Medicine, Pt.B.D.Sharma PGIMS, Rohtak
50.	Dr. S.K. Sinha	Former Professor of Medicine, Patna Medical College, Patna
51.	Dr. S.K. Sharma	Director, Postgraduate Instt. of Medical Education & Research, Chandigarh
52.	Dr. S.P. Singh	Professor & HOD, Department of Anaesthesiology, & Dean, Faculty of Medicine, Darbhanga Medical College, Laheriasarai, Bihar
53.	Dr. S. N. Mishra	Professor & Head, Department of Cardio-Thoracic Surgery, SCB Medical College, Cuttack
54.	Dr. Silvano C.A.Dias Sapeco	Professor & Head, Department of Forensic Medicine, Goa Medical College, Bambolim
55.	Dr. Sahajanand Pd. Singh	Consultant Surgeon, Kankarbagh, Patna
56.	Dr. S. N.Mishra	Surya Hospital, 383/11-C, East Azad Nagar, Delhi-110 051
57.	Dr. S.S. Yadav	Former Director, Pt. BD Sharma PGIMS, Rohtak & Consultant Orthopaedic Surgeon, VIMHANS, New Delhi
58.	Padamshree Dr.(Mrs.) Usha Sharma	Principal, LLRM Medical College, Meerut
59.	Dr. U.S. Dhariwal	Principal, Sri Guru Ram Das Institute of Medical Sciences & Research, Amritsar
60.	Dr. U.S. Sinha	Professor & Head, Department of Forensic Medicine, M.L.N. Medical College, Allahabad

61.	Dr. U.G. Nachinolcar	Professor & Head, Department of Orthopaedic Surgery, Goa Medical College, Bambolim
62.	Dr. V. Kanagaraj	Former Professor & HOD, Department of Anaesthesia, Madras Medical College, Chennai
63.	Dr. Ved Prakash Mishra	Dean, Faculty of Medicine, Nagpur University, Nagpur
64.	Dr. V.K. Puri	Professor & Head, Department of Cardiology, K.G. Medical College, Lucknow
65.	Padamshree Dr. Vijay Prakash Singh	Department of Medicine, Patna Medical College, Patna

Apology for absence was received from Prof. N. Rangabashyam, member of the Adhoc Committee.

Apologies for absence were received from the following members of the Council:-

1. Dr. V.N. Jindal
2. Dr. G. Yomcha
3. Dr. Pramod Singh
4. Dr. Vasant Pawar
5. Dr. A.K. Patel
6. Dr. Nitin S. Vora

Condolence on the demise of Dr. (Mrs.) Mrinalini C. Pathak, Whole Time Inspector of the Council on 8th March, 2004.

At the outset, Dr. P.C.Kesavankutty Nayar, President (Acting) informed the House that before the Hon'ble members take up the agenda for the meeting he would like to inform with regret about the sad demise of Dr. (Mrs.) Mrinalini C. Pathak, Whole-time Inspector of the Council on 08.03.2004.

The President (Acting) also informed that the condolences to the bereaved family on behalf of the office and on behalf of the Council members have already been sent. He requested the members to pass a resolution of condolence to be sent to the bereaved family.

The Council passed the following condolence resolution to be conveyed to the bereaved family.

“The Council resolved to condole the tragic death of Dr. (Mrs.) Mrinalini C. Pathak and pray the God Almighty to give peace to the departed soul and to give strength and courage to the bereaved family to bear the irreparable loss.”

Two minutes silence was observed by the Council in memory of late Dr. (Mrs.) Mrinalini C. Pathak.

1. Notification of new members.

The Secretary read out the notification of following new members elected/nominated as members of the Council since the last meeting of the Council held on 20th October,2003:-

<u>Sl.No.</u>	<u>Name</u>	<u>U/s</u>	<u>Constituency</u>
1.	Dr. Muzaffar Ahmad	3(1)(a)	J & K Govt.
2.	Dr. Ashok Pangariya	3(1)(a)	Rajasthan Govt.
3.	Dr. Shirish Srivastava	3(1)(b)	Sardar Patel Univ.
4.	Prof. M. Mobashir	3(1)(b)	Aligarh Muslim University
5.	Dr. R.M. Tripathy	3(1)(b)	Berhampur Univ.
6.	Dr. U.S. Dhaliwal	3(1)(b)	Baba Farid Univ. of Health Sciences
7.	Dr. J.N. Sony	3(1)(b)	Jiwaji University

2. Minutes of the last meeting of the Council – Confirmation of .

The minutes of the last meeting of the Council held on 20th October, 2003 were confirmed.

3. Minutes of the last meeting of the Council - Action taken thereon.

The Council noted the action taken by the office on the various items included in the minutes of the meeting of the Council held on 20th October, 2003.

4. Pending items arising out of the decision of the General Body.

The Council observed that the pending items related with the approval of the postgraduate degree/diploma courses by the Central Govt. and directed the office to send a reminder to the Central Govt. for early approval of these courses.

5. Address by the President (Acting).

Dr. P.C. Kesavankutty Nayar delivered the Presidential address and copy of the same was circulated to the august body. Salient features of the presidential address are as under:-

- The Acting President, in his welcome speech informed the members that the binding schedules of the admissions notified by the Council in terms of the judgement delivered by the Hon'ble Supreme Court in Madhu Singh's case have been put into effect for undergraduate

admissions from the academic session 2003-2004 and for the postgraduate admissions from the academic session 2004-05.

- He also felt necessary to place before the august House that eleven applicant colleges were either granted permission or renewal by the Government of India without the statutory recommendations from the MCI as required u/s 10A of the Act. He further informed that the Adhoc Committee members took a serious note of it and preferred an appeal through amices curiae before the Hon'ble Supreme Court wherein by an interim order the Hon'ble Supreme Court ruled that it is binding for the Government of India to procure recommendations of the MCI in due fulfillment of the scheme included 10A of the IMC Act and also directed that no permissions or renewals shall be granted by the Government of India without procuring the appropriate recommendations from the Council. He also informed that pursuant to the interim order by the Hon'ble Supreme Court, the Govt. of India issued show cause notices to the said eleven applicants to whom permissions were accorded and the reply thereof have been forwarded by the Govt. of India to MCI for necessary consideration.
- The Acting President also stated that a delegation from Singapore led by its Health Minister visited the Council office in December,2003 where a detailed discussion took place in respect of the scope and modalities for furtherance of the standards of medical education in the two countries including feasibility for exchange of the personnel within the ambit of governing rules and laws of the respective countries.
- He also informed about his visit to USA along with Dr. D.K. Sharma, Member, Executive Committee where they attended a meeting in Washington on behalf of the Council pertaining to the accreditation of the medical qualifications included in the governing schedule of the IMC Act and the view point on all the concerned and relevant areas were put forth successfully by them.
- He further informed that the crystallized recommendations made at the National Workshop pertaining to update of the various regulations of the Council, especially, the Regulations of Undergraduate Medical Education, Postgraduate Medical Education, Teachers' Eligibility Qualifications and Minimum Requirements, upon processing through a joint meeting of the Executive Committee and the Postgraduate Committee of the Council, have been given a final shape and are placed before the General Body of the Council in today's meeting for finalisation, for making appropriate recommendations to the Govt. of India, for incorporation of suitable amendments to the Regulations in terms of Section 33 of the IMC Act,1956.
- He also stated that the Postgraduate Committee has proposed draft syllabi for 19 postgraduate degree and 11 postgraduate diploma

courses which are also placed for consideration by the General Body in today's meeting.

- He expressed to the members that the Council under the guidance from the Hon'ble members of the Adhoc Committee and creative contribution from various statutory committees is trying to discharge its obligations in an articulated and effective manner. He also expressed his quest was to make the functioning of the Council look not only creative and in public interest but also be accountable for the purposes of "Social Audit" as well.
- He was not only sure but quite confident that through the creative and collective efforts, in tune with collective determination and learned counsel from the Hon'ble members of the Adhoc Committee we shall stand true to the scrutiny of times.

Dr. Ved Prakash Mishra moved a motion of thanks for adoption of the Presidential address which was seconded by all the members present and was unanimously adopted.

6. Rajiv Gandhi University of Health Sciences, Bangalore – Recognition of M.Ch.(Plastic-Surgery) qualification in respect of students being trained at St. John's Medical College, Bangalore.

Read : The Council Inspector's report (October, 2003) on the standard of examination and other teaching facilities available at St. John's Medical College, Bangalore for purpose of recognition of M.Ch.(Plastic-Surgery) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (October,2003) and decided to recommend that M.Ch.(Plastic Surgery) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore be recognised and included in the first Schedule to the IMC Act,1956 restricting the number of admission to 1(one) student per year.”

7. Marathwada University/Dr.Babasaheb Ambedkar Marathwada University – Recognition of M.D.(Forensic Medicine) qualification in respect of students being trained at Govt. Medical College, Aurangabad.

Read : The compliance verification report (October, 2003) togetherwith compliance and Council Inspector's report(July, 99) on the standard of examination and other teaching facilities available at Govt. Medical College, Aurangabad for purpose of recognition of M.D.(Forensic

Medicine) qualification earlier granted by Marathwada University and now by Dr. Babasaheb Ambedkar Marathwada University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Compliance verification report (October,2003) and decided to recommend that M.D.(Forensic Medicine) qualification earlier granted by Marathwada University and now by Dr. Babasaheb Ambedkar Marathwada University in respect of students being trained at Govt. Medical College, Aurangabad be recognised and included in the 1st schedule to the IMC Act,1956 restricting the number of student to 1(One) student per year.”

8. Annamalai University – Recognition of M.D.(Anatomy) qualification in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar.

Read : The Council Inspector’s report (November, 2003) on the standard of examination and other teaching facilities available at Rajah Muthiah Medical College, Annamalainagar for purpose of recognition of M.D.(Anatomy) qualification granted by Annamalai University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (November,2003) and decided to recommend that M.D.(Anatomy) qualification granted by Annamalai University in respect of students being trained at Rajah Muthiah Medical College, Annamalainagar be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 3(Three) students per year.”

9. Dibrugarh University – Recognition of MS (Ortho.) in respect of students being trained at Assam Medical College, Dibrugarh.

Read : The Compliance verification report(Nov., 2003) togetherwith compliance and Council Inspector’s report(June, 2003) on the standard of examination and other teaching facilities available at Assam Medical College, Dibrugarh for purpose of recognition of M.S.(Ortho.) qualification granted by Dibrugarh University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (Nov.2003) togetherwith compliance and Council Inspector’s report (June, 2003) and decided to recommend that MS (Ortho.) qualification granted by Dibrugarh University in respect of students

being trained at Assam Medical College, Dibrugarh be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year.”

10. The Tamilnadu Dr. M.G.R. Medical University, Chennai – Recognition of D.D.V.L. qualification in respect of students being trained at P.S.G. Institute of Medical Sciences & Research, Coimbatore.

Read : The Council Inspector’s report (Oct., 2003) on the standard of examination and other teaching facilities available at P.S.G. Institute of Medical Sciences & Research, Coimbatore for purpose of recognition of D.D.V.L. qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (Oct.2003) and decided to recommend that D.D.V.L. qualification granted by the Tamilnadu Dr. M.G.R. Medical University, Chennai in respect of students being trained at P.S.G. Institute of Medical Sciences & Research, Coimbatore be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admission to 1(one) student per year.”

11. Banaras Hindu University – Recognition of D.M.(Gastroenterology) qualification in respect of students being trained at Instt. of Medical Sciences, Varanasi.

Read : The compliance verification report (Nov., 2003) togetherwith compliance and Council Inspector’s report(July, 99) on the standard of examination and other teaching facilities available at Institute of Medical Sciences, Varanasi for purpose of recognition of D.M.(Gastroenterology) qualification granted by Banaras Hindu University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (Nov.2003) togetherwith compliance and Council Inspector’s report (July,99) and decided to recommend that D.M. (Gastroenterology) qualification granted by Banaras Hindu University in respect of students being trained at Institute of Medical Sciences, Varanasi be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

12. i) **Punjab University – Recognition of MD(Biochemistry) qualification in respect of Christian Medical College, Ludhiana.**
- ii) **Baba Farid University of Health Sciences, Faridkot – Approval of Christian Medical College, Ludhiana for the award of MD(Biochemistry) qualification.**

Read : The Council Inspector's report (July, 2003) on the standard of examination and other teaching facilities available at Christian Medical College, Ludhiana for purpose of i) recognition of MD(Biochemistry) qualification granted by Punjab University in respect of Christian Medical College, Ludhiana and also ii) approval of the college for the award of MD (Biochemistry) qualification granted by Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (July,2003) and decided to recommend that-

- i) MD(Biochemistry) qualification granted by Punjab University in respect of students being trained at Christian Medical College, Ludhiana be recognised and included in the 1st schedule to the IMC Act,1956.
- ii) Christian Medical College, Ludhiana be approved for the award of MD(Biochemistry) qualification granted by Baba Farid University of Health Sciences, Faridkot restricting the number of admission to 1(one) student per year.”

13. i) **Karnatak University – Recognition of M.D.(Biochemistry) qualification in respect of students being trained at J.N.Medical College, Belgaum.**
- ii) **Rajiv Gandhi University of Health Sciences, Bangalore – Approval of J.N.Medical College, Belgaum for the award of M.D.(Biochemistry) qualification.**

Read : The Council Inspector's report (October,2003) on the standard of examination and other teaching facilities available at Jawaharlal Nehru Medical College, Belgaum, Karnatak for purpose of i)recognition of M.D.(Biochemistry) qualification granted by Karnatak University in respect of students being trained at J.N.Medical College, Belgaum and also ii) approval of the college for the award of M.D.(Biochemistry) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that –

- i) MD(Biochemistry) qualification granted by Karnatak University in respect of students being trained at J.N.Medical College, Belgaum be recognised and included in the 1st schedule to the IMC Act,1956.
- ii) J.N.Medical College, Belgaum be approved for the award of MD(Biochemistry) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 2(two) students per year.”

14. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of Sree Siddhartha Medical College, Tumkur for the award of D.Ortho. qualification .

Read : The Council Inspector’s report (October, 2003) on the standard of examination and other teaching facilities available at Sree Siddhartha Medical College, Tumkur for purpose of approval of the college for the award of D.Ortho. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that Sree Siddhartha Medical College, Tumkur be approved for the award of D.Ortho qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 1(one) student per year.”

15. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of M.S. Ramaiah Medical College, Bangalore for the award of M.D.(Forensic Medicine) qualification .

Read : The Council Inspector’s report (October, 2003) on the standard of examination and other teaching facilities available at M.S. Ramaiah Medical College, Bangalore for purpose of approval of the college for the award of M.D.(Forensic Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that M.S. Ramaiah Medical College, Bangalore be approved for the award of M.D.(Forensic Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 2 (two) students per year.”

16. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of M.S. Ramaiah Medical College, Bangalore for the award of D.V.D. qualification.

Read : The Council Inspector’s report (April, 2003) on the standard of examination and other teaching facilities available at M.S. Ramaiah Medical College, Bangalore togetherwith compliance for purpose of approval of the college for the award of D.V.D. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (April,2003) and decided to recommend that M.S.Ramaiah Medical College, Bangalore be approved for the award of D.V.D. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 2(two) students per year.”

17. Karnatak University and Rajiv Gandhi University of Health Sciences,. Bangalore - – Approval of Karnataka Institute of Medical Sciences, Hubli for the award of M.D. (Community Medicine) qualification.

Read : The Council Inspector’s report (October, 2003) on the standard of examination and other teaching facilities available at Karnataka Institute of Medical Sciences, Hubli for purpose of approval of the college for the award of M.D.(Community Medicine) qualification earlier granted by Karnatak University and now by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that Karnataka Institute of Medical Sciences, Hubli be approved for the award of M.D.(Community Medicine) qualification earlier granted by Karnatak University and now by Rajiv Gandhi University of Health Sciences,

Bangalore restricting the number of admission to 1(one) student per year.”

18. Rajiv Gandhi University of Health Sciences, Bangalore - Approval of J.S.S. Medical College, Mysore for the award of M.D. (Forensic Medicine) qualification.

Read : The Council Inspector’s report (October, 2003) on the standard of examination and other teaching facilities available at J.S.S. Medical College, Mysore for purpose of approval of the college for the award of M.D.(Forensic Medicine) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that J.S.S. Medical College, Mysore be approved for the award of M.D.(Forensic Medicine) qualification granted by Rajiv Gandhi University of Health Sciences restricting the number of admission to 1(one) student per year.”

19. Gulbarga University and Rajiv Gandhi University of Health Sciences, Bangalore – Approval of Vijayanagar Institute of Medical Sciences, Bellary for the award of M.D.(Anaesthesia) & D.A. qualifications .

Read : The Council Inspector’s report (November, 2003) on the standard of examination and other teaching facilities available at Vijayanagar Institute of Medical Sciences, Bellary for purpose of approval of the college for the award of M.D.(Anaesthesia) & D.A. qualifications earlier granted by Gulbarga University and now by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (November, 2003) and decided to recommend that Vijayanagar Institute of Medical Sciences, Bellary be approved for the award of MD (Anesthesia) & D.A. qualifications earlier granted by Gulbarga University and now by Rajiv Gandhi University of health Sciences, Bangalore restricting the number of admissions to 2(two) students) for M.D. (Anaesthesia) and 4 (four students) for D.A. courses per year.”

20. Bangalore University and Rajiv Gandhi University of Health Sciences, Bangalore – Approval of Kempegowda Institute of Medical Sciences, Bangalore for the award of M.D.(Pharmacology) qualification.

Read : The compliance verification report (Nov., 2003) togetherwith the compliance and Council Inspector’s report(April,. 2002) on the standard of examination and other teaching facilities available at Kempegowda Institute of Medical Sciences, Bangalore for purpose of approval of the college for the award of M.D.(Pharmacology) qualification earlier granted by Bangalore University and now by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (Nov.2003) togetherwith the compliance and Council Inspector’s report (April,2002) and decided to recommend that Kempegowda Institute of Medical Sciences, Bangalore be approved for the award of MD (Pharmacology) qualification earlier granted by Bangalore University and now by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admission to 1(one) student per year.

21. University of Bombay/Mumbai – Approval of Institute of Navel Medicine, INHS, , Aswini, Mumbai for the award of M.S.(General Surgery) qualification.

Read : The Council Inspector’s report (July, 2003) on the standard of examination and other teaching facilities available at Institute of Navel Medicine, INHS, Aswini, Mumbai togetherwith compliance for purpose of approval of the college for the award of M.S.(General Surgery) qualification earlier granted by University of Bombay and now by University of Mumbai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council inspector’s report (July, 2003) together with compliance and decided to recommend that Institute of Navel Medicine, INHS, Aswini, Mumbai be approved for the award of MS (General Surgery) qualification earlier granted by University of Bombay and now by University of Mumbai restricting the number of admissions to 2(Two) students per year.”

22. University of Bombay/Mumbai – Approval of Institute of Naval Medicine, INHS, Asvini, Mumbai for the award of M.D.(Pathology) qualification.

Read : The Council inspector's report (July, 2003) on the standard of examination and other teaching facilities available at Institute of Naval Medicine, INHS, Asvini, Mumbai togetherwith compliance for purpose of approval of the college for the award of MD (Pathology) qualification earlier granted by University of Bombay and now by University of Mumbai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council inspector's report (July, 2003) and decided to recommend that Institute of Naval Medicine, INHS, Asvini, Mumbai be approved for the award of MD (Pathology) qualification earlier granted by University of Bombay and now by University of Mumbai restricting the number of admissions to 2(two) students per year. “

23. Change in nomenclature of M.D.(Dermatology) degree to M.D.(Dermatology, Venereology & Leprosy) degree in the Schedule to the IMC Act, 1956.

Read : The letter dated 13.11.2003 from the Registrar, PGI, Chandigarh with regard to change the nomenclature from M.D.(Dermatology) to M.D.(Dermatology, Venereology & Leprosy) degree in the Schedule to the IMC Act, 1956.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the letter dated 13.11.2003 from the Registrar PGI, Chandigarh and decided to recommend to include the degree by the changed nomenclature i.e. (M.D.(Dermatology, Venereology & Leprosy) degree in the Schedule to the IMC Act, 1956.”

24. Continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai.

Read : The inspection report (22nd & 23rd December, 2003) for continuance of recognition of MBBS degree granted by L.N. Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai.

The Council noted the following recommendations of the Executive Committee dated 03.02.2004:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Darbhanga Medical College, Laheriasarai as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by L.N.Mithila University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Darbhanga Medical College, Laheriasarai was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 22nd & 23rd December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (22nd & 23rd December,2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under:
 - (a) Faculty 45.3% (i.e. 69 out of 152)
 - (i) Prof. -3 (TB-1, Orth., & Dents.-1)
 - (ii) Assoc. Prof.: 9 (Anat.-1, Paed.-1, Gen. Sur.-4, Eye-1, ENT-1, Radio.-1)
 - (iii) Asstt.Prof.: 41 (Ant.-4, Bio-Chem.-2, Path.-1, For.Med.-1, Comm.Med.-6(5+1) Gen. Med.-1, Paed.-3, Psy.-1, Gen.Surg.-3, Orth.-2, Eye-3, ENT-2, Obst. & Gynae.-4, Anes.-2, Radio-Diag.-3, Dents.-1, Pharm. Chemist -1, & Lecture in Bio-Phys.-1.)
 - (i) Tutor: 16 (Anat.-2, Phy.-2, Bio-Chem.-3, Pharma.-2, Mico.-1, PSM-3, Radio.-3)
 - (b) Sr. Resident 4 (TB & Chest-1, Skin and VD-1, Psy.-1, Surg.-1)
2. The following deficiencies are observed in the infrastructure of pre-clinical departments.

Anatomy

- i) The Anatomy Museum needs to be provided with X-ray, CT Scan, MRI for proper display.
- ii) The Lecture theatres have to be provided with OHP and Audio system.
- iii) Though the department undertakes postgraduate teaching, research facilities are inadequate.

Physiology

- i) The lecture theatres should be provided with audiosystem.
- ii) There are no student physiographs (required three channel physiograph- 01, single channel physiograph-06)
- iii) Though the department undertakes postgraduate teaching, research facilities are inadequate.

Biochemistry

- i) Though it is service department yet is not providing any Hospital investigation services.
- ii) The department undertakes postgraduate teaching, research facilities are inadequate.

Pathology

- i) The museum is over-crowded and need to be expanded.
- ii) There is a research laboratory. However, it is not provided with adequate research equipment like inverted microscope trinocular microscope automatic cell counter etc.

Microbiology

- i) Virology, immunology laboratories have to do active work.

3. The following deficiencies are observed in the infrastructure of para-clinical departments.

Community Medicine

Health Centres:

- i) No lecturer cum medical officer having M.D. {P.S.M.} is available
- ii) L.M.O. is not available.
- iii) Messing facilities are not available.
- iv) X-ray & ECG are not available.
- v) Staff as prescribed under norms needs to be appointed.

- vi) The residential quarters available in the RTHC have also been occupied by the Police Officials.
- vii) Community based training for students and interns is weak.
- viii) The visits of the faculty of the department of P.S.M are not regular.
- ix) There is no separate vehicle earmarked for visits of the faculty.
- x) Staff as per MCI norms needs to be posted and the primary health centre has to be attached formally with the Medical College, preferably under the administrative and technical control of the Medical College.

U.H.C.:

- i) There is no population attached.
- ii) Duty rosters and records of various activities and investigations are not maintained properly.
- iii) Staff required for urban training health centre as per MCI norms needs to be provided.

4. Other deficiencies/remarks in the main report and indicated as under:

- i) All the Diploma courses being run are un-recognized.
- ii) The Librarian has qualifications of M.Sc (Maths).
- iii) No Central Workshop is available.
- iv) No Gymnasiums facilities are available.
- v) In CSSD:- there are no separate receiving and distribution points.
- vi) Distribution of teaching beds in different specialties is not as per Council norms.
- vii) Bed occupancy was 55%.
- viii) There is a shortage of nursing staff.
- ix) The numbers of Indian Journals are 21 and foreign Journals 4, which are less than MCI norms.
- x) The kitchen is not fully functional and also is not mechanized.
- xi) Laundry is not mechanized.
- xii) The number of special radiological investigation was nil.
- xiii) Blood Bank does not have a valid license.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by L.N.Mithila University in respect of students being trained at Darbhanga Medical College, Laheriasarai u/s 19 of the I.M.C. Act,1956.

The Committee further decided to refer the matter to the Postgraduate Committee regarding the unrecognised postgraduate medical degree/diploma courses being run by the institution.”

The Council also noted and approved the following recommendations of the Executive Committee taken at its meeting held on 28.03.2004 wherein the members of the Adhoc Committee appointed by the Hon'ble Supreme Court were also present:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter received from the State Govt. of Bihar in which the factual position has been narrated and decided to give extension for a period of 4 weeks after Model Code of Conduct cease to operate in the State of Bihar and to defer the process for de-recognition till then.”

25. Continuance of recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar, Bihar University in respect of students being trained at Sri Krishna Medical College, Muzaffarpur.

Read : The inspection report (19th & 20rd December, 2003) for continuance of recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University in respect of students being trained at Sri Krishna Medical College, Muzaffarpur.

The Council noted the following recommendations of the Executive Committee dated 03.02.2004:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Sri Krishna Medical College, Muzaffarpur as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Sri Krishna Medical College, Muzaffarpur was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December,2003) and noted that deficiencies are still persisting as

13. There is no Central Laundry.
14. There is no incinerator.
15. Nursing staff is not adequate as per MCI norms.
16. The License of Blood Bank was valid upto 1989. It has not been renewed.
17. Department of Anatomy
 - a. Mortuary for storage of dead bodies is not available.
 - b. Curator is not available.
 - c. Modellar is not available.

Department of Pathology.

- a) There is no space for the students to sit and read in the museum
- b) The museum is used as demonstration room.

Department of Microbiology

- a) The Museum has insufficient specimens.

Department of Community Medicine.

- a) Lecturer with MD (PSM) qualification is not available in the rural and urban centres.
- b) There is no Lady Medical Officer.
- c) No hostel accommodation for interns is available in the rural centre. Messing facilities are not available.
- d) Lecture hall cum seminar room is not available.
- e) Staff as prescribed under norms needs to be appointed.
- f) There is no well defined population attached to the urban centre.
- g) Duty rosters and records of various activities are not maintained properly. Documentation of training activities is poor.
- h) Visits of faculty members to the centres are not regular.
- i) Community based field training of undergraduate students and interns is weak.

18. More teaching areas are required in OPDs.
19. There is no central oxygen supply and central suction.
20. The toilets and floors of the boys hostel need renovation. Electrical main board and other fittings are loose and hanging & need repairs.
21. Other deficiencies/remarks are in the report.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Baba Sahab Bhim Rao Ambedkar Bihar University in respect of students being trained at Sri Krishna Medical College, Muzzaffarpur u/s 19 of the I.M.C. Act,1956.”

The Council also noted and approved the following recommendations of the Executive Committee taken at its meeting held on 28.03.2004 wherein the members of the Adhoc Committee appointed by the Hon'ble Supreme Court were also present:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council noted the letter received from the State Govt. of Bihar in which the factual position has been narrated and decided to give extension for a period of 4 weeks after Model Code of Conduct cease to operate in the State of Bihar and to defer the process for de-recognition till then.”

26. Continuance of recognition of MBBS degree granted by Bhagalpur University in respect of students being trained at J.N. Medical College, Bhagalpur.

Read : The inspection report (19th & 20th December,2003) for continuance of recognition of MBBS degree granted by Tilkamanjhi Bhagalpur University, Bhagalpur in respect of students being trained at J.N.Medical College,Bhagalpur.

The Council noted the following recommendations of the Executive Committee dated 03.02.2004:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to J.N.Medical College, Bhagalpur as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Tilkamanjhi Bhagalpur University, Bhagalpur as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, J.N.Medical College, Bhagalpur was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December,2003) and noted that deficiencies are still persisting as under:-

1. The shortage of teaching staff is as under:

Faculty 32.0% i.e. 34 out of 106

- i) Professor: 4 (1 Physiology, 1 Microbiology, 1 Radio-Diagnosis, 1 Dentistry)

- ii) Associate Professor: 4 (1 Pathology, 1 Medicine, 1 Radio-Diagnosis, 1 Anaesthesiology).
 - iii) Asistant Professor: 15 (2 Anatomy, 1 Biochemistry, 1 Pathology, 2 Common Med., 1 Psychiatry, 3 Gen. Surgery, 1 Orthopedics, 2 Gen. Med., 1 Radio-diagnosis, 1 Anaesthesiology)
 - iv) Tutors: 11 (1 Anatomy, 2 Physiology, 1 Microbiology, 1 Pharma., 2 Comm. Med., 1 TB & Chest, 1 Obst. & Gyn., 1 Radio-diagnosis, 1 Dentistry).
2. The daily average investigations are Biochemistry – 10, Haematology – 60, Urine – 14, Parasitology – 1. No investigations in Microbiology, Serology, Histopathology and Cytopathology are performed.
 3. The overall clinical material is inadequate. The OPD attendance being 80 per day and bed occupancy of 67.5%.
 4. The institution has not subscribed any Indian or Foreign Journal in past three years.
 5. The medical record unit is not computerized.
 6. The CT Scan machine is not available.
 7. The Casualty unit is not provided with Central Oxygen, Suction and 6 beds (for combined ICCU & ICU) are not organized and equipped with required surgical equipments.
 8. The institution has no EPABX system.
 9. The CSSD unit and laundry services require improvement and upgradation.
 10. A level type lecture theatre of Physiology Deptt. of capacity 100 is being alternatively used as examination hall.
 11. No Lecturer-cum-Medical Officer having M.D.(PSM) is posted at RHTC. No hostel accommodation or messing facilities are provided. Lecture hall cum seminar room is not available. No audio-visual aids are provided at RHTC.
 12. No residential quarters for teaching and non-teaching are available within the campus. Only 26 quarters are available for teaching staff outside the campus at a distance of one km.

13. Teaching facilities like patient couch, stools, x-ray view box, examination tray, black board and sitting space are inadequate in most of the OPDs.
14. Audiometry room is not sound proof and is not air-conditioned.
15. In the indoor only one nursing station is provided for several wards which is not adequate arrangement for patient care. Side laboratories are not available with all the wards.
16. In the casualty there is no facilities for central oxygen and central suction. Resuscitation equipments like defibrillator, pulse oximeter, ambu bag, disaster trolley and crash cots are not available.
17. Only one intensive care area having 6 beds is available which functions as ICCU/ICU. It is not properly organised and equipped except a few suction machine and one oxygen cylinder no other equipments are provided. It requires upgradation to a proper intensive area.
18. Separate medical, surgical, burn, paediatric, neonatology, obst. ICU facilities are not available.
19. In the central laundry only one bulk washer is available. No other equipment for cleaning or pressing is provided.
20. Nursing staff is inadequate.
21. In the infrastructure of pre-clinical departments, the following deficiencies are observed:-

Anatomy Department – The embalming machine and cold storage cabinet are not in working conditions.

- Lecture theatres are of level type with capacity of 60 students.
- No demonstration hall is available in Physiology department.
- Clinical physiology laboratory is not separately provided. It is shared with amphibian lab.

22. In the infrastructure of para-clinical departments, the following deficiencies are observed:-
 - The capacity of experimental pharmacology lab and clinical pharmacology lab is smaller than required as per norms.
 - Number of books in the departmental laboratory of Pharmacology, Microbiology and Forensic Medicine are less than required as per norms.
 - Adequate audio-visual aids are not available in departments.

23. Other deficiencies/remarks are in the report.

In view of above, the members of the Ad-hoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Tilkamanjhi Bhagalpur University in respect of students being trained at J.N. Medical College, Bhagalpur u/s 19 of the I.M.C. Act,1956.”

The Council also noted and approved the following recommendations of the Executive Committee taken at its meeting held on 28.03.2004 wherein the members of the Adhoc Committee appointed by the Hon’ble Supreme Court were also present:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter received from the State Govt. of Bihar in which the factual position has been narrated and decided to give extension for a period of 4 weeks after Model Code of Conduct cease to operate in the State of Bihar and to defer the process for de-recognition till then.”

27. Continuance of recognition of MBBS degree granted by Magadh University, in respect of students being trained at Nalanda Medical College, Patna.

Read : The Council Inspectors report (22nd & 23rd December, 2003) for continuance of recognition of MBBS degree granted by Magadh University, in respect of students being trained at Nalanda Medical College, Patna.

The Council noted the following recommendations of the Executive Committee dated 03.02.2004:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Nalanda Medical College, Patna as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Magadh University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Nalanda Medical College, Patna was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 22nd & 23rd December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (22nd & 23rd December, 2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under :

Faculty shortage is (19/107) **18.6%**

Professor – 6 (Physiology-1, Orthopaedics-1, Dentistry-1, Anaesthesia-1)

Associate Professor – 1 (Radiodiagnosis)

Asstt. Professor – 7 (Anatomy-1, Biochemistry-1, Microbiology-1, Pharmacology-1, Community Medicine-1, Orthopaedics-2)

Tutor – 5 (Psychiatry –1, Dentistry-1, Radiodiagnosis-1, Anaesthesia-2)

2. Central Workshop for maintenance of medical equipment is not available.
3. There is overcrowding of beds in Obst. & Gynae Ward
4. Bed Occupancy is only 60-65%.
5. OPD attendance is 150-180 per day against required 400 per day
6. There is no CT Scan.
7. Lab investigations are grossly inadequate – Biochemistry 30-36 per day, Histology 0-2, Cytopathology-Nil, Serology-Nil, Microbiology- Nil.
8. Medical record is not computerized, ICD-X is not followed.
9. Facilities in casualty are inadequate. No Central Oxygen and suction.
10. NICU are not available.
11. Intercom facility in hospital is not available.
12. Urban & Rural health centers are not under the administrative control of Dean.
13. Books in departmental libraries are inadequate.
14. There are no junior residents in any clinical Dept.
15. Other deficiencies/remarks are in the report.

In view of the above, the Members of the Adhoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Magadh University in respect of students being trained at Nalanda Medical College, Patna under Section 19 of the IMC Act, 1956.”

The Council also noted and approved the following recommendations of the Executive Committee taken at its meeting held on 28.03.2004 wherein the members of the Adhoc Committee appointed by the Hon’ble Supreme Court were also present:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted

the letter received from the State Govt. of Bihar in which the factual position has been narrated and decided to give extension for a period of 4 weeks after Model Code of Conduct cease to operate in the State of Bihar and to defer the process for de-recognition till then.”

28. Continuance of recognition of MBBS degree granted by Patna University, Patna in respect of students being trained at Patna Medical College, Patna.

Read : The Council Inspectors report (19th & 20th December, 2003) for continuance of recognition of MBBS degree granted by Patna University, Patna in respect of students being trained at Patna Medical College, Patna.

The Council noted the following recommendations of the Executive Committee dated 03.02.2004:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted that the Executive Committee at its meeting held on 31.10.2002 decided to issue a show cause notice to Patna Medical College, Patna as to why steps should not be initiated to recommend derecognition of the college for the award of MBBS degree granted by Patna University as per provision of Section 19 of the I.M.C. Act,1956 for not submitting the proper compliance on the deficiencies pointed out in the inspection report and further noted that one month time was granted to the institution to respond to the show cause notice.

The Committee further noted that the compliance report received from the Principal, Patna Medical College, Patna was considered by the Executive Committee at its meeting held on 09.01.2003 wherein it was decided to verify the same by way of an inspection. Accordingly, an inspection to verify the compliance was carried out on 19th & 20th December,2003.

The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the inspection report (19th & 20th December,2003) and noted that deficiencies are still persisting as under:-

1. Shortage of teaching staff is as under:
(a) Faculty 37.2% i.e. 65 out of 180

(i) **Professors (3)** Anatomy – 1, PSM –1, ENT – 1

Assoc. Prof.(12) Anatomy –1, Physio.-1, Bio.-1, Pharm.-2, PSM – 1, Pead.-1, Radio.-1, Anesth.-2, Gen. Med.-2.

Asst. Prof. (31) Anatomy-3, Physio.-1, Bio.-1, Patho.-4, Micro-1, Pharm.-3, FMT-1, PSM-3, Epidem.-1, Biostat.-1, Psy.-1, ENT-2, Ophalm.-1, Gen. Med.-4, Obst. & Gynae.-3, Radio.-1.

Tutor (19) Anatomy-1, Physio.-4, Bio.-2, Patho.-3, Micro.-1, Pharm.-4, PSM -5.

- (ii) The shortage of residents is more than 25% as under:
- (a) **Sr. Resident (14)** TB Chest-1, Psy.-1, Paed.-2, Ortho.-1, Ophthalm.-2, Gen.Med-7
- (b) **Jr. Resident (19)** Gen. Med.-19.
2. The number of laboratory investigations are grossly inadequate and not commensurate with the attendance of the patients claimed by the college in the outdoor as well as in the indoor.
 3. Number of x-rays is inadequate and not commensurate with the attendance of the patients claimed by the college in the outdoor as well as in the indoor.
 4. Medical Record department is not computerized and it is not functioning properly.
 5. Only 12 beds are available in the casualty. Central oxygen supply and central suction are not available. Necessary equipments like defibrillator, pulse oximeter, ambu bag, disaster trolley are not available.
 6. A combined ICU caters to the patients of Medicine, Surgery and Burns. No separate ICU for Paediatric, Surgery & Burns are available.
 7. Number of journals subscribed are only 45 against the requirement of 100.
 8. Other deficiencies/remarks in the report.

In view of the above, the members of the Adhoc Committee and of the Executive Committee of the Council decided to recommend to the Council to withdraw the recognition of MBBS degree granted by Patna University in respect of students being trained at Patna Medical College, Patna under Section 19 of the IMC Act, 1956.”

The Council also noted and approved the following recommendations of the Executive Committee taken at its meeting held on 28.03.2004 wherein the members of the Adhoc Committee appointed by the Hon’ble Supreme Court were also present:-

“The members of the Adhoc Committee appointed by the Hon’ble Supreme Court and of the Executive Committee of the Council noted the letter received from the State Govt. of Bihar in which the factual position has been narrated and decided to give extension for a period of 4 weeks after Model Code of Conduct cease to operate in the State of Bihar and to defer the process for de-recognition till then.”

29. Continuance of recognition of MBBS degree granted by Sri Ramachandra Medical College and Research Institute (Deemed University).

Read : The periodical inspection report (2nd & 3rd Dec., 2003) along with the compliance report received from the Registrar, Sri Ramachandra Medical College and Research Institute (Deemed University) on remarks made in the inspection report.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council considered the matter and decided to continue the recognition of MBBS degree granted by Sri Ramachandra Medical College and Research Institute (Deemed University).”

30. 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 : 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.

The Council noted the following recommendations of the Executive Committee:-

“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.”

The Council further noted the following recommendations made by the Study Group at its meeting held on 14.07.2003 constituted by the MCI with regard to the acceptance of e-journals as a substitute for print journals:-

1. To accept and promote the concept of e-journals consortium.
2. To consider the e-journals consortium as an alternative to the existing MCI norms of mandatory 100 journals in Medical Colleges who can provide e-journals through e-journal consortium.

3. The following logistics have to be worked out before making it mandatory for all the Medical Colleges in the country:-
 - a. The impact factor of journals.
 - b. Number of journals required for Undergraduate course (MBBS), Postgraduate courses and Superspeciality along with cost need to be worked out.
 - c. To find out whether WHO has made any recommendations on e-journals.
 - d. To study the availability of required infrastructure in the medical colleges infrastructure availability for accessing e-journals.

After much deliberations in the matter, the Council was of the view that there are many institutions in the country where the required infrastructure for accessing the e-journals through e-journals consortium are not available. It was also opined that wherever the required infrastructure for accessing e-journals are available only there journals can be obtained through e-journals consortium in addition to print journals.

In view of above, the Council decided to agree with the recommendation No. 1 made by the Study Group which reads as under:-

- “1. To accept and promote the concept of e-journals consortium.

31. Complaint against Dr. Satya Narain, Consultant Radiologist & Ultrasonologist, Delhi, as alleged by Smt. Rekha Gupta.

Read : The complaint against Dr. Satya Narain, Consultant Radiologist & Ultrasonologist, Delhi as alleged by Smt. Rekha Gupta.

The Council approved the following recommendations of the Ethical Committee duly accepted by the Executive Committee:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the decision taken by the Ethics Committee at its meeting held on 24th and 25th November, 2003 as under:-

“The Ethics Committee deliberated in detail and scrutinized all the documents as well as statement submitted by Dr. Satya Narain before the Ethics Committee held on 12-13 August, 2003 which is as under:

I, Dr. Satya Narain am registered with Medical Council of India bearing Regn .No. 7479, dated 28.11.1998 . On 9.3.2002, on USG of

Smt. Rekha Gupta, 48 year old was done my finding in this particular4 case were as follows:-

It was right cystic Tubo Ovarian Mass. In that complaint it was alleged in my name referring the Tubo Ovarian Mass was in the left side not on the right side. The report was not of CT Scan but of USG it is computer generated report and it may be a computer operator had inadvertently mentioned that right side instead of the left side. I am extremely sorry for that I should have been more careful before signing the report.

In view of above, the Committee feels that Dr. Satya Narain has violated Section 2.1.1 of Professional Conduct of Professional Conduct, Etiquette and Ethics Regulations, 2002 so far the duties of physician to their patients and that too obligations to the sick is concerned. The section 2.1.1 of the Professional Conduct of Professional Conduct, Etiquette and Ethics Regulations, 2002 states as under: -

“Section 2.1.1 – Though a physician is not bound to treat each and every person asking his services, he should not only be ever ready to respond to the calls of the sick and the injured, but should be mindful of the high character of his mission and the responsibility he discharges in the course of his professional duties. In his treatment, he should never forget that the health and the lives of those entrusted to his care depend on his skill and attention. A physician should endeavour to add to the comfort of the sick by making his visits at the hour indicated to the patients. A physician advising a patient to seek service of another physician is acceptable, however, in case of emergency a physician must treat the patient. No physician shall arbitrarily refuse treatment to a patient. However for good reason, when a patient is suffering from an ailment which is not within the range of experience of the treating physician, the physician may refuse treatment and refer the patient to another physician.

On this basis, the Ethics Committee have decided unanimously to reprimand Dr. Satya Narain severely and to warn him to be cautious in future while giving opinion and reports so that this type of negligence is never repeated. Warning may be recorded in the Indian Medical Register of MCI.”

32. Complaint against Dr. Anuradha Tuli as alleged by Sh. Rama Nand Malviya, New Delhi.

Read : The compliant against Dr. Anuradha Tuli as alleged by Shri Rama Nand Malviya.

The Council approved the following decision of the Ethical Committee duly accepted by the Executive Committee:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the following decision

taken by the Ethics Committee at its meeting held on 24th and 25th November, 2003:-

“The Ethics Committee considered the matter and noted that the action has already been taken by Delhi Medical Council in this regard. The Delhi Medical Council issued a “warning” to Dr. Anuradha Tuli and directed her to be more careful in future. “Censor” has also been recorded in the State Medical Register of DMC. In view of above, Ethics Committee noted that as such no further action is required at this end. However, “Censor” to be recorded in the Indian Medical Register of MCI.”

33. Plagiarism of Scientific Paper.

Read : The matter with regard to Plagiarism of Scientific Paper.

The Council approved the following decision of the Ethical Committee duly accepted by the Executive Committee:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the following decision taken by the Ethics Committee at its meeting held on 24th and 25th November, 2003 and further decided that the matter be placed before the next General Body meeting of the Council:-

“The Ethics Committee considered the matter and deliberated on the complaint of Dr. Guy A Norfolk, Stock Wood Medical Centre, Bristol and the written statements of Dr. Sudhir Kumar Gupta, Dr. T.D. Dogra, Dr. R.K. Sharma, and Dr. Y.K. Joshi were taken from each of them.

The Written statements of above mentioned doctors are as under:-

STATEMENT OF DR. SUDHIR KUMAR GUPTA

“I, Dr. Sudhir Kumar Gupta working in All India Instt. of Medical Sciences, New Delhi as Assistant Professor in Forensic Medicine passed my MBBS from Ranchi University (MGM Medical College, Jamshedpur) and did my M.D. in the year December, 1994 from Banaras Hindu University. I am registered with Bihar Medical Council bearing Registration No. 25590, and Delhi Medical Council also. I have joined AIIMS in August, 1995 as Sr. Demonstrator and became Adhoc Asstt. Professor in August, 2000 as in June, 2003, I was regularized as Assistant Professor in AIIMS.

The paper was prepared by me and it was submitted for presentation in Sydney, Australia in March, 2002. The abstract of the paper was accepted for presentation in the conference. I attended the conference personally but I did not presented the paper in the conference. Nobody else also presented. The paper was sent for publication in the Indian Medical

Gazette by me with two other co-writers Dr. R.K. Sharma and Dr. R.C. Anand, all from AIIMS. I subsequently come to know that papers has been published in February, 2002 of the Indian Medical Gazette under the title "Fit for Statement or Interrogation – a Medical Review". The paper was prepared but was not in final shape. This was the reason that I have not presented the paper in the said conference. The paper submitted by me was not claimed as an original work. It is a review article which is not under the purview of the Infringement of Copyright Act applicable to International Copyright Order, 1999.

Q. Do you mean to say that your article was a mere criticism or review of the work of Dr. Norfolk.

A. In my view it was a medical review on the work with some Indian scenario added.

Q. Subsequent to the conference you have prepared the final version of the same paper in a different name "Fit for Statement or Interrogation – a Medical Review" and submitted to the Indian Medical Gazette wherein it was published in February, 2002 under the heading of review article. Is it true?

A. I have submitted the article before the conference.

Q. Do you mean to say that before the conference this paper was ready?

A. This paper was not properly ready and I have sent the paper to Indian Medical Gazette before the Sydney conference and was waiting for the reply of editor for further modification in the paper. I did not received any correspondence for any scientific or grammatical correction into the article from the editor of Indian Medical Gazette. I received the journal after a long time. When I saw the final published paper in Indian Medical Gazette then I have written a letter to the editor acknowledging the article written by Dr. Norfolk in this article and to request to print it as corrigendum.

Q. But the reference you have given in the said article which are nine in number does not contain any acknowledgement or mention of Dr. Norfolks article.

A. It is true that the printed article does not contain any reference regarding Dr. Norfolk. I have already said that I have not received any chance from the Editorial Group to correct it before final print and when I saw the final printed paper, I wrote a letter to publish a corrigendum referring Dr. Norfolk.

Q. Have you not written to him regarding his accusation?

A. I have written to Dr. Norfolk by email to withdraw his complaint perhaps in June, 2003 and once again after that. Copies of those emails have been submitted to MCI Office by me.

Q. Did you get any reply?

A. No, the mail has been received by Dr. Norfolk.

Q. What is the inference to the fact that mail has been received by Dr. Norfolk and no reply has been received by you?

A. I don't know.

Q. You have mentioned that your article is based mainly on review of Dr. Norfolk work, hence it does not come under the purview of International Copyright Act. If this is correct the article submitted by you should have quoted the main reference of Dr. Norfolk. Did you do so in the instant case?

A. No.

Q. Why?

A. Papers submitted by me in the Indian Medical Gazette for consideration of suitability of examined by a Peer Review in most of the cases. The author receive back the paper with some queries, scientific in nature; grammatical or some changes, but in this case, I have not received any for more than approx. 1 ½ year time from the Indian Medical Gazette. I have seen the final print of this article only and I have written letter to the editor acknowledging the work of Dr. Norfolk to print as corrigendum.

Q. Do you think that editor should add the reference.

A. No.

Q. Do you accept you will submit incomplete manuscript or manuscript with grammatical mistake for publication to the editor and since you have not mentioned to him of Dr. Norfolk in their submission, do you expect the editor to add that reference since you have failed to mention Dr. Norfolk reference in manuscript. Do you accept the editor to pinpoint his work and make a correction for correspondence.

A. The author generally submit an article for publication in journal out of best of his knowledge and ability, but myself is not much experienced and the editorial board consist of the members having more than 1-2 decades of experience in the speciality who see the content of the article, go through the material, content of the article and in most of my articles published, including in the National Medical Journal from AIIMS 3-4 times, the copies before final print for correction and further improvement with the suggestion of Peer Review Group, Senior Scientist. However, I accept it was not the duty of the editor to include the name of Dr. Norfolk as a reference into this article and when I saw the final print, I have written to the editor to print as corrigendum.

- Q. When you received final print?*
- A. Basically, I have not received. This has been misplaced in my department. I was shown the article by Dr. R.K. Sharma after about 2-3 months after the journal was received by Dr. Sharma.*
- Q. The article which was submitted to Indian Medical Gazette having co-author Dr. R.C. Anand and Dr. R.K. Sharma; whereas Dr. T.D. Dogra's name has been given in the co-author in the presentation in the Sydney conference.*
- A. I have not done the presentation in the Sydney conference. Co-author Dr. T.D. Dogra has not contributed to this article at all, it was just in a manner of implied consent, I put his name. The similar thing about the co-author Dr. R.K. Sharma and Dr. R.C. Anand from AIIMS appeared as co-author published in the Indian medical Gazette. Both of them have not contributed into this matter, into this article, and their names have been given in a manner of implied consent.*
- Q. When you have sent this article to Indian Medical Gazette. Who was the HOD of your department and MS of AIIMS?*
- A. Dr. R.C. Anand was Head of the department at that point of time and also Medical Superintendent while sending the article for publication in the Indian medical Gazette.*
- Q. Why did you change the heading of the article?*
- A. Both the articles were sent in a different interval of time and was not in a final shape and non-receipt of any communication from anywhere due to circumstantial factor, I may have changed the name of co-author.*
- Q. Reason for change of title?*
- A. The reason for change of the title, I was in the process of giving best shape of this article.*
- Q. Whenever you sent article for publication it is customary to give a declaration to the effect that this article has not been published anywhere nor it has been sent for publication to any other journal. Was it done in this case?*
- A. Yes, a declaration has been given to the editor of the journal where article is being sent for consideration of publication and I may have given in this case also.*
- Q. Was it sent to the organizers of the Sydney Conference also.*
- A. No.*
- Q. What made you to rethink or reconsider to include Dr. Norfolk name as corrigendum which you have failed to mention when you have submitted original article?*
- A. In review articles many references which are common with the reference of any original article published and it is not under the*

infringement of purview and infringement of Copyright Act but keeping the matter of ethical and professional honesty, I have written to the editor to include the name of Dr. Norfolk in view of the professional and ethical honesty for a medical profession.

Q. You mean to say that article was not presented at all in the Sydney conference.

A. It was not at all.

Q. But it has been shown that it has come out in the abstract and it was present in two times.

A. It is pre-conference material.

Q. To the submission that the article was not presented by the author at Sydney, Australia and that there were two poster board presentation on Monday 18th March, 2002 between 1245 to 14 hours and on Thursday 21st March, 2002 between 1230 to 14 hours at Level II, Sydney, Australia. What have you to say?

A. I have not presented paper at all during the whole period of conference and this information are from a document which has been prepared as a conference schedule before the conference time by the organizers. I have also already replied in writing three times to the Council.

Q. It seems that in many places the lines are totally similar with Dr. Norfolk article. Only some words have been changed. For example, Police Surgeon word is replaced by 'Doctor'. In some places, the sentence has been changed but it carries the same meaning. The reading of the two articles wherein your name figures with that of the other doctors together clearly shows that in majority of the places, the article of Dr. Norfolk have been copied ad-verbatim or inference have been reflected with minimal changes. Moreover, the discussions also are practically the same. No other important article on similar topics have been quoted or used in any of the two papers to give a view similar to Dr. Norfolk or to contradict him. The references that has been used are exactly similar but in the two articles wherein you are the principal author and wherein the names of your seniors have also been used, does not at any place contain reference either in the body of the article or in the list of references to the principal article of which you have claimed to have reviewed. It clearly shows that your articles are not reviews but are copies of Dr. Norfolk article with certain changes of words or constructional of sentences. Would you like to agree to what I have said before the Ethical Committee or you would like to give a different statement.

A. I would like to accept before the Ethical Committee regarding the sentence and paragraph are verbatim in my alleged articles but I would like to say that my article is a review article which is already mentioned in title itself and in both of the places and I have not been

provided any opportunity to correct it. Somewhere the work of Dr. Norfolk is original and published in leading literature of the specialty. My work was just a review and it is not under the purview of infringement of Copyright Act applicable to India as well as abroad including Australia. However, I found my article is not proper. I have not presented the article in the conference alleged by Dr. Norfolk and when I saw the article in Indian Medical Gazette I have sent to print a corrigendum acknowledging Dr. Norfolk, although it is not an infringement only out of ethical and professional honesty.

- Q. Let it be very clear that you have been called here not under any other act except the Medical Council of India Act and the Professional Conduct, Etiquette and Ethics Regulation, 2000. You have admitted that articles and paragraphs are verbatim copy of Dr. Norfolk article. You have further stated that you have sent a letter to the editor of Indian Medical Gazette only after publication of the article but have failed to send any communication to the editors for a long time of 1 ½ year when the article was lying with them nor you have recalled the article. Your claim regarding your article being only a review of Dr. Norfolk article is not sustainable because of non-mention of the principal author or the article in either of your articles which have been presented and published over a wide gap of time. Hence, the so called Copyright Act that you have mentioned also comes into the picture too. The Ethical Committee considers this act as an act of gross mist-conduct and would like to have your comments/nw.*
- A. I am in view to accept whatever action will deem fit by the Hon'ble Ethical Committee. I have given all the statement honestly with best of my knowledge and from the very beginning of my career of undergraduate and postgraduate and working for nine years in AIIMS, I have dealt with many important and sensitive cases and there is no single complaint against me or show cause has been issued to me by AIIMS authority in last nine year of my service by various investigative agencies like CBI, Delhi Police, Special Branch of Delhi Police, Special Cell, Crime Branch. I am the project witness in many of the national famous cases of these agencies. My records regarding my conduct and character could be verified from the AIIMS authorities and in view of my long future career of more than 25 years, I will request the Hon'ble Ethical Committee to consider all the aspects in view of services could be rendered by me in future that will be beneficial to the people. I would also like to mention before the Ethical Committee that there are a lot of rivalry in department and since it is a premier institute, there is cut-throat competition in the faculty of the department also and the whole complaints I am not alleging but I have sufficient reasons to believe that someone is pursuing the matter to tarnish my image with this issue. One fact also I would like to mention that I was for a while working as an Adhoc Asstt. Professor, I was to appear before the Standing Selection Committee on 8th February, 2003, only two days before this matter, the whole proceeding of the Ethical Committee has been delivered to*

the Director of the AIIMS 2-3 days prior to my selection by hand. That may grossly affect me and that has been also been distribution to 3-4 Selection Committee members out of 12-13 and I also came to know that one of the faculty was carrying photocopy of this document and showing to, atleast to the best of my knowledge one member of the Standing Selection Committee of the AIIMS.

I am deeply sorry that the dispute arisen by an international medical professor and the embarrassment caused to MCI and I feel from the best of my ability and knowledge to make myself update nationally and internationally and I am labouring hard now also to be updated. Since my background is from the village and I came to a metro city from an interior village of Jharkhand State. This type of embarrassing situation will never arise, that is I give a commitment to our Hon'ble Ethical Committee of MCI. In view of my service of more than 25 years I will request the Hon'ble Members of the Ethical Committee to keep the interest of my career and future because this type of thing is being used at some important places and before the authority at the time of professional growth. However, I am accepting whatever the decision will be taken by the Hon'ble Ethical Committee. The thing is unintentional and without understanding the gravity of the situation."

STATEMENT OF DR. R. K. SHARMA

"I, Dr. R. K. Sharma, working as Additional Professor in Forensic Medicine, AIIMS, New Delhi. I did my MBBS from AIIMS in 1982 and then did my MD from AIIMS, 1985 and since 1986, I am working at AIIMS. I am registered with Delhi Medical Council bearing Registration No. DMC-7333 in 2002. I am also registered with MCI bearing No. 3576 in 1982.

An article has been published in Indian Medical Gazette in 2002 issue. I am not an author or co-author in this article, though name has been published in this Journal. I disown the authorship in this Article.

A letter dated 15.06.1998 addressed to the Editor, Indian Medical Gazette in the letterhead of AIIMS, wherein this article was submitted for publication. The Signature is put in my name. These are not at all my signatures. I am seeing this letter for the first time.

STATEMENT OF DR. Y. K. JOSHI

"I, Dr. Y. K. Joshi, did my MBBS from USSR in 1975 and then did my Ph.D. in MS and Gastroenterology. I am registered with Medical Council of India as well with Delhi Medical Council. I don't remember my Registration No.

As discussed with the Director, we have gone through both the papers and it was seen that in some cases, certain part was similar in both the articles and some minor changes were there.

The Director further informed that whatever decision will be taken by the MCI may please be informed to him for taking necessary action at this end.”

STATEMENT OF DR. T. D. DOGRA

“I. Dr. T. D. Dogra, did my MBBS from SP Medical College, Bikaner, Rajasthan in 1971 and did my MD in Forensic Medicine in 1976 from AIIMS. I am serving in AIIMS since 1972. I am registered with MCI bearing Registration No. 12138. I have not associated with the article/presentation which was done by Dr. Sudhir Gupta and submitted for poster presentation at Sydney Conference.

I have gone through the article as well as the Norflox article and there are some similarities.”

After deliberate discussions on this issue, the Ethics Committee came to the following opinion:-

- (1) That two of the authors namely Dr. T.D. Dogra and Dr. R.K. Sharma have clearly disowned the article but their names were also figured in the article. It appears that Dr. Sudhir Kumar Gupta have use the name of his senior colleagues.
- (2) In response to our letter to the Editor Indian Medical Gazette vide MCI letter No. 211(2)(257)/2002-Ethical/21435 dated 16.10.2003, the Editor of the Indian Medical Gazette has submitted a photocopy of the letter signed by the Editor in Feb, 2003. In this letter, names of three of the authors namely Dr. R.C. Anand, Dr. R.K. Sharma, Dr. Sudhir Kumar Gupta, with their signatures were present. When this letter was shown to Dr. Sudhir Kumar Gupta he saw the signature and said that he has sent this letter. But when the letter shown to Dr. R.K. Sharma he has denied about the signature, that the signature has not his. When the letter was shown to the Dr. Y.K. Joshi, Sub-Dean, AIIMS, he has explained about the signature of the Dr. R.C. Anand that it is not his signature. In view of the above, letter signed, acknowledged and sent by Dr. Sudhir Kumar Gupta to the Editor, Indian Medical Gazette, there is existing possibility of two signatures being forged. On examination and recording of the statement of Dr. Sudhir Kumar Gupta, it has become apparent that his article is not a review article but is a clear case of plagiarism of a scientific article written by Prof. Guy.A. Norfolk of U.K. and as such it constitutes a serious academic offence and a case of professional misconduct on the part of Dr. Sudhir Gupta.

The Ethics Committee expresses great concern at the state of affairs in the academic annals of our country and also at the most prestigious and premier institute AIIMS. It strongly feels that such practice should be discouraged, if necessary, by making exemplary punishment.

After the statement of the four doctors from AIIMS the Ethics Committee perused the documents prepared by one of the Member of the Ethics Committee which was shown in tabular form and decide to include as a part of this agenda and decide to place it before the Executive Committee for their reference.

Under the aforesaid circumstances as well as admission of Dr. Sudhir Kumar Gupta, the Ethics Committee was of the opinion that Dr. Sudhir Kumar Gupta has violated REGULATION ON PROFESSIONAL CONDUCT ETIQUETTE AND ETHICS, 2002 so far as the following sections are concerned.

1.1.1 *“A physician shall uphold the dignity and honour of his profession.”*

1.1.2 *“The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who-so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals; conduction himself with propriety in his profession and in all the actions of his life.”*

The Ethics Committee is of the opinion that the act of commission in the part of Dr. Sudhir Kumar Gupta is of professional misconduct which render him for disciplinary action. Under such circumstances the Ethics Committee unanimously recommends that the name of Dr. Sudhir Kumar Gupta be erased from the Indian Medical Register temporarily for a period of one year as per section 8.1 of the REGULATION ON PROFESSIONAL CONDUCT ETIQUETTE AND ETHICS, 2002 which states as follows.

- 8.1** *“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils have to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”*

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

The Council noted the change of name of Govt. of Medical College, Rajkot to Pandit Deen Dayal Upadhyay Medical College, Rajkot.

35. Tashkent Medical Institute erstwhile USSR renamed as first Tashkent State Medical Institute – change of name of the Institute – regarding.

The Council noted the change of name of Tashkent State Medical Institute to First Tashkent State Medical Institute.

36. Kyrgyzstan State Medical Institute renamed as Kyrgyz State Medical Academy – change of name of the Institute – regarding.

The Council noted the change of name of Kyrgyzstan State Medical Institute as Kyrgyz State Medical Academy.

37. Vinnitsa State Pirogov Memorial Medical University renamed as National Pirogov Memorial Medical University, Vinnitsa – change of name of the institute – regarding.

The Council noted the change of name of Vinnitsa State Pirogov Memorial Medical University as National Pirogov Memorial Medical University, Vinnitsa.

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

The Council noted the change of name of (i) Kazakstan State Medical University, Kazakstan as Kazakh National Medical University and of (ii) Medical Academy, Sofia (Higher Medical Institute), Pleven, Bulgaria as Higher Medical Institute, Pleven, Bulgaria.

39. Removal of name of deceased person from Indian Medical Register.

Read : The letter dated 8.10.2003 received from the Registrar, Rajasthan Medical Council , Jaipur with regard to removal of name of Dr. Hans Kumar from the Register of the Registered Medical Practitioners.

The Council approved the following decision of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council at their earlier meeting dated 05.05.2003 while considering the matter with regard to removal of name of Dr. Hans Kumar noted as under:-

“The Executive Committee and members of the Adhoc Committee noted from the letter dated 16.04.2003 received from the Registrar, Rajasthan Medical Council that the State Council has erased the name of Dr. Hans Kumar from the register of Registered Medical Practitioners maintained by the Rajasthan Medical Council only on the basis of an information published in the local newspaper on

11.4.2003 about his sad demise. While appreciating that the Rajasthan Medical Council has been prompt enough in furnishing the information of removal of name of doctors from their register, the Committee decided to obtain verification and confirmation from the Rajasthan Medical Council as to how they have removed the name of Dr. Hans Kumar only on the information about his demise published in the local paper.”

The above decision of the Committee was communicated to the authorities of Rajasthan Medical Council vide Council letter dated 24.05.2003. In response to Council letter, the Registrar, Rajasthan Medical Council vide his letter dated 08.10.2003 has stated as under:-

“news regarding death of any person is published in the newspaper only on request and report by the nearest relatives of the deceased, hence, itself authentic. However, this Council use to send a condolence letter first, to the deceased relative whose name published with news of death in the newspaper, which confirms the given information, thereafter we erase the name and request you for the same.”

In view of above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to remove the name of Dr. Hans Kumar, registration no. 564, dated 30/06/1961, from the Indian Medical Register and also to give intimation in this regard to all the State Medical Councils in the country.”

40. Removal of name of deceased person from Indian Medical Register.

Read : The letter received from the Registrar, Rajasthan Medical Council , Jaipur with regard to removal of name of Dr. Manoranjan Majumdar from the Indian Medical Register who expired on 16/9/2003.

The Council approved the following decision of the Executive Committee:-

“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 Rajasthan 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.”

41. Revision of Graduate Medical Education Regulations, 1997, Minimum Standard Requirements for the Medical College for 100 admissions, Regulations of the Council on Postgraduate Medical Education and Regulations of the Council on Minimum Qualifications for Teachers in Medical Institutions.

Read : The revised regulations of the Council on Graduate Medical Education Regulations, 1997, Minimum Standard Requirements for the Medical College for 50/100/150 admissions, Regulations of the Council on Postgraduate Medical Education and Regulations of the Council on Minimum Qualifications for Teachers in Medical Institutions.

The Council approved the revised regulations of the Council on Graduate Medical Education Regulations, 1997, Minimum Standard Requirements for the Medical College for 50/100/150 admissions, Regulations of the Council on Postgraduate Medical Education and Regulations of the Council on Minimum Qualifications for Teachers in Medical Institutions.

42. Minutes of Finance Committee held on 17/10/2003 – Approval of.

The Council approved the minutes of the Finance Committee held on 17/10/2003 as approved by the Executive Committee.

43. To approve the minutes of the Postgraduate Committee meetings held on 9/10/2003 and 15/12/2003.

The Council approved the minutes of the Postgraduate Committee meetings held on 9.10.2003, 15.12.2003 and 25.02.2004.

44. To approve the minutes of the Building Committee meetings held on 16.12.2003, 29.12.2003, 24.2.2004 & 26.3.2004

The Council approved the minutes of the Building Committee meetings held on 16.12.2003, 29.12.2003 & 24.2.2004 and 26.3.2004.

45. Proposal for purchase of Maruti Van for the Council.

Read : the proposal for purchase of Maruti Van for the Council office as approved by the Executive Committee.

The Council approved the following recommendation of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council approved the proposal for purchase of Maruti Van for the Council Office.”

46. Appointment of Zonal Inspector on consolidated salary.

Read : The matter with regard to extension of services of Dr. C.A. Desai, Zonal Inspector of the Council.

The Council approved the following decision of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided to extend the services of Dr. C.A. Desai, Zonal Inspector of the Council for a further period of one year w.e.f. 02.11.2003.”

47. Appointment of Retainer Advocate in the Council office.

Read : the matter with regard to appointment of Retainer Advocate in the Council office.

The Council approved the following recommendation of the Executive Committee:-

“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.”

48. Appointment of Sh. Ashok Kumar Harit, Deputy Secretary (Admn.) on regular basis in the Council office in the pay scale of 12,000 –375-18,000.

Read : The matter with regard to appointment of Shri Ashok Kumar Harit, Deputy Secretary (Admn.) on regular basis in the Council office.

The Council approved the following decision of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the request of Shri Ashok Kumar Harit, Deputy Secretary (Admn.) who has joined the office on deputation basis and decided to approve his appointment on regular basis in the Council office in the pay scale of Rs.12,000-375-18,000/-.”

49. Appointment of Shri Jagtar Singh, Assistant Secretary on regular basis in the Council office in the pay scale of Rs. 10,000 –325-15,200.

Read : The matter with regard to appointment of Shri Jagtar Singh, Assistant Secretary on regular basis in the Council office.

The Council approved the following decision of the Executive Committee:-

“The members of the Adhoc Committee and of the Executive Committee of the Council considered the request of Shri Jagtar Singh, Assistant Secretary who has joined the office on deputation basis on 16.04.2003 and decided to approve his appointment on regular basis in the Council office in the pay scale of Rs.10,000-325-15,200/-.”

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

Read : The matter with regard to payment of honorarium to Council Inspectors for the days spent in transit.

The Council approved the following decision of the Executive Committee:-

“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.”

51. Confirmation of employees of Medical Council of India.

The Council approved the recommendations of the Departmental Promotion Committee for confirmation of the following employees of the Council as approved by the Executive Committee:-

“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

52. H.N.B. Garhwal University – Recognition of D.C.H. qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun for purpose of recognition of D.C.H. qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January,2004) and decided to recommend that D.C.H. qualification granted at H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

53. H.N.B. Garhwal University – Recognition of DCP qualification in respect of students being trained at Himalayan Instt. of Medical Sciences, Dehradun.

Read : The Council Inspector report (5th Jan.,2004)on the standard of examination and other teaching facilities available at Himalayan Instt. of Medical Sciences, Dehradun for purposes of recognition of DCP qualification granted by HNB Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector report (5th Jan.,2004) and decided to recommend that DCP qualification granted by HNB Garhwal University in respect of students being trained at Himalayan Instt. of Medical Sciences, Dehradun be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

54. Sardar Patel University – Recognition of D.M.R.D. qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.

Read : The Council Inspector’s report (December, 2003) on the standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of D.M.R.D. qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (December,2003) and decided to recommend that Pramukhswami Medical College, Karamsad be approved for the award of D.M.R.D. qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore prospectively restricting the number of admission to 1(one) student per year.”

55. Maharishi Dayanand University, Rohtak – Recognition of M.D.(Psychiatry) & D.P.M. qualifications in respect of students being trained at Pt.B.D.Sharma Postgraduate Institute of Medical Sciences, Rohtak.

Read : The Council Inspector’s report (December, 2002) on the standard of examination and other teaching facilities available at Pt.B.D.Sharma Postgraduate Institute of Medical Sciences, Rohtak purpose of recognition of M.D.(Psychiatry) & D.P.M. qualifications granted by Maharishi Dayanand University, Rohtak.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Council Inspector’s report (December,2002) and decided to recommend that M.D. (Psychiatry) & D.P.M. qualifications granted by Maharishi Dayanand University, Rohtak be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admission to 2(two) students per year in each course.”

56. (i) **Bharthiar University – Recognition of D.C.H. qualification in respect of Coimbatore Medical College, Coimbatore.**

(ii) **Madras University, The Tamilnadu Dr.M.G.R. Medical University, Tamilnadu – Approval of Coimbatore Medical College, Coimbatore for the award of D.C.H. qualification.**

Read : The Council Inspector’s report (October, 2003) on the standard of examination and other teaching facilities available at Coimbatore Medical College, Coimbatore for purpose of i) recognition of DCH qualification granted by Bharthiar University and ii) approval of the college for the award of DCH qualification earlier granted by Madras University and now by The Tamilnadu Dr.M.G.R. Medical University.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Council Inspector’s report (October,2003) and decided to recommend that:

- (i) DCH qualification granted by Bharthiar University in respect of students trained at Coimbatore Medical College, Coimbatore be recognised and included in the Ist Schedule to the IMC Act,1956.
- (ii) Coimbatore Medical College, Coimbatore be approved for the award of DCH qualification granted earlier by Madras University and now by the Tamilnadu Dr. MGR Medical University restricting the number of admissions to 4(four) students per year.”

57. (i) **University of Mumbai/Bombay – Recognition of M.D.(Radio-Diagnosis) qualification in respect of students being trained at L.T.M. Medical College, Mumbai.**

(ii) **University of Mumbai/Bombay and Maharashtra University of Health Sciences, Nasik – Approval of L.T.M. Medical College, Mumbai for the award of D.M.R.D. qualification.**

Read : The Council Inspector’s report (March, 2001) on the standard of examination and other teaching facilities available at L.T.M. Medical College, Mumbai for purpose of recognition of M.D.(Radio-Diagnosis) qualification granted by University of Mumbai/Bombay and approval of the college for the award of D.M.R.D. qualification granted by University of Mumbai/Bombay and Maharashtra University of Health Sciences, Nasik.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Council Inspector’s report (March,2001) and decided to recommend that –

1. M.D.(Radio-Diagnosis) qualification granted by Bombay University/Mumbai be recognised and included in the first schedule to the IMC Act,1956 prospectively restricting the number of admission to 3(three) students per year.
2. LTM Medical College, Mumbai be approved for the award of DMRD qualification granted by University of Mumbai/Bombay and Maharashtra University of Health Sciences, Nasik prospectively restricting the number of admissions to 3(three) students per year.”

58. University of Rajasthan – Approval of S.P.Medical College, Bikaner for the award of MS (ENT) qualification.

Read : The Council Inspector’s report (July, 2003) on the standard of examination and other teaching facilities available at S.P. Medical College, Bikaner togetherwith compliance for purpose of approval of the college for the award of MS (ENT) qualification granted by University of Rajasthan.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (July,2003) togetherwith compliance and decided to recommend that SP Medical College, Bikaner be approved for the award of MS(ENT) qualification granted by University of Rajasthan restricting the number of admission to 1(one) student per year.”

59. University of Rajasthan – Approval of S.P.Medical College, Bikaner for the award of MD(Paediatrics) qualification .

Read : The compliance verification report (January, 2004) togetherwith compliance and Council inspector’s report (August 2003) on standard of examination and other teaching facilities available at S.P. Medical College, Bikaner for purpose of approval of the college for the award of MD (Paediatrics) qualification granted by University of Rajasthan.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the compliance verification report (January, 2004) togetherwith compliance and Council Inspector’s report (August,2003) and decided to recommend that SP Medical College, Bikaner be approved for the award of MD(Paediatrics) qualification granted by University of Rajasthan restricting the number of admissions to 4(four) students per year.”

60. The Tamilnadu Dr. M.G.R. Medical University, Chennai – Approval of P.S.G. Institute of Medical Sciences & Research, Coimbatore for the award of D.Ortho. qualification.

Read : The Council Inspector's report (October, 2003) on the standard of examination and other teaching facilities available at P.S.G. Institute of Medical Sciences & Research, Coimbatore for purpose of approval of the college for the award of D.Ortho. qualification granted by The Tamilnadu Dr. M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee.

“The Postgraduate Committee considered the Council Inspector's report (October,2003) and decided to recommend that PSG Institute of Medical Sciences & Research, Coimbatore be approved for the award of D.Ortho. qualification granted by the Tamilnadu Dr. MGR Medical University, Chennai restricting the number of admissions to 2(two) students per year.”

61. Marathwada University/Dr.Babasaheb Ambedkar Marathwada University – Approval of S.R.T.R. Medical College, Ambajogai for the award of M.D.(S.P.M.) & D.P.H. qualifications.

Read : The Council Inspector's report (September, 2003) on the standard of examination and other teaching facilities available at S.R.T.R. Medical College, Ambajogai for purpose of approval of the college for the award of M.D.(S.P.M.) & D.P.H. qualifications earlier granted by Marathwada University and now by Dr.Babasaheb Ambedkar Marathwada University.

The Council approved the following recommendations of the Postgraduate Committee..

“The Postgraduate Committee considered the Council Inspector's report (September, 2003) and decided to recommend that SRTR Medical College, Ambajogai be approved for the award of DPH qualification earlier granted by Marathwada University and now by Dr.Babasaheb Ambedkar Marathwada University prospectively restricting the number of admission to 1(one) student for DPH qualification per year as there was no examination held for M.D.(PSM).”

62. Calcutta University – Approval of Vivekanand Institute of Medical Sciences, Calcutta for the award of M.S.(E.N.T.) & D.L.O. qualifications.

Read : The compliance verification report (January, 2004) togetherwith compliance and Council Inspector's report (April, 2003) on the standard of examination and other teaching facilities available at Vivekanand Institute of Medical Sciences, Calcutta for purpose of approval

of the college for the award of M.S.(E.N.T.) & D.L.O. qualifications granted by Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification report (January,2004) togetherwith compliance and Council Inspector’s report (April,2003) and decided to recommend that Vivekanand Institute of Medical Sciences, Calcutta be approved for the award of M.S.(ENT) & DLO qualifications granted by Calcutta University restricting the number of admission to 1(one) student per year in each course prospectively.”

63. Kerala University – Approval of T.D. Medical College, Alappuzha for the award of M.D.(Anaesthesia) & D.A. qualifications.

Read : The Council Inspector’s report (December, 2003) on the standard of examination and other teaching facilities available at T.D. Medical College, Alappuzha for the award of M.D.(Anaesthesia) & D.A. qualifications granted by Kerala University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (December,2003) and decided to recommend that T.D. Medical College, Alappuzha be approved for the award of M.D.(Anaesthesia) & D.A. qualifications granted by Kerala University restricting the number of admission to 1(one) student for degree and 2(two) for Diploma per year.”

64. Kerala University – Approval of T.D. Medical College, Alappuzha for the award of D.G.O. qualification.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at T.D. Medical College, Alappuzha for purpose of approval of the college for the award of D.G.O. qualification granted by Kerala University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January,2004) and decided to recommend that T.D. Medical College, Alappuzha be approved for the award of D.G.O. qualification granted by Kerala University restricting the number of admissions to 2 (two) students per year.

The attention of the authorities concerned be drawn towards implementation of observations made by the Council Inspector in the inspection report.”

65. Rajiv Gandhi University of Health Sciences, Bangalore – Approval of Sree Siddhartha Medical College, Tumkur for the award of M.D.(Pathology) qualification.

Read : The Council Inspector’s report (December, 2003) on the standard of examination and other teaching facilities available at Sree Siddhartha Medical College, Tumkur for the award of M.D.(Pathology) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (December,2003) and decided to recommend that Sree Siddhartha Medical College, Tumkur be approved for the award of M.D(Pathology) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore restricting the number of admissions to 1(one) student per year.”

66. Punjab University and Baba Farid University of Health Sciences, Faridkot – Approval of Dayanand Medical College, Ludhiana for the award of D.C.H. qualification.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Dayanand Medical College, Ludhiana for the award of D.C.H. qualification granted by Punjab University and Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January,2004) and decided to recommend that Dayanand Medical College, Ludhiana be approved for the award of D.C.H. qualification granted by Punjab University and Baba Farid University of Health Sciences, Faridkot restricting the number of admission to 2(two) students per year prospectively.”

67. The Tamilnadu Dr.M.G.R. Medical University, Chennai – Approval of Institute of Ophthalmology, Joseph Eye Hospital,

Tiruchirapalli for the award of M.S.(Ophthalmology) & D.O. qualifications.

Read : The Council Inspector's report (April, 2003) on the standard of examination and other teaching facilities available at Institute of Ophthalmology, Joseph Eye Hospital, Tiruchirapalli togetherwith compliance for the award of M.S.(Ophthalmology) & D.O. qualifications granted by the Tamilnadu Dr.M.G.R. Medical University, Chennai.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (April,2003) and decided to recommend that Institute of Ophthalmology, Joseph Eye Hospital, Tiruchirapalli be approved for the award of M.S.(Ophthalmology) & D.O qualifications granted by The Tamil Nadu Dr.M.G.R. Medical University, Chennai prospectively restricting the number of admissions to 2(two) for degree and 3(three) for diploma per year.”

68. Calcutta University – Approval of Vivekanand Institute of Medical Sciences, Calcutta for the award of M.D.(Obst. & Gynae.) & D.G.O. qualifications .

Read : The Council Inspector's report (April, 2003) on the standard of examination and other teaching facilities available at Vivekanand Institute of Medical Sciences, Calcutta togetherwith compliance for the award of M.D.(Obst. & Gynae.) & D.G.O. qualifications granted by the Calcutta University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (April,2003) and decided to recommend that Vivekanand Institute of Medical Sciences, Calcutta be approved for the award of M.D.(Obst. & Gynae.) & DGO qualifications granted by Calcutta University restricting the number of admissions to 3(three) students for degree and 3(three) students for diploma per year.

An undertaking may be procured from the college authorities for stopping admission to DNB courses.”

69. Recognition of the already recognised MS(ENT) qualification by the nomenclature of M.S.(Oto-Rhino-Larynology) granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of J.J.M. Medical College, Davangere.

Read : The letter dated 27.12.2003 from Dr.D.S.Praveen, Davangere regarding recognition of the already recognised MS(ENT) qualification by the nomenclature of M.S.(Oto-Rhino-Larynology) granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of J.J.M. Medical

College, Davangere and also approve the following recommendations of the Postgraduate committee:-

“The Postgraduate Committee considered the letter dated 27.12.2003 from Dr. D.S. Praveen, Davangere and approved the nomenclature of MS (Oto-Rhino-Laryngology) in place of already recognised MS(ENT) qualification granted by Rajiv Gandhi University of Health Sciences, Bangalore in respect of J.J.M. Medical College, Davangere.”

70. Recognition of the qualification by the changed nomenclature of M.Ch.(Urology), M.Ch.(Cardio-Thoracic & Vasculor Surgery) and M.S.(Obst. & Gynae.) qualifications in consonance with Postgraduate Medical Education Regulation, 2000.

Read : The letter dated 28.11.2003 from the Registrar, Sri Ramachandra Medical College & Research Institute (Deemed University), Chennai regarding recognition of qualification by the changed nomenclature of M.Ch.(Urology), M.Ch.(Cardio-Thoracic & Vasculor Surgery) and M.S.(Obst. & Gynae.) qualifications in consonance with the Postgraduate Medical Education Regulation, 2000.

The Council approved the following recommendations of the Postgraduate committee:-

“The Postgraduate Committee considered the letter dated 28.11.2003 from the Registrar, Sri Ramachandra Medical College & Research Institute (Deemed University), Chennai and approved the changed nomenclature of M.Ch.(Urology), M.Ch.(Cardio-Thoracic & Vasculor Surgery) and M.S.(Obst. & Gynae.) qualifications in consonance with the Postgraduate Medical Education Regulation, 2000.

71. To note the change of name of Nehru Institute of Ophthalmology, Sitapur .

The Council noted the letter dated 20.1.2004 from Professor, K.C. Singhal, Regional Institute of Ophthalmology, Sitapur regarding change of name of Nehru Institute of Ophthalmology, Sitapur to Regional Institute of Ophthalmology, Sitapur as approved by the Postgraduate Committee:-

“The Postgraduate Committee noted and approved the change of name of Nehru Institute of Ophthalmology, Sitapur to Regional Institute of Ophthalmology, Sitapur.”

72. Information with regard to Qualification as to Gastroenterologist.

Read : The matter with regard to qualification as to Gastroenterologist along with the legal opinion obtained from the Council Advocate as decided by the General Body at its meeting held on 20/10/2003.

The Council considered the matter and noted its earlier decision taken at its meeting held on 20.10.2003 as under:-

“The Council noted the contents of letter dated 5.7.2003 received from Mr. O.P. Pahuja, Advocate, Ganganagar seeking certain information with regard to qualification as to Gastroenterologist and also the following recommendations of the Ethical Committee as under:-

“Q-1: Whether a Doctor M.D.(Medicine) can write his qualification as Gastroenterologist on the letter head without holding recognised medical qualification as D.M.(Gastroenterology) as required u/s 4 of the Indian Medical Degrees Act,1916.

Ans.: No.

Q-2: Whether a Doctor M.D.(Medicine) without holding recognised medical qualification as D.M.(Gastroenterology) as required u/s 11 of the Indian Medical Council Act,1956 can undertake test on the person as G.I. Endoscopy or take Endoscopic Diagnosis.

Ans.: Yes, with proper institutional training.

The Council decided to take legal opinion in the matter for its further consideration.”

The Council after due deliberations in the matter approved the legal opinion received from the Council Advocate, which reads as under:-

“Before I proceed to consider and examine these issues from the legal perspective for rendering the opinion it would be useful and necessary to refer to the certain legal provisions:-

“THE INDIAN MEDICAL DEGREES ACT, 1916 (7 of 1916)

Acts of the Local Council provide in many of the larger provinces of British India for the registration of persons duly qualified to practise western medicine or surgery, and where such Acts have been passed, Medical Councils have been constituted with specific powers and duties.

It is now considered necessary to supplement this provincial legislation by an Imperial Act, restricting the right to issue degrees and diplomas in these systems of medicine and surgery to duly constituted authorities, so as to ensure that such degrees and diplomas are not issued to unqualified persons. It has been found that at present, diplomas are issued by private institutions to untrained or insufficiently trained persons, and that many of these diplomas are colourable imitations of those issued by recognised Universities and Corporations. The result is that recipients of such diplomas are able to pose to the public as possessing qualifications in medicine and

surgery which they do not possess. The present Bill is intended to remove the public inconvenience and injury arising out of the present state of affairs. It prohibits all persons, save certain specified authorities, from issuing or alleging that they are entitled to issue any degree or diploma in western medicine or surgery. It also penalises persons who voluntarily and falsely assume any medical title which is granted either by the General Council of Medical Education of the United Kingdom, or by the authorities constituted under the Act, and further prohibits the use of any colourable imitations of such titles.

The Bill does not affect the right of any person to exercise the profession of medicine or to practise as a physician or surgeon, provided he does not pretend to possess qualifications which he has not got; and its operation is rigidly restricted to the western methods of Allopathic medicine and surgery, Homeopathic, Ayurvedic and Unani practitioners being excluded from the purview of the Bill."

6. *Penalty for falsely assuming or using medical titles* – *Whoever voluntarily and falsely assumes, or uses any title or description or any addition to his name implying that he holds a degree, diploma, licence or certificate conferred, granted or issued by any authority referred to in Section 3, or recognised by the General Council of Medical Education of the United Kingdom, or that he is qualified to practise western medical science, shall be punishable with fine which may extend to two hundred and fifty rupees, or, if he subsequently commits, and is convicted of, an offence punishable under this section, with fine which may extend to five hundred rupees:*

Provided that nothing in this Section shall apply to the use by any person of any title, description, or addition which, prior to the commencement of this Act, he used in virtue of any degree, diploma, licence or certificate conferred upon, or granted, or issued to him.

6-A *Penalty for unauthorised use of title, etc., implying medical qualifications* –

(1) No person shall add to his name any title, description, letters or abbreviations which imply that he holds a degree, diploma, licence or certificate as his qualification to practise any system of medicine unless –

- a) he actually holds such degree, diploma, licence or certificate; and*
- b) such degree, diploma, licence or certificate –*
 - i) is recognised by any law for the time being in force in India; or*

- ii) *has been conferred, granted or issued by an authority referred to in section 3; or*
- iii) *has been recognised by the General Council of Medical Education of the United Kingdom; or*
- iv) *in cases not falling under sub-clause (i), sub-clause (ii) or sub-clause (iii) has been conferred, granted or issued by an authority empowered, or recognised as competent, by the State Government to confer, grant or issue such degree, diploma, licence or certificate.*

(2) Whoever contravenes the provisions of sub-section (1) shall, notwithstanding anything contained in Section 6, be punished in the case of first conviction, with fine which may extend to two hundred and fifty rupees and in the case of subsequent conviction, with fine which may extend to five hundred rupees.”

7. ***Cognizance of offences*** – *No Court shall take cognizance of an offence punishable under this Act, except upon complaint made by order of the State Government, or upon complaint made, with the previous sanction of the State Government, by a Council of Medical Registration Established by any enactment for the time being in force in the State.”*

INDIAN MEDICAL COUNCIL ACT, 1956

“2, ***Definitions*** – *In this Act, unless the context otherwise requires,*

(a)-(g) XX XX XX XX

(h) “recognised medical qualification” means any of the medical qualifications included in the Schedules;

(j) “State Medical Council means a medical council constituted under any law for the time being in force in any State regulating the registration of practitioners of medicine;

(k) “State Medical Register” means a register maintained under any law for the time being in force in any State regulating the registration of practitioners of medicine;”

15. ***Right of persons possession qualifications in the Schedules to be enrolled*** – *(1) Subject to the other provisions contained in this Act, the medical qualifications included in the Schedules shall be sufficient qualification for enrolment on any State Medical Register.*

- (2) *Save as provided in section 25, no person other than a medical practitioner enrolled on a State Medical Register –*
- (a) *shall hold office as physician or surgeon or any other office (by whatever designation called) in Government or in any institution maintained by a local or other authority;*
 - (b) *shall practise medicine in any State;*
 - (c) *shall be entitled to sign or authenticate a medical or fitness certificate or any other certificate required by any law to be signed or authenticated by a duly qualified medical practitioner.*
 - (d) *shall be entitled to give evidence at any inquest or in any court of law as an expert under section 45 of the Indian Evidence Act, 1872 (1 of 1872) on any matter relating to medicine.*
3. *Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.”*

INDIAN MEDICAL COUNCIL (PROFESSIONAL CONDUCT, ETIQUETTE AND ETHICS) REGULATIONS, 2002

- 1.1 **Character of Physician** – *(Doctor with qualification of MBBS or MBBS with postgraduate degree/diploma or with equivalent qualification in any medical discipline);*

Display of registration numbers:

- 1.4.2 *Physicians shall display as suffix to their names only recognised medical degrees or such certificates/diplomas and memberships/honours which confer professional knowledge or recognizes any exemplary qualification/achievements.*

Duties of Physician in consultation –

- 3.6 **Patients referred to specialists** – *When a patient is referred to a specialist by the attending physician, a case summary of the patient should be given to the specialist, who should communicate his opinion in writing to the attending physician.*

- 7 **Misconduct**

The following acts of commission or omission on the part of a physician shall constitute professional misconduct rendering him/her liable for disciplinary action.

7.1 *Violation of the regulations – If he/she commits any violation of these regulations.*

7.20 *A physician shall not claim to be specialist unless he has a special qualification in that branch.*

8.1 *Punishment and Disciplinary action – It must be clearly understood that the instances of offences and of professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner, Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils have to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.*

8.2 *It is made clear that any complaint with regard to professional misconduct can be brought before the appropriate Medical Council for Disciplinary action. Upon receipt of any complaint of professional misconduct, the appropriate Medical Council would hold an enquiry and give opportunity to the registered medical practitioner to be heard in person or by pleader. If the medical practitioner is found to be guilty of committing professional misconduct, the appropriate Medical Council may award such punishment as deemed necessary or may direct the removal altogether or for a specified period, from the register of the name of the delinquent registered practitioner. Deletion from the Register shall be widely publicized in local press as well as in the publications of different Medical Associations/Societies/Bodies.”*

The perusal of the provisions of Indian Medical Degrees Act of 1916, clearly shows that the basic purpose of this enactment is to ensure that certain persons are not permitted to pose to the public as possessing qualifications in medicine and surgery which they do not possess. Section 6A of the Act has been incorporated through the State amendment including the State of Andhra Pradesh, Assam, Delhi, Madhya Pradesh, Maharashtra, Tamilnadu etc. wherein it has been clearly laid down that it is not permissible for any person to add to his name any title, description, letter or abbreviation which imply that he

holds degree, diploma, licence or certificate as his qualification to practice any system of medicine unless and until he actually holds such degrees, diploma or certificate.

For any violation of the provisions of Act of 1916, the cognizance of offence has been provided under the provisions of Section 7. It however requires a complaint to be filed by an order of a State Govt. or by the State Govt. itself or upon complaint made with the previous sanction of the State Govt. or by a Council of Medical Registration established by any enactment for the time being enforced in the State.

Section 15(3) of the 1956 Act mentioned above provides for a penalty of imprisonment of the term which may extend to one year with fine or both to be imposed upon a person practicing in any State without having registration on the State Medical Register and not holding a recognized medical qualification included in the schedule to the Act.

The Regulations of 2002 pertaining to Code of Ethics made out a distinction between a physician and a specialist. A physician has been indicated to be a doctor holding MBBS qualification with postgraduate degree or diploma in any medical discipline as per the regulation 1.1.

On the other hand, a collective reading of regulations 3.6 and 7.20 clearly make out a difference between a physician and a specialist. The prohibition contained in Regulation 7.20 provides that a physician shall not claim to be a specialist unless he has a special qualification in that branch. It, therefore, provides that unless and until a physician who may be MBBS doctor with the postgraduate degree as per the Regulation 1.1 is also possessing a special qualification in a particular branch as per regulation 7.20, it is not open for such a physician to claim to be a specialist.

Another relevant factor which cannot be lost sight of is the relevant time, availability and extent of medical institutions/colleges in the country which are providing specialty and super-specialty medical qualifications from different dates in various discipline of medicine. It is a matter of common knowledge in the field of medicine that certain branches of medicine can only be described as specialty branches and certain other branches of medicine are commonly described as super-specialities. Whereas the discipline of an Anatomy, Physiology, Biochemistry, Biophysics, Pharmacology, Pathology, Microbiology, Community Medicine, Forensic Medicine, General Medicine, General Surgery, Obstetrics and Gynaecology, etc. may be described as specialty in the field of medicine, on the other hand, Neurology, Neuro-Surgery, Endocrinology, Medical Genetics, Cardiology, Cardio-Surgery, Gastro-enterology etc. may be described as super specialities area in the medicine.

In other words, as the situation exists today, some of the abovementioned branches, whereas it is only persons possessing super specialty medical qualification who can describe themselves as specialized in that field of medicine. As such, a person holding a medical qualification of M.D. (Medicine) without possessing super-specialty medical qualification in the subject of Gastro-enterology which is available, would only be a physician in terms of regulations 1.1 of the 2002 Regulations and by virtue of prohibition contained in Regulation 7.20, such a person would not be permitted to claim to be a specialist in the field of Gastro-enterology by simply possessing the postgraduate medical qualification M.D. Medicine).

In so far as the 2nd question is concerned, such a person would not be entitled to claim himself to be a specialist in the field of Gastro-enterology but by virtue of holding proper institutional training there would not be any prohibition upon him in undertaking a test of G.I. Endoscopy or Endoscopic Diagnosis on a patient.

Thus, if any physician in accordance with the regulation 1.1 of the 2002 regulations is claiming to be a specialist without possessing the special qualification in a particular branch of medicine claims to be a specialist through any description in his letter head etc. the same would amount to violation of Section 6 A of the Indian Medical Degrees Act, 1916. (wherever applicable) and also of Regulation 7.20 of the 2002 Regulation. Accordingly, wherever any person is found to be claiming to be a specialist without holding a special qualification in the concerned branch of medicine where Section 6A of the 1916 Act is applicable, he would expose himself for necessary action as under :-

- i) A complaint filed in accordance with Section 7 of the 1916 Act for violation of Sections 6 & 6A of the said Act (wherever applicable);
- ii) The appropriate Medical Council would be empowered to entertain a complaint in this regard as a case falling under Regulation 7.2 as such conduct would become a misconduct under Regulation 7 punishable under the provisions of Regulations 8.1 and 8.2 of the 2002 Regulations. In all those territories where the provisions of Section 6A of 1916 Act are not made applicable, the remedy for violation of Regulation 7.2 to be punishable under the provisions of Regulation 8.1 and 8.2 of the 2002. Regulations shall continue to remain applicable for appropriate action by the appropriate medical council.”

73. Use of the title “Doctor” to Physiotherapists, Occupational Therapists and other para-medical personnel.

Read : The matter with regard to use of the title “Doctor” to Physiotherapists, and other para-medical personnel along with the legal opinion obtained from the Council Advocate as decided by the General Body at its meeting held on 20/10/2003.

The Council considered the matter and noted its earlier decision taken at its meeting held on 20.10.2003 as under:-

“The Council noted the following recommendations of the Ethical Committee duly approved by the Executive Committee and decided to obtain the legal opinion in the matter:-

The Ethical Committee unanimously decided that the title “Doctor” may be used by the registered medical practitioners in the modern medicine, Ayurveda, Homeopathy and Unani (Whichever State it is applicable). No other group of workers in the field of medical profession whether nursing or para-medical staff are or should use to title “Doctor”.”

The Council after due deliberations in the matter approved the legal opinion received from the Council Advocate, operative part of which reads as under:-

“.....Under these circumstances, in my opinion, the official stand of the Council is correctly depicted by the decision taken by the Ethics Committee approved by the General Body of the Council. This be communicated to Dr. Edmund M.D., Couto, Principal/Program Director KMCH College of Physiotherapy, Coimbatore in unambiguous and unequivocal term that a person holding any qualification in physiotherapy is not entitled to use the tile of ‘Doctor’ as prefix.

Accordingly, in my view, wherever any person is found to be using the title of ‘Doctor’ as a prefix when such a person is holding a qualification in physiotherapy but not possessing any recognised medical qualification, he would be violating the provisions of Act of 1916 and as such, he would expose himself for necessary action by filing or requiring the filing of a complaint in accordance with Section 7 of the 1916 Act for violation of Sections 6 and 6A (wherever applicable) of the said Act.”

74. Complaint against Dr.Namita Khattar as alleged by Sh. S.P. Chugh.

Read : The compliant against Dr. Namita Khattar as alleged by Sh. S.P. Chugh.

The Council approved the following decision of the Ethical Committee duly accepted by the Executive Committee:-

“The members of the Ad-hoc Committee and of the Executive Committee of the Council noted and approved the following decision taken by the Ethics Committee at its meeting held on 22nd and 23rd December,2003:-

“The Ethics Committee went into the complaint against Dr. Namita Khattar as alleged by Sh. S.P. Chugh. Dr. Namita Khattar was asked to appear before the Ethics Committee three times, the last chance was given on 23rd December, 2003 but in all the three times she had failed to appear and in the first two times however, some communications were sent by her and also by her father-in-law.

On perusal of the case it has been seen that Dr. Namita Khattar issued a certificate to one Mrs. Sangeeta Juneja. The certificate was issued by her very casually. It has no date and the disease was also not clearly specified. The certificate was not in the proper format prescribed by Ethical Regulations of Medical Council of India. The doctor has showed carelessness in issuing medical certificate, which is quite a serious matter. The Ethics Committee of Medical Council of India has therefore unanimously decided to issue a reprimand to Dr. Namita Khattar for her carelessness and to warn her to be extremely cautious in future while issuing medical certificates.

This reprimand may be recorded against her name in the Indian Medical Register.”

75. H.N.B. Garhwal University – Recognition of D.A. qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun togetherwith further information for purpose of recognition of D.A. qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January, 2004) togetherwith further information and decided to recommend that D.A. qualification granted at H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

76. H.N.B. Garhwal University – Recognition of D.Ortho. qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun togetherwith further information for purpose of recognition of D.Ortho. qualification granted by H.N.B.Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January, 2004) and decided to recommend that D. Ortho. qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year.”

77. H.N.B. Garhwal University – Recognition of D.M.R.D. qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun togetherwith further information for purpose of recognition of D.M.R.D. qualification granted by H.N.B.Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January, 2004) togetherwith further information and decided to recommend that D.M.R.D qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

78. H.N.B. Garhwal University – Recognition of D.G.O. qualification in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun.

Read : The Council Inspector’s report (January, 2004) on the standard of examination and other teaching facilities available at Himalayan Institute of Medical Sciences, Dehradun togetherwith further information for purposes of recognition of D.G.O. qualification granted by H.N.B. Garhwal University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (January, 2004) togetherwith further information and decided to recommend that D.G.O. qualification granted by H.N.B. Garhwal University in respect of students being trained at Himalayan Institute of Medical Sciences, Dehradun be recognised and included in the first

schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

79. Panjab University – Recognition of M.S.(Ophthalmology) qualification in respect of students being trained at Govt. Medical College, Chandigarh.

Read : The Council Inspector’s report (February, 2004) on the standard of examination and other teaching facilities available at Govt. Medical College, Chandigarh for purpose of recognition of M.S.(Ophthalmology) qualification granted by Panjab University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (February, 2004) and decided to recommend that M.S. (Ophthalmology) qualification granted by Panjab University in respect of students being trained at Govt. Medical College, Chandigarh be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year.”

80. Rajasthan University – Recognition of M.Ch.(Cardio-Thoracic Surgery) qualification in respect of students being trained at S.M.S. Medical College, Jaipur.

Read : The Council Inspector’s report (November, 2002) on the standard of examination and other teaching facilities available at S.M.S. Medical College, Jaipur togetherwith compliance for purpose of recognition of M.Ch.(Cardio-Thoracic Surgery) qualification granted by Rajasthan University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (November, 2002) togetherwith compliance and decided to recommend that M.Ch.(Cardio-Thoracic Surgery) qualification granted by Rajasthan University in respect of students being trained at S.M.S. Medical College, Jaipur be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 2(two) students per year.”

81. Shivaji University – Recognition of M.S.(Orthopaedics) & D.Ortho. qualifications in respect of P.G. Institute of Swasthiyog Pratisthan, Miraj.

Read : The Council Inspector’s report (March, 2003) on the standard of examination and other teaching facilities available at P.G. Institute of Swasthiyog Pratisthan, Miraj togetherwith compliance for purpose of

recognition of M.S.(Ortho.) & D.Ortho. qualifications granted by Shivaji University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (March, 2003) and decided to recommend that M.S. (Orthopaedics) & D.Ortho. qualifications granted by Shivaji University in respect of students being trained at P.G. Institute of Swasthiyog be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year in each course.”

82. Banaras Hindu University – Recognition of M.Ch. (Neurosurgery) qualification in respect of students being trained at Instt. of Medical Sciences, Varanasi – Consideration of compliance verification regarding.

Read : The compliance verification report (February, 2004) togetherwith compliance and Council Inspector’s report (Feb, 2000) on the standard of examination and other teaching facilities available at Institute of Medical Sciences, Varanasi for purpose of recognition of M.Ch.(Neuro-Surgery) qualification granted by Banaras Hindu University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (February, 2004) togetherwith compliance and Council Inspector’s report (Feb.2000) and decided to recommend that M.Ch. (Neurosurgery) qualification granted by Banaras Hindu University in respect of students being trained at Instt. of Medical Sciences, Varanasi be recognised and included in the first schedule to the IMC Act, 1956 restricting the number of admissions to 2(two) students per year.”

83. University of Rajasthan – Approval of S.P.Medical College, Bikaner for the award of MD (Tuberculosis and Resp./Chest Diseases) qualification – Consideration of compliance regarding.

Read : The Council Inspector’s report (July, 2003) on the standard of examination and other teaching facilities available at S.P. Medical College, Bikaner togetherwith compliance for purpose of approval of the college for the award of MD (Tuberculosis and Resp./Chest Diseases) qualification granted by University of Rajasthan.

The Council approved the following recommendations of the Postgraduate Committee:-

The Postgraduate Committee considered the Council Inspector's report (July, 2003) togetherwith compliance and decided to recommend that S.P. Medical College, Bikaner be approved for the award of M.D. (Tuberculosis and Resp./Chest Diseases) qualification granted by University of Rajasthan restricting the number of admission to 1(one) student per year.

84. Sardar Patel University – Recognition of M.D.(Paediatrics) qualification in respect of students being trained at Pramukhswami Medical College, Karamsad.

Read : The Council Inspector's report (March, 2004) on the standard of examination and other teaching facilities available at Pramukhswami Medical College, Karamsad for purpose of recognition of M.D.(Paediatrics) qualification granted by Sardar Patel University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector's report (March, 2004) and decided to recommend that M.D.(Paediatrics) qualification granted by Sardar Patel University in respect of students being trained at Pramukhswami Medical College, Karamsad be recognised and included in the first schedule to the IMC Act,1956 restricting the number of admissions to 1(one) students per year.”

85. Punjab University and Baba Farid University of Health Sciences, Faridkot – Approval of Dayanand Medical College, Ludhiana for the award of M.S.(General Surgery) qualification.

Read : The compliance verification report(March, 2004) togetherwith compliance and Council Inspector's report(January, 2002) on the standard of examination and other teaching facilities available at Dayanand Medical College, Ludhiana for approval of the college for the award of M.S.(General Surgery) qualification earlier granted by Punjab University and now Baba Farid University of Health Sciences, Faridkot.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the compliance verification inspection report (March,2004) together with compliance and Council Inspector's report (January,2002) and decided to recommend that Dayanand Medical College, Ludhiana be approved for the award of M.S.(General Surgery) qualification earlier granted by Punjab University and now by Baba Farid University of Health Sciences, Faridkot.

The Committee further decided to direct the institution authorities to restrict the number of admissions to 6 (six) students per year prospectively in M.S.(General Surgery) course.”

86. Panjab University – Approval of Govt. Medical College, Chandigarh for the award of M.D.(Pathology) qualification.

Read : The Council Inspector’s report (Feb.,2004) on the standard of examination and other teaching facilities available at Govt. Medical College, Chandigarh for purpose of approval of the college for the award of M.D.(Pathology) qualification granted by Panjab University.

The Council approved the following recommendations of the Postgraduate Committee:-

“The Postgraduate Committee considered the Council Inspector’s report (Feb.,2004) and decided to recommend that Govt. Medical College, Chandigarh be approved for the award of M.D.(Pathology) qualification granted by Panjab University restricting the number of admissions to 3(three) students per year.”

87. Draft syllabi for Postgraduate courses in MD/MS/Diploma .

Read : The draft syllabi for Postgraduate courses in MD/MS/Diploma as approved by the Postgraduate Committee.

The Council approved the draft syllabi prepared by the Sub-Committee in respect of the following courses as approved by the Postgraduate Committee:-

1. M.D. (Anatomy)
2. M.D.(Physiology)
3. M.D.(Biochemistry)
4. M.D.(Pathology)
5. D.C.P.
6. M.D.(Pharmacology)
7. M.D.(Forensic Medicine)
8. M.D.(Microbiology)
9. M.D.(Community Medicine)
10. D.P.H.
11. M.S.(General Surgery)
12. M.D.(General Medicine)
13. M.D.(Obst. & Gynae.)
14. D.G.O.
15. M.D.(Paediatrics)
16. D.C.H.
17. M.D.(Anaesthesiology)
18. D.A.
19. M.S.(Orthopaedics)
20. D.Ortho.
21. M.S.(ENT)
22. D.L.O.

23. M.S.(Ophthalmology)
24. D.O.
25. M.D.(Radio-Diagnosis)
26. D.M.R.D.
27. M.D.(Psychiatry)
28. D.P.M.
29. M.D.(Dermatology)
30. D.V.D.

88. Report of the Sub-Committee constituted by the President (Acting) as authorised by the Executive Committee at its meeting held on 28.7.2003 to go through into the matter regarding the eligibility of Major Gen.Virendra Singh for the post of Director of Pt. BD Sharma PGIMS, Rohtak.

Read : The report of the Sub-Committee constituted by the President (Acting) as authorised by the Executive Committee at its meeting held on 28.7.2003 to go through into the matter regarding the eligibility of Major Gen.Virendra Singh for the post of Director of Pt. BD Sharma PGIMS, Rohtak.

The Council considered the report of the Sub-Committee constituted by the President (Acting) as authorised by the Executive Committee at its meeting held on 28.7.2003 to go through into the matter regarding the eligibility of Major Gen.Virendra Singh for the post of Director of Pt. BD Sharma PGIMS, Rohtak and decided to take legal opinion in the matter.

89. Yenopoya Medical College, Mangalore – Approval of the college for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore.

Read : The Council Inspectors report (24th & 25th March, 2004) carried out to assess the facilities available at Yenepoya Medical College, Mangalore along with standard of examination held under Rajiv Gandhi University of Health Sciences, Bangalore for approval of the college for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc-Committee and of the Executive Committee of the Council considered the Council Inspectors report (24th & 25th March, 2004) and decided to recommend that Yenepoya Medical College, Mangalore be approved for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore with an annual intake of 100 students.”

90. Fr. Muller's Medical College, Mangalore – Approval of the college for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore.

Read : The Council Inspectors report (24th & 25th March, 2004) carried out to assess the facilities available at Fr. Muller's Medical College, Mangalore along with standard of examination held under Rajiv Gandhi University of Health Sciences, Bangalore for approval of the college for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc-Committee and of the Executive Committee of the Council considered the Council Inspectors report (24th & 25th March, 2004) and decided to recommend that Fr. Muller's Medical College, Mangalore be approved for the award of MBBS degree granted by Rajiv Gandhi University of Health Sciences, Bangalore with an annual intake of 100 students.”

91. Meeting of the National Committee on Foreign Medical Education and Accreditation (NCFMEA) held in Washington on March 8-9, 2004.

The Council noted the report submitted by President (Acting) and Dr. D.K. Sharma member of the Executive Committee who have attended the meeting of the National Committee on Foreign Medical Education and Accreditation (NCFMEA) held in Washington on March 8-9, 2004 as noted by the Executive Committee.

92. Consideration of Affidavit 20/02/2004 filed by the Union of India in WP No. © No. 604/2002 - Dr. Sanjeev Gupta & Ors. Vs. UOI & Anr. – relating to shifting of screening test to 15/03/2004, conducted by National Board of Examinations, New Delhi.

Read: an affidavit 20/02/2004 filed by the Union of India in WP No. © No. 604/2002 - Dr. Sanjeev Gupta & Ors. Vs. UOI & Anr. – relating to shifting of screening test to 15/03/2004, conducted by National Board of Examinations, New Delhi.

The Council approved the following recommendations of the Executive Committee:-

“The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council while considering the matter noted as under:-

“It is stated that the Council Advocate, vide his letter dated 25.2.2004 has informed the Council that an additional affidavit on behalf of the Government of India was filed on 20.2.2004. As per the procedure the written request for deferment of the hearing scheduled for 24.2.2004, was prepared and mentioned before the Hon’ble Court.

He has further stated that the case came up for hearing before the Hon’ble Supreme Court on 24.2.2004 and he informed the Hon’ble Court about the additional affidavit filed on behalf of Govt. of India and further submitted that the response on behalf of the MCI can only be given after General Body Meeting of the Council likely to be held in the 2nd or 3rd week of March, 2004.

The Council has also received copy of the additional affidavit from the Council Advocate (the same as self-explanatory is being enclosed). The views of the Council on the additional affidavit on behalf of the Central Govt. have been required and the same would then be required to be placed before the Hon’ble Supreme Court.

The background of the case is that pursuant to an MOU entered into by the MCI with the Ministry of Higher and Secondary Specialised Education of the erstwhile USSR on 27.6.86 and based on the physical verification and curricula evaluation, graduate medical qualifications granted by 29 medical institutions in the erstwhile USSR were recognised for the purpose of I.M.C. Act, 1956 and were included in Part-II of the Third Schedule to the IMC Act. As per this MOU, the USSR was to offer 50 UG seats and 50 PG seats in their medical institutions for Indian students who were to be sponsored by MCI.

Accordingly, from 1987 to 1990, MCI sponsored 174 students for UG and 31 students for PG studies in medical institutions in USSR.

After the disintegration of USSR, serious aberrations in the system of recruitment and admission of students in institutions located in Russia and CIS countries were reported by the Indian Embassies at Moscow & Almaty in the early part of 1994. Various private agencies with dubious antecedents mushroomed and sponsored medical students for commercial gains. A perceptible decline in the standards of medical education in these countries was also noted.

Accordingly, the comments of MCI were sent to the Central Govt. on 01.11.94 recommending de-recognition of all medical degrees of the of the erstwhile USSR included in the IMC Act. In the meantime, the Council stopped sponsoring further students to the medical institutions in the erstwhile USSR after 1990. However, as the students already sponsored by the Council in terms of MOU of 1986 had not completed their studies, they recommended withdrawal of recognition of these institutions after 31.12.1987.

A delegation from MCI visited Russia in June, 1995 to verify the ground realities and inspected various medical institutes. It was concluded by the MCI delegation that the type of training imparted in these institutions was not at par with the accepted norms and standards prevailing in India.

Subsequently, in February 1996, the Counsellor (Education) in the Embassy of India at Moscow brought to the notice of MCI and the Ministry of HRD that the Russian Ministry of Health had continued to welcome students from private agencies in India without their having approved entry qualifications as prescribed under MCI regulations.

MCI also, in August 1997, therefore, issued an advertisement in the newspapers warning the students against taking admission in medical courses in the countries of former USSR through private agencies and informing them that they shall be doing so entirely on their own risk. It was further informed that the matter of recognition of degrees granted by the 29 medical institutions in the countries of the former USSR was currently under review and that the Council would not be granting recognition to students who obtained admission in these institutions on their own without awaiting the decision with regard to the recognition status of these institutes.

As per the decisions taken on 16.11.1998 in the meeting attended by Principal Secretary to the Prime Minister, Foreign Secretary, Health Secretary, Secretary, MCI & other Senior officers of the Ministry of External Affairs, it was decided to amend Section 13 of the I.M.C. Act, 1956. Accordingly, a Bill further to amend the IMC Act, 1956 was introduced in the Rajya Sabha on 12.3.2001.

The Bill after being passed by both the Houses of the Parliament, the section 13 of the Indian Medical Council Act 1956 was amended and notified in the Gazette of India on 3rd September, 2001.

Accordingly, while returning the draft regulations to the MCI after its approval through a communication dated 13.2.2002, the Central Government specified 15th of March, 2002 as the date from which the provisions of the Regulations would take effect. The said Regulations were notified by the MCI in the Official Gazette on 18.2.2002.

Further, in accordance with the amended Act it is the Central Government which has specified 15th of March, 2002 as the date from which no Indian Citizen with a foreign primary medical qualification shall be granted registration, whether provisional or permanent, to practice medicine in India. These decisions have also been notified in the Official Gazette by the MCI with the previous approval of the Central Government.

In the meanwhile, until the Act was amended and the Regulations framed thereunder took effect from 15.3.2002, MCI continued to grant registration to the eligible persons as per provisions of the Act prior to its amendment. The Executive Committee of MCI in discharge of its statutory duties, on 17.9.97 took the following decisions: -

- “a) The students who complete their medical degree course of less than 6 years duration from institutions in erstwhile USSR shall not be eligible for registration because of the fact that the duration of M.D.(Physician) course is 6 years, after one year preparatory/language course.
- b) The students completing successfully total six years clinical M.D.(Physician) course in an MCI recognised institute i.e., obtaining recognised M.D.(Physician) degree on or after 1/7/97 shall have to undergo one year internship after obtaining the qualification. Such candidates only shall be eligible for permanent registration u/s 13(3) of the M.C.I. Act, 1956 provided they meet the other criteria of the Council laid down with regard to admission for undergraduate medical course.
- c) The Students who were initially admitted in an institution not recognised by the MCI and later on migrated and obtained the degree from recognised medical institutions in erstwhile USSR will not be eligible for any kind of registration in India.”

The decision of the EC of the Council was approved by the General Body of the Council.

Batch of appeals were filed by MCI against the judgements of the various High Courts before the Hon'ble Supreme Court including CA No.2810/2000 – MCI Vs. Tarun Goel involving the issue as to whether the one year internship was a part of 6 years of the teaching and training of the medicine course undertaken abroad in the institutes of erstwhile USSR. All these appeals were finally decided by this Hon'ble Court by the common judgement dated 8.3.2002 in CA No.2779/2000 – MCI versus Indian Doctors from Russia Welfare Association & Ors. and connected matters.

In the above-mentioned batch of appeals the Hon'ble Supreme Court in an interim order dated 17.4.2000 clearly indicated that each candidate is required to undergo internship of 1 years after obtaining the medical qualification from the medical institution in the erstwhile states of USSR. The issue of 6 years of teaching and training and one year internship thereafter was directed by the Hon'ble Supreme Court vide its order dated 17.4.2000 and reiterated by its final order dated 8.3.2002, reported as MCI Vs.

Indian Doctors from Russia Welfare Assns. –(2002) 3 SCC 696.

It is stated that the Central Govt. as per the enclosed Affidavit dated 20.2.2004 filed before the Hon'ble Supreme Court seeking the permission of the Hon'ble Apex Court to issue gazette notification by the Central Govt. proposing to fix the date of effect of the Screening Test Regulations, 2002 to be 15.03.2004 as the Screening Test Regulations, 2002 notified by MCI are yet to come into force in the absence of gazette notification by the Central Govt. It has further been stated therein that upon receipt of a large number of representations from the students who had acquired graduate medical qualification from medical institutions in Russia and CIS countries, Central Govt. sought legal advice. As per the legal advice received by the Govt. Screening Test cannot be insisted upon in the absence of a notification by the Govt. specifying 15.03.2002 as the date contemplated in the amended Section 13(3) of the Act and that if the Govt. is to issue such a notification at this stage, it may have to specify a prospective date. It has been proposed in the additional affidavit that the Govt. of India u/s 13(3) of the Act shall issue a notification specifying 15.3.2004 as the date before which medical qualifications granted by medical institutions outside India which are in Part-II of III Schedule shall be recognised medical qualifications for the purpose of the IMC Act, meaning thereby that all such Indian students who obtained medical degrees from outside India which are included in Part-II of III Schedule of the Act shall be eligible to be granted registration to practice medicine in India after the concerned person has undergone such practical training after obtaining that qualification as may be required by the rules or regulations in force in the country granting the qualification, or if he has not undergone such practical training as may be prescribed in India. After the proposed date of 15.3.2004, Screening Test Regulations, 2002 shall come into force and all Indian students acquiring medical qualifications outside India will be required to qualify the screening test as per the Screening Test Regulations, 2002.

It may be stated the latest affidavit of the Central Govt. dated 20.02.2004 is contrary to its earlier detailed affidavit filed before the Hon'ble supreme court wherein all the above-mentioned relevant facts have been duly incorporated. It is to be seen that recommendation for de-recognition have been sent by the MCI in the year 1994. The Principal Secretary to the Hon'ble Prime Minister, as per the affidavit of the Central Govt. itself, decided on behalf of the Govt. of India to immediately implement the screening test requirement in the year 1998 itself. It still took the Government to take four more

years after that to implement the Screening Test Regulations from 15.3.2002 and which has also been accepted by the Hon'ble Supreme Court in its judgement dated 8.3.2002 and again by the Hon'ble Delhi High Court in the judgement dated 11.7.2002.

If the stand taken by the Central Govt. in its latest affidavit dated 20.2.2004 is to be accepted, the net result would be that the enforcement of the Screening Test would be required to be shifted further by at least a period of two years, thereby permitting more that 5000 candidates to start practice of medicine without qualifying the screening test and when their pass percentage for the screening test held is approximately 10%.

It is further to be seen that the recommended de-recognition in the year 1994 has still not taken place and on the contrary the Government is intending to further delay the enforcement of screening test to the year 2004.”

The members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council considered the matter at length and reviewed the documents available on records. It was observed that the decision of the Council taken earlier was rational and based on thorough investigation of the prevailing misuse of the automatic registration. It was also observed that if the date of applicability of the Screening Test were to be changed now, it would be unfair to those several thousand students who have been made to undertake the Screening Test in the previous years. It was further observed that no reasons or compulsion for the Government to change the date and applicability have been shown in the documents provided or have been brought on record.

In view of the above, the members of the Adhoc Committee appointed by the Hon'ble Supreme Court and of the Executive Committee of the Council decided that the date of Screening Test which has been decided by the Hon'ble Supreme Court which was based upon the affidavit filed on behalf of the Govt. of India earlier may not be changed.”

(Lt. Col. (Dr.) ARN Setalvad (Retd.)
Secretary

New Delhi, dated
the 29th March, 2004.

A P P R O V E D

(Dr. P.C.Kesavankutty Nayar)
President (Acting)

The Council while approving the revised regulations of the Council on Graduate Medical Education Regulations, 1997 discussed about use of internal assessment marks. After much deliberations it was opined that there has to be separate heads of passing like (i) aggregate, (ii) practical and (iii) theory including viva. Internal assessment marks should not be used under any head for passing University examinations. Student should pass independently in University examinations in each of the said 3 heads.

In the Regulations, one example of pass i.e. 'how the candidate should declare pass' and one example of fail i.e. 'how the candidate should declare fail', should be clearly mentioned. Each head should be defined clearly and student should pass independently in each head in University examinations.

It was also decided to take legal opinion regarding use of internal assessment marks so that the proper language can be mentioned in the Graduate Medical Education Regulations, 1997 to make it clear.