

BOARD OF GOVERNORS
IN SUPERSESSION OF MEDICAL COUNCIL OF INDIA
SECTOR-8, POCKET-14, DWARKA PHASE-1, NEW DELHI-110077

MINUTES

Twenty Fifth meeting of the Board of Governors was held on 06th January, 2020 (Monday) from 03.00 pm onwards at the office of Medical Council of India, Sector-8, Dwarka, New Delhi- 110077.

The following members of the Board of Governors were present:

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| 1. Dr. V.K. Paul | - | Chairman |
| 2. Dr. Balram Bhargava | - | Member |
| 3. Dr. Nikhil Tandon | - | Member |
| 4. Dr. Rajiv Garg | - | Member |
| 5. Dr.(Maj. Gen.) Madhuri Kanitkar | - | Member |
| 6. Dr. Pankaj M Shah | - | Member |
| 7. Dr. R.V. Ramani | - | Member |

Leave of absence was received from Dr. Randeep Guleria, Dr. Jagat Ram, Dr. B.N. Gangadhar and Dr. K. S. Sharma, Members, BoG.

Dr. R.K. Vats, Secretary General, BoG, MCI along with Dr. S. Venkatesh, Principal Adviser, Dr. Siddarth Ramji, OSD/Sr. Adviser BoG also attended the meeting.

The Chair welcomed the members.

Following is the summary of proceedings and decisions of the meeting.

1. NEXT Exam

Read: Agenda Note.

Decision:

There was extensive discussion on various aspects of the NEXT Examination. Consensus was arrived on many aspects. It was decided that the Board of Governors would consider the unresolved issues at the next meeting of the BoG. The Secretary General also informed the Board of Governors that the Council has planned stakeholder consultations with medical students and controller of examination of various universities across the country to obtain their views on this matter, at a suitable time.

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2. Fixation of fees in private medical colleges - Presentation

Read: Agenda Note.

Decision:

Dr. S. Venkatesh, Principal Adviser, BoG, presented the progress made by the Fee Committee and it was informed that the final draft report would be presented to the Board of Governors at its next meeting for its consideration.

3. Starting/ increase of seats/ Recognition/ Renewal of recognition of Postgraduate courses – approval regarding.

Read: The BoG may ratify the recommendations of the Member, BoG concerned PG and Chairman, BoG with regard to starting/ increase of seats/ recognition/renewal of recognition of postgraduate courses have been considered by the PG Expert Group. Details are given below:

S.No.	Matters	No. of Items
1	11(2) – Recognition	22/11/2019 (50)
2	10(A) – Starting/Increase of seats	14/11/2019 (36) 19/12/2019 (46) 31/12/2019 (105)

Decision:

The Board of Governors considered the minutes of the PG Expert Group and ratified the decision taken by Members BoG (Incharge PG) along with Chairman, BOG in respect of PG (Broad & Super-Speciality) courses and permission for starting/increase of seats- PG broad & super-speciality courses (36+46+105 cases) total=187 cases & recognition/renewal of recognition courses (50 cases).

4. Aryabhatta Knowledge University, Patna- Recognition of DTCD qualification for 12 seats in respect of students being trained at Patna Medical College, Patna - Bihar (Government).

Read: Agenda Note.

Decision:

The Board of Governors considered the letters of the Principal, Patna Medical College, Patna dated 26.12.2019/31.08.2019 with regard to recognition of DTCD qualification from retrospective date of 1965 instead of 2017 and in principle agreed to the grant of recognition from the concerned retrospective date. However, before recommending to the Central Government details of all previous universities to which this course was affiliated from 1965 onward should be obtained from the Principal, Patna Medical College, Patna.

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5. Amendment of Minimum Qualification for Teachers in Medical Institutions Regulations, 1998 for grant of equated teaching designation – req.

Read: Agenda Note.

Decision:

The Board of Governors considered the letter dated 26.12.2019 of the Ministry of Health & F.W. requesting to clarify whether Consultant/Specialist working in district hospitals may be granted such equated teaching designations in the already established Government medical colleges under the provisions of the proposed amendment. The BoG decided that amendment will not be applicable to established medical colleges as the intent of granting equated designation was primarily to provide minimum number of faculty members at the stage of establishment of a new medical college. The BoG further recommended that in order to maintain quality and provide necessary teaching skill to the equated faculty, a note be added to the amendment which stipulates that equated faculty must undergo training in basic medical education technology within 2 year of the grant of this equated designation at any of the recognized Government Medical College in the State. Further, for the first 2 years after the grant of the equated designation they should be considered as on probation and during that period they should be known as "Designated" faculty.

6. Representation received from General Secretary, All India Pre & Para Clinical Medicos Association, Chopasani Housing Board, Jodhpur, Rajasthan. Representation dated 07/02/2018 (Received on dated 16.02.2018) R.No. OC2/2018/444 dated 16.02.2018.

Read: Agenda Note.

Decision:

The Board of Governors considered the Report of the Sub-Committee of MCI, along with representations dated 07.02.2018 and 04.02.2019 and the order passed by the Hon'ble High Court of Delhi in WP (C) No.12179/2019 – All India Pre & Para Clinical Medicos Association (AIPCMA) vs. Union of India & Ors. Dated 19.11.19 and decided that the request of the Association for omission of Rule 2 from the Schedule of the Minimum Qualifications for Teachers in Medical Institution Regulations, 1998 cannot be acceded to in view of the reasons cited in the Report of the Sub-Committee and in particular continuing shortage of medical persons in these subjects. The Secretariat should convey the aforesaid by way of a speaking order.

The BoG further considered the report of the MCI Sub-Committee on Non-Medical Teachers in Pre-and Para-Clinical Subject in Medical Colleges and decided as under:-

- (i) Non-medical faculty will continue in the Department of Anatomy, Physiology, Biochemistry, Microbiology and Pharmacology.
- (ii) The eligibility of non-medical person to the post of Assistant Professor in the above departments should be a M.Sc. degree in the appropriate specialities

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- (as existing in the present TEQ Regulations) with a Ph.D. degree and one year experience in the department concerned as Tutor/Demonstrator after obtaining the requisite qualification.
- (iii) The existing regulation about maximum 30% non-medical teachers in the Department of Anatomy, Physiology, Microbiology & Pharmacology and 50% in the Department of Biochemistry will also remain unchanged.
- (iv) The transition period between the existing regulations and the proposed amendments to the TEQ regulations should be 3 years from the date of notification of the amended regulation.

7. Approval of the proceedings of the Ethics Committee meeting held on 09th& 10th October, 2019 and 02nd November, 2019.

Read: Agenda Note

Decision:

The Board of Governors ratified the following proceedings of the Ethics Committee meeting held on 09th& 10th October, 2019 and 02nd November, 2019:-

Sr. No.	Subject	Date of meeting of Ethics Committee
1.	Appeal dated 14.05.2019 filed by Sh. Vikrant Sharma against Order dated 01.02.2019 passed by Uttar Pradesh Medical Council - reg. & Appeal dated 30.04.2019 filed by Dr. Harish Gupta and Dr. Rajat Gupta against Order dated 01.02.2019 passed by Uttar Pradesh Medical Council - reg.	09 th & 10 th October, 2019
2.	Appeal dated 09.04.2019 filed by Sh. B.K.K Sinha against Order dated 07.01.2019 passed by Delhi Medical Council - reg.	09 th & 10 th October, 2019
3.	Appeal dated 25.03.2019 filed by Mr. Raj Kishore Goyal against Order dated 21.01.2019 passed by Delhi Medical Council - reg.	09 th & 10 th October, 2019
4.	Appeal dated 22.07.2013 filed by Sh. Rabindra Prasad Sah, Tripura against Dr. Poonam Banka & Dr. Bindu Kedia of Apollo Gleneagle Hospital Kolkata - reg. & Writ Petition (Civil) No. 6541 of Year 2014 in the Hon'ble High Court of Delhi titled as Rabindra Prasad SahVs/ Dr. Poonam Banka & Anr.	09 th & 10 th October, 2019
5.	दिल्ली मेडिकल काउंसिल द्वारा पारित 02.11.2018 के आदेश के खिलाफ श्री उज्ज्वलकुमार द्वारा दायर 26.12.2018 की अपील (अपील- 106/2019).	09 th & 10 th October, 2019

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6.	Appeal dated 17.12.2018 filed by Sh. Kulbeer Singh against the Order dated 05.06.2018 passed by Uttar Pradesh Medical Council.	09 th & 10 th October, 2019
7.	Complaints about assessment to assess the physical and the other teaching facilities available for continuance of recognition of MBBS degree (150 seats) at Saveetha Medical College, kancheepuram granted by Saveetha University (Deemed), Chennai, forwarded by UG Section" reg.-(28-Complaint/2018).	09 th & 10 th October, 2019
8.	दिल्ली मेडिकल काउंसिल द्वारा पारित 27.08.2018 के आदेश के खिलाफ श्रीमती संध्याडे द्वारा दायर 16.11.2018 की अपील (अपील-96/2017).	02 nd November, 2019
9.	दिल्ली मेडिकल काउंसिल द्वारा पारित 25.10.2018 के आदेश के खिलाफ श्रीमती पूनम यादव द्वारा दायर 19.12.2018 की अपील.	02 nd November, 2019
10.	The complaint with regard to starting of MS (Orthopaedics) course at Saraswati Institute of Medical Sciences, Hapur, Uttar Pradesh under Ch. Charan Singh University, Meerut U/s 10(A) of the IMC Act, 1956 for the academic year 2019-20, forwarded by Post Graduate Section.	02 nd November, 2019
11.	Appeal dated 28.05.2018 filed by Sh. Biswajit Das against Order dated 18.04.2018 passed by West Bengal Medical Council.	02 nd November, 2019

8. Migration of Mr.Hemang Chaturvedi from B.R.D. Medical College, Gorakhpur to Institute of Medical Sciences, BHU, Varanasi

Read: Agenda Note.

Decision:

The Board of Governors were informed that in compliance with Order dt. 9.12.2019 of the Hon'ble Delhi High Court, Shri Hemang Chaturvedi was provided an opportunity for hearing on 06.01.2020 by the BoG Members Dr.(Maj. Gen.) Madhuri Kanitkar and Dr. Pankaj M Shah. The Hearing Committee noted that the illness which was stated as the reason for seeking migration existed even before joining BRD Medical College, Gorakhpur, and no appreciable change had occurred after joining the medical college, and therefore no sufficient cause for granting permission for migration existed.

The BoG decided that further action for disapproving the request for migration after hearing may be taken and the speaking order may be communicated to the applicant.

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9. **Recognition of MD(Pathology) qualification at Sri Krishna Medical College, Muzaffarpur, Bihar with retrospective date i.e. from 2016.**

Read: Agenda Note.

Decision:

The Board of Governors considered the representation of the Principal, Sri Krishna Medical College, Muzaffarpur, Bihar dated 21.12.2019 with regard to recognition of the MD(Pathology) from the year of 2016 instead of 2019 decided to recommend to the Central Government for retrospective recognition of MD(Pathology) course conducted at Sri Krishna Medical College, Muzaffarpur, Bihar under Aryabhata Knowledge University, Patna from 2016 instead of 2019.

10. **Signing and clinical interpretation of laboratory reports.**

Read: Agenda Note.

Decision:

The Board of Governors are of the considered view that, persons possessing qualifications of M.Sc in Medical Microbiology/Medical Biochemistry and Ph.D in relevant subjects such as Biochemistry, Microbiology, Biotechnology, and Genetics etc., form qualified human resources in these fields who are equipped with the knowledge of performing the laboratory tests in their respective branches. However, such persons not having qualifications in modern medicine, are as such are not equipped with knowledge of interpreting the laboratory reports for clinical diagnosis. Therefore, while such persons are not competent to offer a medical opinion, at the same time they are not prohibited from conducting relevant tests and reporting the result of tests conducted by them.

The BoG considered the matter at length, and expressed the following view on the issue:

“ A technical report stating test results without recording any medical opinion thereon can be signed by a qualified person with an M.Sc. in Medical Biochemistry/Medical microbiology, or with Ph.D. degree in relevant subject such as Biochemistry, Microbiology, Biotechnology and Genetics etc.. Further all test reports generated by such persons must necessarily bear a disclaimer to the effect that the reports are strictly for the use of medical practitioners and are not medical diagnosis(s) as such.

Medical laboratory reports which contain medical diagnosis(s) and/or a medical opinion on the basis of the test results are to be signed by medically qualified professionals only having qualification duly registered as per IMC Act.”

The above position may be conveyed to the Ministry of Health and Family Welfare, Government of India for consideration.

The meeting ended with vote of thanks to the Chair.

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