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राष्ट्रीय आयुर्विज्ञान आयोग National Medical Commission

No. NMC/MCI-34(41)R-22/2020-21-Med / 00 |

Dated 1-1-2021

To,

The Dean/Principal,
Surabhi Institute of Medical Sciences,
Mittapally (Village), Siddipet (Mandal),
Medak District- 502375 (Telangana).
E-mail: surabhimedicalcollege@gmail.com

Sub.:- First Renewal of permission for MBBS course for 2nd batch at Surabhi Institute of Medical Sciences, Siddipet (Mandal), Telangana under Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana u/s 10A of the IMC Act, 1956 for the academic year 2020-21.

Sir/Madam,

This is in connection with your representation dated 20.12.2020 wherein you have submitted documents in compliance of assessment conducted on 28.2.2020 for renewal of 2nd batch of MBBS seats for the academic year 2020-21.

2. In pursuance of the Orders passed by the Hon'ble Supreme Court in SLP (C) No. 14863/2020 National Medical Commission vs. Surabhi Education Society and Ors dated 18.12.2020 the Medical Assessment and Rating Board, National Medical Commission considered the following facts for passing the present order which are as follows:-

3. Whereas an assessment of the physical and other teaching facilities available for renewal of permission for MBBS course for 2nd batch (150 seats) of Surabhi Institute of Medical Sciences, Siddipet (Mandal), Telangana under Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana u/s 10A of the IMC Act, 1956 for the academic year 2020-21 was carried out by the Council Assessors on 14th & 15th October, 2019. The assessment report (14th & 15th October, 2019) along-with summary/observations of the Member of the Undergraduate Expert Group was considered by the Board of Governors and noted as under:-

1. Deficiency of Faculty is 61.46%
2. Deficiency of Resident is 100%

3. Bed Occupancy is 10%
4. OPD attendance is 66
5. Exam hall is still under construction so not available.
6. Deficiency of 3 quarters for teaching staff.
7. In OPD : -Only 1 Examination Room in each department
-No female injection room
-No dressing room in surgery
-No plaster room or dressing room in Ortho
-No plaster cutting room
-No Refraction room, dark room in Eye OPD
-No audiometry, Speech therapy room in ENT OPD
-No Special Clinics in Obst. & Gynae and Paediatrics
8. In wards -No Nursing staff seen in any wards
-No furniture in duty room, Treatment room, pantry in any of wards.
9. Clinical load grossly deficiency -only 66 patients in OPD, 10% bed occupied.
-No major OT Cases, only 2 minor OT Cases.
- Only 6 X ray, 6 USG
- Only 35 samples in Biochemistry, 44 samples in Microbiology, 56 in Pathology, all labs are in one single room only.
10. ICD X not followed in MRD.
11. OT's do not have A/C; Central O2 or Suction, Anesthesia Machines, Multipara Monitors, Defibrillator, Infusion Pumps. OT's are still under construction.
12. Out of 5 beds needed in each, only 3 beds in ICCU, 4 in ICU, 4 in SICU, 4 in NICU/PICU. No patient in any ICU, there is no A/C, no O2/Suction, no equipments, no nurses, no residents in ICU's.
13. No CSSD available
14. No Intercom available
15. Deficiency of 116 Staff Nurses (25 available against the requirement of 141) - Nursing Sisters- 27, ANS- 4, DNS- 2 (None Available)
16. Deficiency of 60 Paramedical Staff (40 available against the requirement of 100)
17. Website not updated
18. In Anatomy Department, no lockers available (0/100).
19. Other deficiencies as pointed out in the assessment report.

4. Whereas the Medical Council of India vide its letter dated 10.12.2019 sought point-wise explanation of compliance with documentary evidence in support of claim for rectification of the deficiency noted by the Board of Governors from the college authorities within 30 days.

5. Whereas on the basis of the deficiencies noted by the erstwhile BoG/MCI the College submitted the compliance report dated 08.01.2020 to the erstwhile BoG/MCI. The erstwhile Council Assessors carried out the compliance verification assessment of the college on 28.02.2020 on the basis of the compliance dated 08.01.2020 submitted by the College.

6. Whereas the Board of Governors considered the compliance verification assessment report (28.02.2020) along with the summary/observations of the member of the Undergraduate Expert Group appointed by the BOG and noted that the following deficiencies:-

1. Faculty deficiency : 11.70%
2. Residents deficiency : 2.12%
3. Operations materials : 01 (Inadequate)
4. Exam Hall – 200 capacity but only 150 seats.
5. Staff quarters under constructions.
6. OPD facilities – deficient – Injection room (F) No facilities.
 - Dressing room in Surgery - No facilities
 - No plaster cutting room.
 - No dark room/dressing room and minor procedure room.
 - No Audiometry & Speech therapy facilities. Rooms available.
 - Ante-Natal clinical, sterility clinic, Cancer Detection are not available
7. Wards – Furniture available but there is no record of treatment & Pantries in the award.
8. Clinical load/material : Grossly deficient
9. No Central Oxygen & suction in OTs.
10. No patients in ICU, ICCU, SICU, NICU/PICU.
11. CSSD – No ETO. No separate entry & exists – open into post operations ward.
12. No intercom facilities in the wards.
13. Paramedical & Non-teaching staff 104 available.
14. Nursing staff 175 available.
15. In Anatomy, only 84 out of 100 required lockers.”

7. Whereas in terms of the Indian Medical Council (Amendment) Act, 2019, the Medical Council of India stood superseded by the Board of Governors and the Board of Governors in supersession of Medical Council of India was vested with the powers of Council as well as Central Government under Section 10A of the Indian Medical Council Act, 1956.

8. Whereas as per Section 10A (4) of the Indian Medical Council (IMC) Act, 1956, the Council Office vide its letter dated 08.09.2020 requested Dean/Principal, Surabhi Institute of Medical Sciences, Medak, Telangana to appear before the Hearing Committee through Video Conferencing on 10.09.2020 at 3.00 P.M. onwards to furnish their explanation as to why their application should not be disapproved by the Board of Governors for renewal of permission u/s 10A of the IMC Act, 1956 for the academic year 2020-2021 in view of above deficiencies.

9. Whereas, the Chairman of the Trust attended the Hearing through Video Conferencing on 10.09.2020 and requested for next date of hearing. The Hearing Committee accepted the request of the Chairman of the Trust of Surabhi Institute of Medical Sciences, Medak, Telangana.

10. Whereas, the Council Office vide its letter dated 11.09.2020 again requested Dean/Principal, Surabhi Institute of Medical Sciences, Medak, Tclangana to appear before the Hearing Committee through Video Conferencing on 16.09.2020 at 10.00 A.M. onwards.

11. Whereas, the representative of the college authorities appeared before the Hearing Committee through Video Conferencing on 16.09.2020 and the Hearing Committee after considering the submission of the college authorities observed as under:-

“ The Hearing Committee noted that the college was also called for hearing on 10.09.2020 and they were not prepared for hearing and requested for deferment of hearing.

The Hearing Committee also noted that the college did not submit any documents as evidence in support of their claim of rectifying the deficiencies.

Hence, the Hearing Committee decided not to grant renewal of permission for admission of 2nd Batch of 150 MBBS seats at Surabhi Institute of Medical Sciences, Siddipet, Telangana for the academic year 2020-21.”

12. Whereas accepting the recommendation of the Hearing Committee, the Board of Governors in supersession of Medical Council of India hereby decided not to renew the permission for admission of 2nd Batch of 150 MBBS seats at Surabhi Institute of Medical Sciences, Siddipet, Telangana under Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana u/s 10A of the IMC Act, 1956 for the academic year 2020-21. The college is accordingly directed not to admit any students in MBBS course for the academic session 2020-21. The decision of the BoG/MCI was communicated to the College authorities vide letter dated 24.9.2020.

13. Whereas the college authorities challenged the aforesaid decision of the NMC (erstwhile BoG/ MCI) before Hon'ble High Court of Telangana vide Writ Petition No. 19379 of 2020 titled as The Surabhi Educational Society & Ors. V/S Board of Governors, Medical Council of India & Ors. The Hon'ble High Court vide order dated 19.11.2020 directed the NMC to give personal hearing to the College with regard to grant of renewal of permission for the MBBS 2nd batch on or before 04.12.2020 the relevant extract of the order is as under:-

“... 72. Accordingly, the Writ Petition is allowed; the impugned order No.MCI-34(41)(R-22)/2019-MED/115 passed by the 1st respondent is set aside; the 2nd respondent as successor of the 1st respondent is directed to give a fresh personal hearing to the petitioners, consider all the material made available by the petitioners on 15.09.2020 and 16.09.2020 and then pass a reasoned order in accordance with law with regard to petitioners' application for grant of renewal of permission for the MBBS Second Batch for the academic year 2020- 21. This exercise shall be completed on or before 4th December, 2020. It is open to the 2nd respondent to even make a fresh inspection of the 2nd petitioner college if it so chooses within this time frame. The petitioners are directed to attend the personal hearing which shall be provided by the 2nd respondent and also cooperate for any physical inspection of the facilities and infrastructure in the 2nd petitioner college, if the 2nd respondent chooses to do so. The 2nd respondent shall communicate its decision to the petitioners within the above time frame. No costs”

14. Whereas it is pertinent to mention here that the Hon'ble Apex Court vide order dated 14.09.2020 extended the time last date for renewal of permission under section 10A of the IMC Act, 1956 in respect of MBBS Course for the Academic year 2020-21 as one time measure in view of COVID-19 Pandemic to 15.10.2020.

15. Whereas in order to comply with the aforesaid order and keeping into consideration the time schedule fixed by the Hon'ble Court, the NMC preferred Special Leave to Appeal before the Hon'ble Supreme Court vide SLP no. 14863 of 2020 titled as National Medical Commission vs. Surabhi Education Society and Ors. The Hon'ble Apex Court vide order dated 18.12.2020 directed the 1st Respondent (Surabhi Educational Society) to file a representation showing compliance to the inspection conducted on 28.2.2020 which shall be considered by the Commission within the period of two weeks.

16. Now, keeping into consideration the representation dated 20.12.2020, affidavit dated 28.12.2020 submitted by the College Authorities along with documents in compliance of inspection conducted on 28.2.2020 and as per the direction of the Hon'ble Apex Court vide order dated 18.12.2020 the Medical Assessment & Rating Board (MARB) of the National Medical Commission considered the representation submitted by the college on 20.12.2020 and thoroughly reviewed and verified the report of the compliance assessment carried out by the erstwhile BoG/Medical Council of India on 28.02.2020 and the subsequent explanations submitted by the college in response to the deficiencies pointed out by the team of assessors in the compliance assessment report of 28.02.2020. The MARB has the following observations to make in respect to the assessment done and the subsequent response submitted by the college:

1. **Faculty deficiency:** As per the assessor's report of 28.02.2020, the college had a faculty deficiency of 11.7% (11 out of 94). The college in its response as an explanation to the absent faculty members stated that the 11 faculty members who had been reported as absent by the assessors were in fact working with the college but had not reported by 11.00 am. However, on further perusal the attendance sheet, it was observed that there were signatures against the names of all these faculty members before 11.00 am but when the physical verification of the faculty members was being done at 2.00 pm no faculty member was present there. On further scrutiny, it was noted that the signatures of the said deficient faculty members available on the attendance sheet prior to 11.00 am, did not match with the signatures on their respective declaration forms submitted by the college authorities. Thus, it can be concluded that the signatures of the concerned deficient faculty had been forged on the attendance sheet. Hence the faculty deficiency as noted on the assessment report still persists.
2. **Operation material:** The assessment report had mentioned only 01 major operative procedure as having been done on the entire day during the pre-lunch period, which was inadequate. As per the college response to this, they accepted this fact and said that the operations had been posted in the evening and the next day. It is to be mentioned that all clinical material including the operative load is to be counted at 2.00 pm and therefore the inadequate operative load deficiency persists.

3. **No record of the treatment in wards:** The College in its response has not provided any documentary evidence of the treatment having been administered to the patients in the form of actual photocopies of the treatment charts or registers. Hence, the deficiency persists.
4. **No patient was admitted to any of the intensive care areas.** This fact has been accepted by the college in its response, but the reason the college has cited for the same is not acceptable. Hence deficiency persists.
5. With respect to the other deficiencies pointed out, the college has submitted that the deficiencies have been rectified. It may be stated that these deficiencies could not be verified by way of physical assessment due to the lack of time and difficulty in travel by assessors and also their availability due to the COVID-19 pandemic.

It may be pertinent to mention that college had undergone an assessment for its first renewal (2nd batch intake) on 14th and 15th October 2019 wherein gross deficiencies w.r.t faculty shortage, infrastructure deficiency and grossly inadequate clinical material had been noted. The college had at that time submitted a compliance stating that the deficiencies pointed out by the assessors on 14th and 15th October 2019 had been rectified and based on that submission of compliance, the erstwhile BoG/MCI had carried out a compliance verification assessment on 28.02.2020. However even during this compliance assessment the college was found to be having deficiencies that had been existing in the earlier assessment of 14th and 15th October 2019.

17. Therefore, after having carefully considered the representation and all the relevant material/documents placed before the MARB of the Commission in respect to this college on the directions of the Hon'ble Supreme Court, the MARB of the National Medical Commission has decided to renew the permission for 1st renewal for an intake of 100 students only for the academic year 2020-21, as it fulfils the minimum requirements for 1st renewal for an intake of only 100 students annually at Surabhi Institute of Medical Sciences, Siddipet, Telangana under Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana u/s 10A of the IMC Act, 1956 read with sec.61 (2) of NMC Act 2019 for the academic year 2020-21.

Yours faithfully,


(Dr. R.K. Vats)
Secretary

Copy:

1. The Principal Secretary Health & Family Welfare Department, Room. No.315 A, Block - D, 2nd Floor, Hyderabad - 500022. Telangana. E-mail: prlsecy-hmfw@telangana.gov.in

2. The Director of Medical Education, Govt. of Telangana, DM&HS Campus, Sultan Bazar, Koti, Hyderabad – 500 095 (Telangana), Fax: 040-246025.
3. The Registrar, Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana 506007
4. The Secretary, Govt. of India, Ministry of Health & Family Welfare, Nirman Bhavan, New Delhi.
5. The ADG (ME), Directorate of Health Services, Nirman Bhavan, New Delhi.
6. Computer Section, National Medical Commission, New Delhi
7. Guard File (UG Section)