

BY SPEED POST

No.U.12012/686/2015-ME - I [3063589]  
Government of India  
Ministry of Health & Family Welfare  
(Department of Health & Family Welfare)

Nirman Bhawan, New Delhi-11  
Dated the 1<sup>st</sup> August, 2017.

**ORDER**

Subject: Conditional permission granted for establishment of Medical College in 2016-17  
-Decision of the Central Government - Nimra Institute of Medical Sciences,  
Andhra Pradesh - reg.

Whereas the Nimra Educational Society made application for establishment new medical college at Jupudi (V), Ibrahimpatnam, Krishna Distt., Andhra Pradesh in the name & style of Nimra Institute of Medical Sciences for the academic session 2016-17 to the Ministry. The Ministry forwarded the application to MCI for evaluation and making recommendation to the Ministry u/s 10 A of IMC Act, 1956 for the academic session 2016-17.

2. Whereas the Medical Council of India (MCI) conducted assessment of the college on 29<sup>th</sup> & 30<sup>th</sup> December, 2015 and the assessment report was considered by the Executive Committee of MCI in its meeting held on 30.1.2016 and following was noted:

- i. Deficiency of faculty is 10.77 % as detailed in the report.
- ii. Shortage of Residents is 6.52 % as detailed in the report.
- iii. Bed occupancy was 51.67 % on day of assessment.
- iv. ICUs: There was NIL patient in NICU & only 2 in ICCU on day of assessment.
- v. Hostels: *Facilities in recreation Rooms are not adequate.*

3. Whereas, based on the above, the MCI vide letter dated 31.1.2016 recommended to the Central Govt. not to issue Letter of Permission for establishment of New Medical College at Jupudi (V), Ibrahimpatnam, Krishna Distt., Andhra Pradesh by Nimra Educational Society u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

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4. Whereas, u/s 10 A (4) of IMC, Act, 1956, the Ministry afforded an opportunity of hearing to the college before a personal hearing committee on 11.2.2016 and the case was referred back to MCI for review. Subsequently compliance verification assessment was carried out by MCI on 11<sup>th</sup> March, 2016. The compliance verification assessment report was considered by the Executive Committee at its meeting held on 13.05.2016 and noted the following:

- i. *On verification of admitted patients, some patients in General Surgery ward were admitted for very minor complaints like Gastritis, Urinary Tract infections, etc. Some patients were admitted for minor Surgical procedures. 8 patients were kept in the wards even after removal of sutures. In Orthopaedics ward, majority of patients were admitted for Implant removal, backache & Osteoarthritis. There were NIL patients in Psychiatry & Ophthalmology wards.*
- ii. *ICUs: There was only 1 patient in ICCU. Out of 4 patients in MICU, 3 did not require intensive care.*
- iii. *No patient was seen in Labour room during the round.*
- iv. *Data of clinical material provided by the institute appear to be inflated.*

5. Whereas the MCI vide letter dated 14.5.2016 returned the application for establishment of a new medical college at Jupudi (V), Ibrahimpatnam, Krishna Distt., Andhra Pradesh by Nimra Educational Society to the Central Government recommending disapproval of the scheme u/s 10A of the IMC Act, 1956 for the academic year 2016-2017.

6. Whereas the Ministry accepted the recommendation of MCI and disapproved the applications of the college for establishment of new college for the academic session 2016-2017 vide letter dated 10.6.2016.

7. Whereas on Oversight Committee (OC) directive, the Ministry obtained compliance dated 20.6.2016 from the college afresh and forwarded it to MCI vide letter dated 21.6.2017. MCI returned the compliances citing various reasons. Ministry forwarded the reply of MCI to OC.

8. Whereas the OC vide its letter dated 11.08.2016 approved the scheme of establishment of new Medical College at Jupudi (V), Ibrahimpatnam, Krishna Distt., Andhra Pradesh by Nimra Educational Society in name & style Nimra Institute of Medical Sciences, Andhra Pradesh with an annual intake of 150 for the academic year 2016-17 on certain conditions.



9. Whereas the Central Government on the approval of the OC issued necessary Letter of Permission on 20.08.2016 to Nimra Educational Society for establishment of new Medical College at Jupudi (V), Ibrahimpatnam, Krishna Distt., Andhra Pradesh with an annual intake of 150 for the academic year 2016-17 with conditions imposed by the OC;

10. Whereas as per the conditions laid down in the Letter of Permission an assessment with regard to verification of compliance submitted by the College in the Ministry was conducted by the MCI on 16<sup>th</sup> & 17<sup>th</sup> December, 2016.

11. Whereas, the assessment report (16<sup>th</sup> & 17<sup>th</sup> December, 2016) was considered by the Executive Committee of MCI at its meeting held on 13.01.2017 and noted the following deficiencies:-

- i. *Signed attendance registers of clinical departments were not produced before the assessors in the office of the Dean on the first day of assessment.*
- ii. *Appointment letters given to staff do not mention salary structure & time limit upto which they can join.*
- iii. *Average OPD attendance as observed by assessors & informed by HODs & faculty during interaction with assessors is 430/day which is inadequate against requirement of 600. OPD attendance claimed by institute of 683 seems to be exaggerated.*
- iv. *Bed Occupancy of genuine patients as observed by assessors is 143/300 - i.e. 48 % which is inadequate.*
- v. *Many patients had problems with simple routine OPD problems like cough & cold, mild Anaemia, pain abdomen, weakness, Urinary tract infections, vaginal discharge, normal pregnant females, Orthopaedic patients with only back pain or knee pain, etc. patients who are fit enough to be discharged but being unnecessarily hospitalized.*
- vi. *There was NIL Normal Delivery on day of assessment. Prior to assessment in the whole pervious week there were only 2 Deliveries.*
- vii. *There was NIL death in the wards for the last 2 years.*
- viii. *ICUs: There was NIL patient in NICU/PICU & only 1 patient each in ICCU, MICU & SICU on day of assessment.*
- ix. *Pharmaco Vigilance Committee: NIL meeting is held till date.*

12. Whereas, the MCI vide letter dated 15.1.2017 has informed and recommended to the Ministry as under:

*In view of the above, the college has failed to abide by the undertaking it had given to the Central Govt. that there are no deficiencies as per clause 3.2(i) of the directions passed by the Supreme Court mandated Oversight Committee vide communication dated 11/08/2016. The Executive Committee, after due deliberation and discussion, have decided that the college has failed to comply with the stipulation laid down by the Oversight Committee. Accordingly, the Executive Committee recommends that as per the directions passed by Oversight Committee in para 3.2(b) vide communication dated 11/08/2016 the college should be debarred from admitting*



*students in the above course for a period of two academic years i.e. 2017-18 & 2018-19 as even after giving an undertaking that they have fulfilled the entire infrastructure for establishment of new medical college at Jupudi, Krishna Dist., Andhra Pradesh by Nimra Educational Society, Hyderabad under Dr. NTR University of Health Sciences, Vijayawada, the college was found to be grossly deficient. It has also been decided by the Executive Committee that the Bank Guarantee furnished by the college in pursuance of the directives passed by the Oversight Committee as well as GOI letter dated 20/08/2016 is liable to be encashed."*

13. Whereas the Ministry decided to grant a personal hearing to the College on 08.02.2017 by the DGHS. The Hearing Committee after considering the oral and written submission of the College, submitted its report to the Ministry. In its report, the Hearing Committee observed as under:

Srl. No.	Deficiencies reported by MCI	Observations of hearing committee
i.	Signed attendance registers of clinical departments were not produced before the assessors in the office of the Dean on the first day of assessment.	However, some minor deficiencies have been pointed out by assessors which may be reverified.
ii	Appointment letters given to staff do not mention salary structure & time limit upto which they can join.	
iii	Average OPD attendance as observed by assessors & informed by HODs & faculty during interaction with assessors is 430/day which is inadequate against requirement of 600. OPD attendance claimed by institute of 683 seems to be exaggerated.	
iv	Bed Occupancy of genuine patients as observed by assessors is 143/300 – i.e. 48 % which is inadequate.	
v	Many patients had problems with simple routine OPD problems like cough & cold, mild Anaemia, pain abdomen, weakness, Urinary tract infections, vaginal discharge, normal pregnant females, Orthopaedic patients with only back pain or knee pain, etc. patients who are fit enough to be discharged but being unnecessarily hospitalized.	
vi	There was NIL Normal Delivery on day of assessment. Prior to assessment in the whole pervious week there were only 2 Deliveries.	
vii	There was NIL death in the wards for the last 2 years.	
viii	ICUs: There was NIL patient in NICU/PICU & only 1 patient each in ICCU, MICU & SICU on day of assessment.	
ix	Pharmaco Vigilance Committee: NIL meeting is held till date.	

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14. Whereas, the Ministry forwarded the Hearing Committee report to the OC for guidance. The OC vide its letter dated 14.05.2017 conveyed their following views to the Ministry:-

"j) Attendance register:- The signed & stamped copies of attendance registers were attached with the representation. No deficiency.

(ii) Salary structure:- This deficiency is subjective. No MSR.

(iii) OPD attendance:- OPD attendance is 683 as per SAF. The rest of the remark is subjective.

(iv) Bed Occupancy:- No deficiency

(v) Patients unnecessarily hospitalized:- This deficiency is subjective. No MSR.

(vi) Deliveries:- This deficiency is subjective. No MSR.

(vii) Nil death in the wards for last 2 years:- This deficiency is subjective. No MSR.

(viii) ICUs:- This deficiency is subjective. No MSR.

(ix) Pharmaco Vigilance Committee:- This deficiency is subjective. No MSR."

LOP Confirmed

15. Whereas the Ministry after considering the recommendation of MCI, Hearing reports of the DGHS & views of the OC decided to accept recommendation of MCI since the College was found deficient in MCI inspection. Accordingly, Ministry vide letter dated 31.05.2017 debarred the College from admitting students for two years i.e 2017-18 & 2018-19 and authorized the MCI to encash the Bank Guarantee of Rs. 2 crores.

16. Whereas the college filed W.P (C) No. 430 of 2017 in the Hon'ble Supreme Court of India which is connected to W.P (C) No. 411 of 2017 - GLOBAL MEDICAL COLLEGE AND SUPER SPECIALITY HOSPITAL & RESEARCH CENTRE Versus Union of India & Others and the Hon'ble Supreme Court gave the following direction:-

"In the above persuasive premise, the Central Government is hereby ordered to consider afresh the materials on record pertaining to the issue of confirmation or otherwise of the letter of permission granted to the petitioner colleges/institutions. We make it clear that in undertaking this exercise, the Central Government would re-evaluate the recommendations/views of the MCI, Hearing Committee, DGHS and the Oversight Committee, as available on records. It would also afford an opportunity of hearing to the petitioner colleges/institutions to the extent necessary. The process of hearing and final reasoned decision thereon, as ordered, would be completed peremptorily within a period of 10 days from today. The parties would unfailingly co-operate in compliance of this direction to meet the time frame fixed"



17. Now, in compliance with the above direction of Hon'ble Supreme Court dated 1.8.2017, the Ministry granted hearing to the college on 4.8.2017. The Hearing Committee after considering the records and oral & written submission of the college submitted its report to the Ministry. The findings of the Hearing Committee are as under-

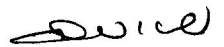
The Committee notes that in the inspection carried out by MCI for 2016-17 under Section 10A of the IMC Act, 1956, there was no deficiency of faculty, residents and infrastructure. Only some observations were made about patients. In the compliance verification conducted by MCI after OC approval, again no deficiency of faculty, residents and infrastructure has been pointed out. MCI assessment report suggests some inflation of clinical material. However, the assessor seems to have verified 230 meals issued for IPD patients which would suggest requisite IPD. Assessors have verified OPD attendance of 683.

In view of the above, the Committee recommends that the conditional LoP for 2016-17 may be confirmed and the college may also be allowed to take admission for 2017-18

18. Accepting the recommendation of the Hearing Committee, the Ministry confirms the conditional permission granted to Nimra Institute of Medical Sciences, Andhra Pradesh for the year 2016-17 and also permits the college to take admission for the academic year 2017-18 with 150 students.

19 The Next batch of students (150) in 2018-19 will be admitted only after obtaining permission from Central Government.

20. Admissions made in violation of above conditions will be treated as irregular and action will be taken as per provisions of IMC Act, 1956 and the Regulations made thereunder.



(D V K Rao)

Under Secretary to the Govt. of India

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To  
The Chairman/Secretary,  
Nimra Educational Society  
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Hyderabad - 500028, Telangana.

**Copy to:**

- 1 The Secretary, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi.
- 2 The Principal Secretary, (Health & Family Welfare), Government of Andhra Pradesh, 3rd Floor, L Block, Room No. 210, Hyderabad-500022.
- 3 The Registrar, Dr. NTR University of Health Sciences, Vijyawada - 520008, AP.
- 4 The ADG (ME), Dte.GHS, Nirman Bhawan, New Delhi.
- 5 The Director, Medical Education, Govt. of Karnataka, Bangalore.