

To

Public information officer.

MCI , Dwarka. NEW DELHI.

SUB- INFORMATION UNDER RTI, regarding Teachers eligibility criteria-
publication issue.

Sir,

I have been approached by my client to seek legal opinion and to knock at the court of law, as he has been issued letter from his employer for his demotion from his post. The main highlights of the case are as under. And i have drawn the following observations---

ITS TO INFORM YOU, AS PER MCI NORMS OF TEACHERS PROMOTION, the amendment came in 2009, where one year relaxation was given provided the teacher had desired number of research publications. but the which type of publication it will be? in which journal it will be published? was not clear till 2015. Since, the research publication can be editorial, commentary, study, case report, letter to editor etc, etc which are published in any concerned journal, are taken as research publication. so, MCI was approached by many doctors , colleges to clarify the above facts. as it was not clear in 2009 notification. One such RTI reply by MCI, no-MCI-7(1)-2013-RTI-MED-Misc-33785-13.9.13., stated that MCI has no such records to clarify the category of publication and which type of journal it will be, while MCI asked to see notification issued in 2009. Since the category of publication and type of journal was not clear in prevailing rules of that time, colleges had given benefit of all categories of publications (may it be a case report etc) and teachers were promoted to associate professor / PROFESSOR, and these WERE accepted by MCI too. the details of same is still there on MCI site. AND ON THE BASIS OF THESE PROMOTIONS, RESPECTIVE COLLEGES had allotted Post graduates to them and started PG courses and increased pg seats too, during 2009-2015. since, THERE WAS lots of confusion regarding category of publication and type of journal, The MCI issued notification No- 12(1)-2015, TEQ-131880, Dt- 3.9.2015, (after 6 years of first notification i.e. 2009), in which it was crystal cleared that only original research articles/original research papers will be accepted. NO CASE REPORTS,

REVIEW ARTICLES WILL NOT BE ACCEPTED. AND WHICH TYPE OF JOURNAL IT WILL BE, WAS ALSO CLARIFIED. NOW, the confusion remained was that, this notification will be applicable prospectively from 2015 or retrospectively?? this fact was cleared by MCI in reply No- 12(1)-2015, TEQ-155223, Dt- 10.12..2015, THAT THE ABOVE SAID NOTIFICATION WILL BE APPLICABLE PROSPECTIVELY , NOT THE RETROSPECTIVELY., means from 3.9.2015

NOW in 2017, as per SAF (SELF ASSESSMENT FORMS) issued by MCI (as available online mciindia.org) to be filled by respective colleges for starting, renewal, increase of POST GRADUATION SEATS, MCI, all of sudden taken reverse step. stating that, no promotion of professor will be accepted without original research articles after 2013. meaning that 2015 notification was applied retrospectively. which was denied by MCI EARLIER IN RTI. THERE IS NO NOTIFICATION ISSUED BY MCI till date that notification No- 12(1)-2015, TEQ-131880, Dt- 3.9.2015, will be applicable retrospectively.

now, if this comes into force,

1. many of teachers, will be demoted from their post by the respective colleges- which is against ethics rules.
2. number of desired post graduate teachers will decrease, as there should be a desired number of associate prof/prof in one unit for starting pg course.
3. what will happen to the degree of PG students, who have already been granted or going on pg studies under their respective teachers, who now would be demoted as per new ammendment in SAF form.

So, it avoid legality, and ethics issue etc. MCI should remove the said wording from SAF for PG courses. (Reading applicablity of 2015 notification retrospectively). And accept the teachers designation which alreday have been accepted in previous inspections. there is not even a single benefit of applying 2015 notification retrospectively.

SO, TO CLARIFY ABOVE FACTS , MY QUERIES UNDER RTI AS FOLLOWS---

- 1. Are THERE ANY ETHICS RULES FRAMED BY MCI to protect the teachers interest , INCASE TEACHER IS DEMOTED FROM HIS CURRENT POST, OR HIS DATE OF PROMOTION IS CHANGED?*

2. Has MCI ACCEPTED ANY TEACHER PROMOTION ON THE BASIS OF CASE REPORTS AS PUBLICATION? , BEFORE 3. 9. 2015. If yes, please provide me the data OF TEACHERS AND THEIR PUBLICATIONS.

3. Please supply me notification letter copy, on the basis of SAF ammendment has been made regarding publication issue for pg courses, 2017, as available on website. WHICH STATES THAT no publication without original paper will be accepted incase teacher has availed benefit of publication for promotion.

I have paid the RTI fee online.

Regards

Adv Isha Jain.

204, kings crown. SHALIMAR TOWNSHIP,

Near vijay nagar, AB ROAD indore. MP-452001.

EMAIL - advishajain8@gmail.com

CELL- 9589630033.

ANNEXURE- SEE BELOW



भारतीय आयुर्विज्ञान परिषद्
MEDICAL COUNCIL OF INDIA

पॉकेट - 14, सेक्टर - 8, द्वारका, नई दिल्ली - 110 077
Pocket - 14, Sector - 8, Dwarka
New Delhi - 110 077

No. MCI-12(1)/2015-TEQ/155223

Date: 01/12/15
Speed Post/Courier

The Dean,
AMC MET Medical College,
L.G. Hospital Campus, Maninagar,
Ahmedabad.

Subject- Clarification for circular dated 3.9.2015 pertaining to research publication in the matter of recruitment for teaching faculty in a medical college/institutions.

Sr,

With reference to your letter dated 4.12.2015 on the subject noted above, it is to inform you that may kindly refer to the provisions of amendment Gazette Notification dated 24.7.2009 & 15.12.2009 of Minimum Qualifications for Teachers in Medical Institutions Regulations, 1998 in regard to transitory period and tenure in research publication. The MCI Circular No. 12(1)/2015-TEQ/131880, dated 3.9.2015 will be applicable prospectively & only to those research papers/promotions that have been published/taken place after 3.9.2015.

It is further to informed you that the research publication are not mandatory for retired/resigned/voluntarily retired from government or other medical colleges in case of their re appointment on the same designation.

This issues with the approval of competent authority.

Yours faithfully,

(Babu Ram Manuwal)
Assistant Secretary

01/12/15