

SUPREME COURT OF INDIA

Amma Chandravati Educational and Charitable Trust

Vs.

Union of India

WP(Civil)No.408 of 2017

(Jagdish Singh Khehar,CJI., J.Chelameswar and R.K.Agrawal,JJ., Dr.D.Y.Chandrachud and S.Abdul Nazeer,JJ.,)

18.07.2017

ORDER

1. Mr. Ranjit Kumar, learned Solicitor General of India, having obtained instructions, has handed over to us the names of five eminent doctors to constitute an Oversight Committee, consequent upon the expiry of the term of the erstwhile Oversight Committee. The names for the Oversight Committee, as suggested, are as under:

“1. Dr. V.K. Paul, Professor & Head, Paediatrics, AIIMS, New Delhi

2. Dr. Randeep Guleria, Director, AIIMS, New Delhi

3. Dr. Jagat Ram, Director, PGIMER, Chandigarh

4. Dr. BN Gangadharan, Director, NIMHANS, Bengaluru Dr. Nikhil Tandon, Professor & Head, Endocrinology, AIIMS, New It is submitted, that the Oversight Committee shall commence its functions forthwith, and that liberty be granted to the Union of India to seek substitution of the names in the Oversight Committee, if the occasion so arises.”

2. We accept the proposal made to this Court by Mr. Ranjit Kumar, learned Solicitor General of India on behalf of the Union of India. We grant liberty to the Union of India to nominate one of the members of the reconstituted Oversight Committee, as its Chairperson. We would like to record the functions, which are assigned to the Oversight Committee, which included the following:

“a) the Oversight Committee will have the authority to oversee the functioning of Medical Council of India.

b) all decisions/recommendations of the MCI will require approval of the Oversight Committee before they are communicated to the Central Government.

c) the Oversight Committee will be free to issue appropriate remedial directions for improvement in the functioning of MCI.

d) the Oversight Committee will function till the Central Government puts in place any other appropriate mechanism, or until further orders.

3. The aforesaid functions are clearly limited to oversee the activities of the Medical Council of India. The decision in all matters required to be determined by the Government of India, shall be that of the Government of India, which shall record reasons for taking a view different to the one proposed by the Medical Council of India, in conjunction with the Oversight Committee. It shall also be open to the aggrieved party, if it is so advised, to assail the same, in accordance with law.

4. Disposed of in the aforesaid terms.