

NO. MCI-211(2)/2013-Ethics/

**MEDICAL COUNCIL OF INDIA
SECTOR-VIII, POCKET- 14,
DWARKA, NEW DELHI**

Minutes of the meeting of the Ethics Committee held on 28th & 29th June, 2013 at 10.00 A.M. in the Council Office, Sector- VIII, Pocket- 14, Dwarka, New Delhi. The following were present:-

1.	Prof. Sneh Bhargava	Chairperson
2.	Dr. Y. K. Gupta	Member (only one day)
3.	Dr. B.G. Tilak	Member
4.	Dr. Vinay Sakhuja	Member
5.	Kumudni Sharma	Member
6.	Dr. Sangeeta B. Desai	Member
7.	Dr. Rama V. Baru	Member
8.	Sh. Amit Bansal	Member
9.	Dr. Atul Sood	Member
	Dr. P.Prasannaraj	Addl. Secretary, MCI

Leave of absence from , Dr. Sanjay Gupte and Dr. G. K. Sharma was granted.

01. Minutes of the last meeting of the Ethics Committee- Confirmation of.

The Minutes of the Ethics Committee meeting held on 24th & 25th May, 2013 were confirmed.

02. Review of Action taken on Minutes of the Ethics Committee meeting held on 26th & 27th April, 2013.

The Ethics Committee reviewed the progress of action taken by the office on various decisions taken by it as per the minutes of its meeting held on 26th & 27th April, 2013.

Note:

The Ethics Committee decided to review item No. 23 at its subsequent meeting.

(Dr. B.G. Tilak)

(Dr. Vinay Sakhuja)

(Dr. Y. K. Gupta)

(Dr. Atul Sood)

(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)

(Sh. Amit Bansal)

(Prof. Sneh Bhargava) – Chairperson)

03. Appeal dated 06.05.2013 filed by Dr. Tripti Das against Dr. Phani Bhushan Mandal, Divine Nursing Home, Kolkata-reg.(594/2011).

The Ethics Committee considered the appeal filed by Dr. Tripti Das against Dr. Phani Bhushan Mandal, Divine Nursing Home, Kolkata and noted that the Council Office forwarded the complaint to West Bengal Medical Council vide Council letter dated 19.06.2012 with subsequent reminder dated 13.03.2013 but the West Bengal Medical Council failed to conclude the matter within the stipulated time period of six months and hence, the matter is taken up by this Council.

The summary of the complaint are as under:-

"Brother of Dr. Tripti Das suffered head injury on the early morning of 19.04.2011. He contacted with Dr. Phani Bhushan Mandal of North City Hospital and Neuro Institute Pvt. Ltd. Dr. Phani Bhushan Mandal attended the patient at 2.00 am but did not perform any specific treatment. Patient was in altered conscious level. The said nursing home did not have facility of CT Scan. Dr. Mandal later in the morning of 19.04.2011 advised the patient to be transferred to Divine Nursing Home Pvt. Ltd. and a CT Scan of brain was done around 8.30 am which revealed Acute SDH over left fronto-parieto-temporal region and inter hemispheric fissure causing compression of adjacent cortex Left Sylvian fissure, third and left lateral ventricle with a midline shift of 13 mm to right. Patient was also having slurring speech, disorientation and right sided weakness etc. Despite critical condition of the patient, Dr. Phani Bhushan Mandal performed surgery in the evening of 19.04.2011 at 6.00 pm. Patient was shifted back to the ICU following the surgery in unconscious and extremely critical condition and declared dead at 10.30 pm."

After examining the appeal and the attached documents, the Ethics Committee decided to accept the appeal and call both the parties i.e. Appellant, Dr. Tripti Das and Respondents, Dr. Phani Bhushan Mandal for hearing with all the medical records and supportive documents available with them in the subsequent meeting.

Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting.

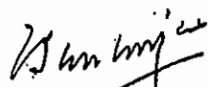
04. Complaint dated 08.03.2011 filed by Sh. Pranabesh Chatterjee against Dr. L. N. Tripathy and Dr. B.D. Chatterjee of Apollo Gleneagle Hospital, Kolkata-reg.(117/2011).

The Ethics Committee considered the appeal filed by Sh. Pranabesh Chatterjee against Dr. L. N. Tripathy and Dr. B.D. Chatterjee of Apollo Gleneagle Hospital, Kolkata and noted that the matter forwarded to concerned State Medical Council where the doctors are registered i.e. Tamilnadu Medical Council and Orissa Medical Council. As the said Councils failed to conclude the matter within the stipulated time period of six months, matter is taken up by this Council.

Brief of complaint:-

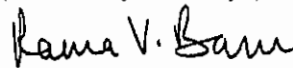
"patient Ms. Olympia Chatterjee was admitted in Apollo Gleneagle Hospital, Kolkata on 13.09.2009 after a road accident with head injury and multiple


(Dr. B.G. Tilak)

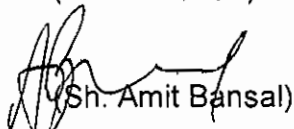

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(Prof. Sneh Bhargava) – Chairperson

traumas under the care of Dr. L. N. Tripathy and Dr. B. D. Chatterjee. During the treatment she had recovered and on 11.10.2009 she again suffered a massive setback and sent to ICU in critical condition. Dr. Sukumar Mukherjee, Physician, Medicine examine the patient twice and advised the management of the hospital for taking corrective measures to save the life of patient at first which he observed deficient on their action taken. The patient was admitted their till 21.11.2009.

After that patient admitted in S.S.K.M. Hospital, Kolkata on 21.11.2009 where she had undergone a long treatment till 09.09.2010. Now patient is lying at home in same coma condition with the support of different life support equipments since 09.09.2010 having no neurological improvement."

After examining the appeal and the attached documents, the Ethics Committee decided to accept the appeal and call both the parties i.e. Appellant, Sh. Pranabesh Chatterjee and Respondents, Dr. L. N. Tripathy, Dr. B.D. Chatterjee and CEO of Apollo Gleneagle Hospital, Kolkata for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.

Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting.

05. Appeal against order dated 17.11.2012 passed by A.P. Medical Council made by Mrs. Sreevani @ Vani against Dr. G. Surendar & A.P. Medical Council.(519/2012).

The Ethics Committee considered the appeal filed by Mrs. Sreevani @ Vani against Dr. G. Surender Reddy & A.P. Medical Council and noted that A.P. Medical Council vide its order dated 17.11.2012 held that :-

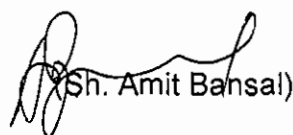
".....The Executive Committee noted that the respondent Dr. G. Surender Reddy has also stated that he has not issued any fake or false certificate and it is as per the standard text books of Forensic Medicine and he has requested that the matter be discussed in the Council and Justice be done to him.

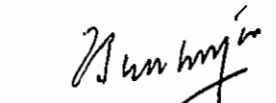
The Executive Committee noted that the Ethics Committee in its meeting held on 28.09.2012 has considered this item together with the material placed before it by Dr. G.Surender Reddy on 28.09.2012 and made necessary observations/recommendations. The Executive Committee has gone through the observation/recommendations of the Ethics Committee. The Executive Committee observed that for the last 30 years Potency Certificates are issued by the Forensic Sciences Department, Osmania General Hospital and Gandhi Hospital, which are the biggest hospital and Dr. G. Surender Reddy, Head of the Forensic Sciences Department has observed the proto-cols.

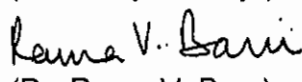
Taking into consideration of your Application together with the detailed observations/recommendations of the Ethics Committee, the Executive Committee decided that issuing Potency Certificate by the Forensic Medicine Department is accepted by convention. Hence, the original "Warning" be withdrawn.



(Dr. B.G. Tilak)

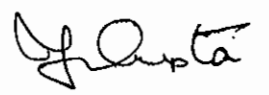

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(Dr. Sangeeta B. Desai)

In view of the decision taken by the Executive Committee in its meeting held on 09.10.2012, I am directed to inform that the original "Warning" communicated to you through this office letter No.AMC/DC/015/Case No.27/2011 dated 07.02.2012 is hereby withdrawn"

After examining the appeal and the attached documents, the Ethics Committee decided to call both the parties i.e. Appellant, Mrs.Sreevani @ Vani and Respondents, Dr. G. Surender Reddy for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.

Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting.

06. Appeal dated 17.05.2013 filed by Sh. Bhim Singh against Order dated 09.01.2013 passed by Delhi Medical Council-reg.(12/2013).

The Ethics Committee considered the appeal dated 17.05.2013 filed by Sh. Bhim Singh against Order dated 09.01.2013 passed by Delhi Medical Council and noted that Delhi Medical Council vide its order dated 09.01.2013 held that :-

"..prima facie no medical negligence can be attributed on the part of Dr. Mukesh Aggarwal in the treatment administered to the complainant's daughter Ms. Ritu at Mukesh Trauma Centre.

Complaint stands disposed."

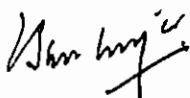
After examining the appeal and the attached documents, the Ethics Committee noted that the Delhi Medical Council had passed its order on 09.01.2013 which was received on 16.01.2013 and the appellant submitted his appeal in the Council Office on 17.05.2013 almost after a gap of 121 days. The Committee feels that there is an inordinate delay in filing the appeal before the Medical Council of India and as per Clause 8.8. of the Regulations namely "Indian Medical Council(Professional Conduct, Etiquette and Ethics) Regulations, 2002", "Any person aggrieved by the decision of the State Medical Council on any complaint against a delinquent physician, shall have the right to file an appeal to the MCI within a period of 60 days from the date of receipt of the order passed by the said Medical Council:

Provided that the MCI may, if it is satisfied that the appellant was prevented by sufficient cause from presenting the appeal within the aforesaid period of 60 days, allow it to be presented within a further period of 60 days"

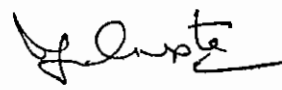
As per above Clause of Regulation, a candidate can apply within 60 days from the date of Order of the State Medical Council or in special cases it would be maximum 120 days. There is no power in the Ethics Committee to review delay of more than 120 days.



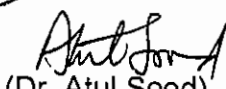
(Dr. B.G. Tilak)



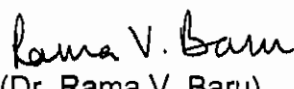
(Dr. Vinay Sakhuja)



(Dr. Y. K. Gupta)

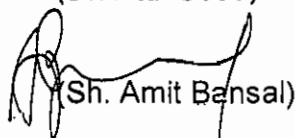


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(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)



(Sh. Amit Bansal)



(Prof. Sneh Bhargava) – Chairperson)

In view of above mentioned facts, the Committee decided that as the matter is time barred and therefore, the said appeal is not maintainable at this stage and is dismissed.

07. Appeal dated 24.04.2013 filed by Sh. Harjesh Singh against Dr. Barjinder Singh Sohal, Patiala-reg.(211/2012).

The Ethics Committee considered the appeal filed by Sh. Harjesh Singh against Dr. Barjinder Singh Sohal, Patiala. The summary of complaint reads as under:-

"Mrs. Avneet Kaur w/o Sh. Maninder Pal Singh got injury on her ear drum on 28.03.2011 and got admitted in Rajindera Hospital Patiala on 30.03.2011. Dr. Barjinder Singh Sohal examined Mrs. Avneet Kaur and issued a report dated 06.08.2011 that "hearing is within normal limit, but now it can be taken as grievous till the loss is repaired. The said report is not a proper medical legal opinion and it was made at the instance of the complainant by hatching a conspiracy in order to use the grievous word in the opinion and the said report was challenged and the police also sought the legal opinion of DA(legal). A Board was constituted but Mrs. Avneet Kaur refused to examine herself.

After a gap of 10 months on 21.05.2012 the above doctor has given another opinion that "the injury is grievous one" in order to cause harm to the applicants. The report issued by Dr. Barjinder Singh Sohal is totally false and manipulated."

The Ethics Committee noted that Council has forwarded the complaint to Punjab Medical Council vide Councils letter dated 17.09.2012 but the concerned Medical Council failed to conclude the matter within the stipulated time period of six months, therefore, matter is taken up by this Council.

After examining the appeal and the attached documents, the Ethics Committee decided to accept the appeal and call both the parties i.e. Appellant, Sh. Harjesh Singh and Respondents, Dr. Barjinder Singh Sohal, Rajindera Hospital, Patiala and Mrs. Avneet Kaur for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.

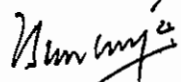
Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting.


08. Appeal dated 06.03.2013 filed by Sh. P.K. Chauhan, Advocate, Laxmi Nagar Delhi against Order dated 13.07.2012 passed by Delhi Medical Council-reg.

The Ethics Committee considered the appeal filed by Sh. P.K. Chauhan, Advocate, Laxmi Nagar Delhi against Order dated 13.07.2012 passed by Delhi Medical Council. The summary of complaint reads as under:-

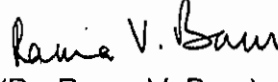
"patient Sh. Kailash Singh Chauhan was admitted in Pushpanjali Medical Centre due to lung infections on 18.08.2011. Patient was under the supervision of Dr. Ashok Grover, Dr. Manish and Dr. Vinay Aggarwal. Medical reports were normal on the day of admission on


(Dr. B.G. Tilak)

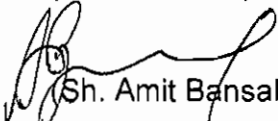

(Dr. Vinay Sakhuja)

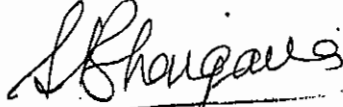

(Dr. Y. K. Gupta)


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(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson)

18.08.2011. On 23.08.2011 patient felt acute pain and breathing problem around 9.30 am. Complainant called so many time to Dr. Ashok Grover telephonically and everytime he asked that he will reach within few minutes. Dr. Ashok Grover came in the hospital few minutes before the death of the patient i.e. at 1.30 p.m. and Other doctors of hospital did not take it seriously. Dr. Grover did not inform the attendants of the patient about the death and put the body on ventilator and finally declared dead on 2.30 pm. The hospital authorities did not allow them to take the body of the patient without submitting the outstanding payment of bills."

The Registrar, Delhi Medical Council vide its order dated 13.07.2012 held that:-

"prima-facie no medical negligence can be attributed on the part of doctors of Pushpanjali Medical Centre, Heart & Trauma Hospital in the treatment administered to late Sh. Kailash Chauhan."

After examining the appeal and the attached documents, the Ethics Committee decided to call both the parties i.e. Appellant, Sh. P. K. Chauhan and Respondents, Dr. Ashok Grover, Dr. Manish Kumar, Medical Superintendent and Dr. Vinay Aggarwal, Pushpanjali Medical Center for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.

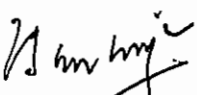
Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting


09. Appeal dated 11.03.2013 filed by Sh. Partha Sarathy Bhattacharjee, Kolkata against decision of West Bengal Medical Council dated 10.01.2013-reg.

The Ethics Committee considered the appeal filed by Sh. Partha Sarathy Bhattacharjee, Kolkata against decision of West Bengal Medical Council dated 10.01.2013 and noted that the patient herself initially lodged a complaint in West Bengal Medical Council in 2009 and she died in the year 2011. The West Bengal Medical Council heard the deposition of patient late Mrs. Chitraleka Bhattacharjee, herself and further vide its letter dated 10.01.2013 addressed to late Mrs. Chitraleka Bhattacharjee informed that "...refer to your letter dated 29.05.2009 to the President, West Bengal Medical Council regarding complaint against doctors of Sri Aurobindo Seva Kendra, this is to inform you that the Council at its extraordinary meeting dated 04.10.2012 considered the case and unanimously decided not to proceed further in this regard."

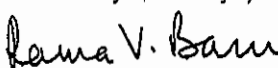
After examining the appeal and the attached documents, the Ethics Committee decided to call both the parties i.e. Appellant Sh. Partha Sarathy Bhattacharjee and Respondent, Dr. Hom Choudhury for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.


(Dr. B.G. Tilak)

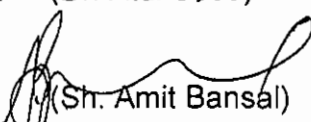

(Dr. Vinay Sakhuja)



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(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson)

Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting

10. Appeal dated 23.05.2013 filed by Smt. Sabiha Hamid against Order dated 29.04.2013 passed by Uttar Pradesh Medical Council-reg.

The Ethics Committee considered the appeal filed by Smt. Sabiha Hamid against Order dated 29.04.2013 passed by Uttar Pradesh Medical Council. The summary of complaint reads as under:-

"complainant has admitted in Dr. M. Khan Hospital under the treatment of Dr. Yasmeen Khan for her delivery. It was her second pregnancy and she was operated by Dr. Yasmeen Khan and Dr. Mohd. Javed Khan. But after few days she started having problems."

The Registrar, Uttar Pradesh Medical Council vide its order dated 29.04.2013 held that:-

".....Governing Body of Uttar Pradesh Medical Council discussed the matter at length and decided, keeping in mind, Professional conduct, Etiquette and Ethics Regulations - 2002 has to suspend the registration of Dr. Yasmeen Khan for SIX Months from 01.05.2013 to 31.10.2013 and her name to be struck off from the register of U.P. Medical Council. She will not be authorized to work as surgeon/physician/clinician during this period.."

After examining the appeal and the attached documents, the Ethics Committee decided to call both the parties i.e. Appellant, Smt. Sabiha Hamid and Respondents, Dr. Yasmeen Khan and Dr. Mohd. Javed Khan for personal hearing with all the medical records and supportive documents available with them in the subsequent meeting.

Notices be sent to both the parties along with a copy of the appeal to the respondent, so that the concerned party may file a suitable reply to the appeal with an advance copy to the appellant before the subsequent meeting

11. 59th Report of the Department Related Parliamentary Standing Committee on Health & Family Welfare on the Functioning of the Central Drugs Standard Control Organization-reg.(Gen./2013).

The Ethics Committee considered the Report of 59th Parliamentary Standing Committee Meeting on the functioning of Central Drugs Standard Control Organization(CDSCO) received from Govt. of India, Ministry of Health Family Welfare, New Delhi letter dated 23.05.2013. This matter was referred to one of the members of the Committee. Before, he could give his report, he has ceased to be member of the Committee. Accordingly, the matter may be taken up at a subsequent meeting of the Committee.

(Dr. B.G. Tilak)

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12. Complaint against Dr. Jilse George, Assoc. Professor, Co-operative Medical College, Kochi.(Gen./2013).

The Ethics Committee considered the complaint dated 16.04.2012 filed by Sh. G. Subhash, Kerala against Dr. Jilse George, Associate Professor at Co-operative Medical College, Kochi. The summary of complaint reads as under:-

"The incident relates to the use of a false document to illegally gain advantage in selection in 2007 at the Co-operative Medical College, Kochi under CAPE of Kerala Government. An applicant Dr. Jilse George did not have the requisite 5 years teaching experience as Assistant Professor to become eligible for the post of Associate Professor in Medicine as per MCI prescribed norms. But he submitted an experience certificate showing that he worked as Assistant Professor at the Academy of Medical Sciences, Pariyaram, Kannur from 1st August, 1994 to 30th November, 1995. The certificate was given by Dr. P.G. Ramakrishna Pillai, Principal. Information received from the Academy of Medical Sciences, Pariyaram in reply to a request under the RTI Act reveal that Dr. George did not work there at all. It shows Dr. George and Dr. PGR Pillai has given a false documents to gain undue advantage by misleading MCI. Further, the Accountant General, Kerala in reply to an application about the service record of Dr. George supplied the service details. According to it, during the period he claimed to have worked at Academy of Medical Sciences, Pariyaram, he was actually working as a Medical Officer of Kerala Health services at Govt. Hospitals in Kochi .

The actions of Dr. Jilse George and Dr. P.G. Ramakrishna Pillai amount to unethical conduct. It may be noted that Dr. George gained further promotion based on this false document."

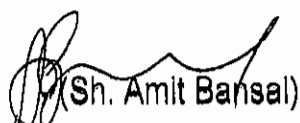
After detailed deliberation, the Ethics Committee decided to call the Complainant Sh. G. Subhash and Respondents, Dr. Jilse George and Dr. P.G. Ramakrishna Pillai with all the supportive documents available with them in the subsequent meeting.

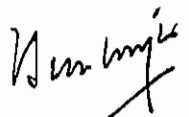
13. Registration of FIR against Dr. Amrendra Kumar, Student of MS (Surgery) 2010 batch of PMCH, Patna.(Gen./2013).

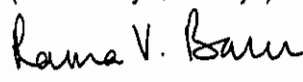
The Ethics Committee considered a letter dated 08.05.2013 received from Suptd. of Police, CBI whereby he has informed that they had registered a FIR on the complaint received against Dr. Amrendra Kumar, Student of MS(Surgery), 2010 batch of PMCH, Patna. After considering all the facts, the Ethics Committee decided to call Dr. Amrendra Kumar in the subsequent meeting alongwith supportive documents, if any.

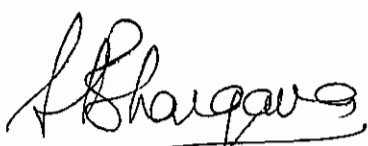

(Dr. B.G. Tilak)



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(Prof. Sneha Bhargava) – Chairperson


(Dr. Y. K. Gupta)

(Dr. Sangeeta B. Desai)

14. Code of Medical Ethics-Clarification raised by MBBS Students during lecture on Medical Ethics-referring for expert opinion-reg.(Gen./2013).

The Ethics Committee considered the letter dated 07.05.2013 received from Professor & HOD of Forensic Medicine, Azeezia Institute of Medical Sciences & Research, Meeyannoor, Kollam, Kerala and after deliberation, the Ethics Committee observed the Regulations Code of Medical Ethics Clause 6.1.2 which reads as under:-

"Printing of self photograph, or any such material of publicity in the letter head or on sign board of the consulting room or any such clinical establishment shall be regarded as acts of, self advertisement and unethical conduct on the part of the physician. However,, printing of sketches, diagrams, pictures of system shall not be treated as unethical.

The Ethics Committee decided to convey the above Regulations of MCI to the Professor & HOD of Forensic Medicine, Azeezia Institute of Medical Sciences & Research, Meeyannoor, Kollam, Kerala so that he can directly approach the concerned State Medical Council for further action in this regard.

15. Appeal dated 13.03.2013 filed by Sh. Satish Singh Bandikui, Distt. Dausa against Dr. Shipra Katta and Dr. Sunil Katta, Katta Hospital, Dausa, Rajasthan-reg.(249/2012).

The Ethics Committee considered the appeal filed by Sh. Satish Singh Bandikui, Distt. Dausa against Dr. Shipra Katta and Dr. Sunil Katta, Katta Hospital, Dausa, Rajasthan and noted that Rajasthan Medical Council vide its order dated 07.01.2013 held that:-

"Smt. Neeta Devi was admitted at Katta Hospital on 01.07.2012 at about 12.00 pm for delivery. During the ARM the liquor was clear and there was no foetal distress, baby cried immediately after birth and APGAR Scores and 1 to 5 minutes were normal. The delivery was conducted by Dr. Shipra Katta in presence of well trained and experience Nurses. The patient's attendants were fully satisfied with the treatment provided at Katta Hospital.


Dr. Sunil Katta & Dr. Shipra Katta were recorded in their statements that Paediatrician charges of Rs. 300/- was wrongly printed in the cash memo (like Baby Short/Oxygen/Warmer Machine). In fact they have not charged Paediatric charges as they have no Paediatrician.

The Penal & Ethical Committee after going through the statements and relevant documents has opined that there was type mistake, so case may be closed."

The Ethics Committee noted that both the parties i.e. Appellant, Sh. Satish Singh Bandikui and Respondents, Dr. Shipra Katta and Dr. Sunil Katta, Katta Hospital, Dausa, Rajasthan have appeared before the Ethics Committee for hearing.

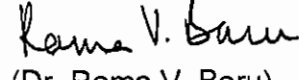
The Ethics Committee heard the deposition of both the parties in detail and on examining the records, the Committee found that it is clear that there has been tampering of the records both in the text as well as page numbers. There is


(Dr. B.G. Tilak)

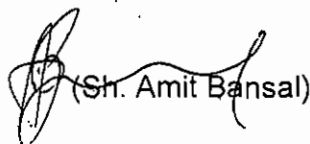

(Dr. Vinay Sakhuja)

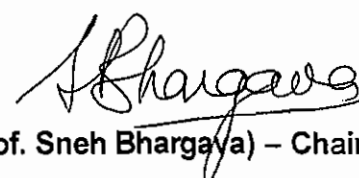

(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson)

discrepancy in the notes made by the Surgeon and the discharge slip which has not indicated the seriousness of the baby condition which was recorded in the Surgeon's note. The Respondents have been asked to bring all original records, the qualification of the Nursing staff who were working in their Hospital then. The existing documents do not clearly establish presence or absence of the attending doctor during the delivery.

After detailed deliberation, the Ethics Committee decided to once again call the Appellant, Sh. Satish Singh Bandikui and Respondent doctors i.e. Dr. Shipra Katta and Dr. Sunil Katta, Dr. Vishnu Sharma, General Physician alongwith Nursing Staff who attended the delivery in the subsequent meeting. Dr. Shipra Katta is also directed to appear with the original medical records and qualification and experience certificates of Nursing staff.

16. Appeal dated 11.03.2013 (received in the Council on 19.03.2013) filed by Sh. S.R. Aggarwal, Rohini Delhi against Order dated 09.10.2012 passed by Delhi Medical Council-reg(542/2012).

The Ethics Committee considered the appeal filed by Sh. S.R. Aggarwal, Rohini Delhi against Order dated 09.10.2012 passed by Delhi Medical Council and noted that Delhi Medical Council vide its order dated 09.10.2012 held that:-

"the fall of the patient from the bed was an accident and not due to any act of negligence. The subsequent treatment initiated to deal with the brain injury was as per the standard protocol in such case.

The Disciplinary Committee is of the view that even if the surgery had been done at the earliest occasion, the outcome in this case may not have been favourable, considering the overall high risks and seriousness of the condition of the patient."

The Disciplinary Committee dated 03.10.2012 deliberated on the decision of DMC dated 24.08.2012 and further decided as under:-

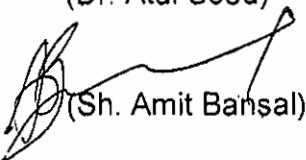
"while confirming the decision of the Disciplinary Committee, the Council observed that in the facts and circumstances of this case, Medical Superintendent, Maharaja Agrasen Hospital be issued a caution for the administrative shortcomings as highlighted in the Disciplinary Committee Order."

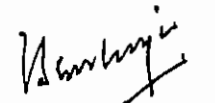
The Ethics Committee noted that both the parties i.e. Appellant, Sh. S.R. Aggarwal and Respondents, Dr. Anand Bansal, Medical Superintendent of Maharaja Agrasen Hospital, New Delhi have appeared before the Ethics Committee for hearing. The ICU Incharge at that point of time did not appear before the Committee for hearing.

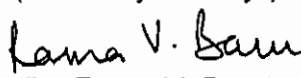
The Ethics Committee heard the deposition of both the parties in detail and after going through all the relevant records & documents, the Committee found that ICU of Maharaja Agrasen Hospital is a 30 bedded Unit having Nurses to Patient ratio of 1:2. The patient fell off the ICU bed and was picked up by the staff in the ICU after hearing the sound of fall. The subsequent notes and investigations suggest that the patient suffered from subdural haematoma which was evacuated next day.


(Dr. B.G. Tilak)


(Dr. Atul Sood)

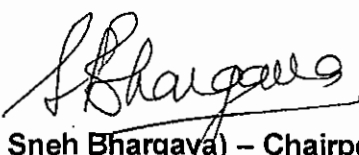

(Sh. Amit Bansal)


(Dr. Vinay Sakhuja)


(Dr. Rama V. Baru)


(Dr. Y. K. Gupta)


(Dr. Sangeeta B. Desai)


(Prof. Sneha Bhargava) – Chairperson)

Falling of a patient from ICU bed is a serious matter and amounts to serious negligence resulting in death of a patient.

The Ethics Committee takes a serious note and decided to issue a strict warning to the hospital authorities, Medical Superintendent and ICU Incharge.

A separate letter should be written to Directorate of Health Services to take appropriate action against the authorities of Maharaja Agrasen Hospital, New Delhi for grossly deficient staffing in ICU which resulted in the death of a patient by a fall from the hospital bed causing serious head injury.

17. Order dated 13.03.2012 passed by Distt. Consumer Disputes Redressal Forum (East) in the case No. 522/09 filed by Mrs. Neeta Kapoor V/s Pushpanjali Medical Centre & Anr.

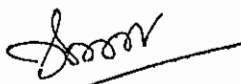
The Ethics Committee considered a letter dated 08.04.2013 received from the Govt. of India, Ministry of Health & Family Welfare, New Delhi whereby they have enclosed an order dated 13.03.2013 issued by Govt. of NCT of Delhi in the matter of Mrs. Neeta Kapoor Vs. Pushpanjali Medical Centre and Dr. Mukesh Koshal.

The Ethics Committee noted that both the parties i.e. Complainant, Mrs. Neeta Kapoor and Respondents, Dr. Mukesh Kumar Koshal, Ultrasonologist, Pushpanjali Medical Centre and Dr. Parveen Jain of Arun Imaging Center have appeared before the Ethics Committee for hearing.

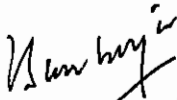
The Ethics Committee heard the deposition and it was brought to the notice of the Committee by the Counsel for Respondent, Pushpanjali Medical Centre that the order of the Distt. Consumer Forum on the basis of which the present reference was made to the Ethics Committee has been stayed by the State Consumer Forum by its Order dated 29.04.2013. In view of this, this matter cannot be taken up for consideration, till the time the appeal has been decided. Accordingly, a suitable reply may be sent to the Ministry of Health & Family Welfare, Govt. of India in this regard.

It appears, inadvertently, doctors from Arun Imaging Center have been called for the hearing, whereas, there is no complaint against them. Their names should be removed from the present case and they need not be called in the future. In the previous minutes, it has been inadvertently mentioned that Dr. Mukesh Kumar Koshal is Ultrasonologist of Arun Imaging Center but he is Ultrasonologist of Pushpanjali Medical Centre. Previous minutes stand corrected, accordingly.

Accordingly, matter is disposed of.



(Dr. B.G. Tilak)



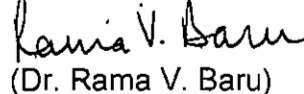
(Dr. Vinay Sakhuja)



(Dr. Y. K. Gupta)

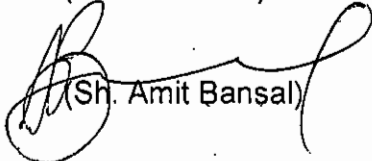


(Dr. Atul Sood)

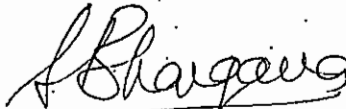


(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)



(Sh. Amit Bansal)



(Prof. Sneha Bhargava) – Chairperson

18. Submission of report by Vigilance Division in respect of complaints of Sh. Mahander Gaur, Jaipur-Regarding.

The Ethics Committee considered a letter dated 26.04.2013 received from the Vigilance Section, Medical Council of India alongwith the report on the complaints of Sh. Mahender Gaur, Jaipur dated 25th & 27th March, 2011 wherein the Vigilance Section has suggested action against the faculty for simultaneously working at more than one medical college.

The Ethics Committee noted that all the faculty i.e. Dr. Geetha A., Dr. H. Chandra Shekar and Dr. N. Rachegowda and Dr. G. S. Venkatesh, Director, Medical Education Karnataka have appeared before the Ethics Committee for hearing.

The Ethics Committee heard the deposition of all the above mentioned doctors alongwith Dr. G. S. Venkatesh, Director of Medical Education (DME), Govt. of Karnataka. It has come to light that the transfers of above mentioned three doctors in question were done in terms of the orders of the Govt. of Karnataka. He explained that the above mentioned three doctors were not paid any double salary for joining the other medical colleges. He further submitted that since 2011, this practice has been discontinued by the Govt. of Karnataka. The three doctors namely Dr. Geetha A., Dr. H. Chandra Shekar and Dr. N. Rachegowda also submitted that they were issued individual transfer orders by the Government and accordingly, they did not have any choice in the matter.

The Committee strongly disapproves the practice of transferring faculty from one Govt. Medical College to another at the time of MCI Inspection as adopted by the Govt. of Karnataka and is of the view that a letter may be sent to the concerned department of the Govt. of Karnataka disapproving this practice and stating that it should not be repeated in the future. An affidavit may be filed by the competent officer of the Govt. of Karnataka to this effect.

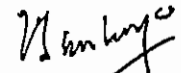
Accordingly, matter is disposed of.

19. Appeal dated 02.03.2013 filed by Md. Shahjahan Ali Talukdar against Dr. T. Raja, Dr. Gunavathi K.N. and Dr. Sangita – reg.(F.No. 311/2011)

The Ethics Committee considered the appeal filed by Md. Shahjahan Ali Talukdar against Dr. T. Raja, Dr. Gunavathi K.N. and Dr. Sangita. The summary of complaint reads as under:-

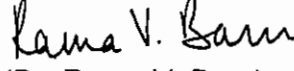
"Son of Sh. Md. Shahjahan Ali Talukdar suffering from Acute Lymphoblastic Leukemia and admitted in January-2002 in Apollo Hospital, Chennai. After a long treatment of two years he discharged in 2004 and from 2004 to 2009 he regularly visited the Apollo Hospital, Chennai for check up once in three months. He was normal and fit at that period. He again visited the hospital


(Dr. B.G. Tilak)

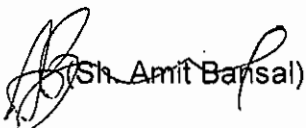

(Dr. Vinay Sakhuja)

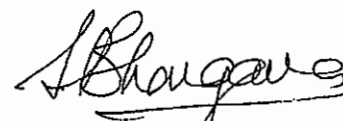

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(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson

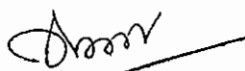
in June 2009 for regular check up. He was again admitted in the hospital on 22.10.2009. After a blood examination doctors prescribed him "Omecetaxine Mepesuccinate 5 mg" tab and from 1.12.2009 he had administered injection Omecetaxine 2.5 mg twice in a day and because of that the patient situation became deteriorated. Father of patient asked many times from the doctors but they did not given the sufficient reply. After administered the injection, patient occurred multiple problems and again admitted on 14.12.2009 in the Emergency ward of the hospital. He said that on 31.12.2009, nurse gave transfusion on a very high temperature and because of that patient started shivering and difficulty in breathing. Dr. Sangita shifted the patient in CCU. On 01.01.2010, Dr. T. Raja came to see the patient. After that doctor informed him that patient had a lung infection and they performed dialysis on the patient. On 06.01.2010 at around 8 pm doctor informed that again dialysis would have to be done. And around 9.00 pm they informed that patient had expired."

The Ethics Committee noted that the Registrar, Tamilnadu Medical Council vide their letter dated 07.06.2011 informed him that "they are not empowered to take action against the above doctors based on his allegation and the complaint does not come under the purview of the TN Medical Council." The Council Office has also sent a reminder to the Registrar, Tamilnadu Medical Council to provide the present status of the case vide letter dated 17.10.2012 but they have failed to provide any information.

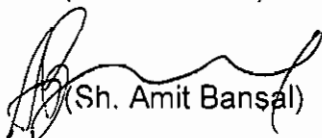
The Ethics Committee noted that the Ethics Committee granted 6 weeks time to Dr. T. Raja on his request to appear before the Committee but he has failed to appear today.

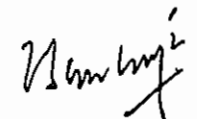
Pursuant to the notice, the appellant Md. Shahjahan Ali Talukdar has appeared and made oral submission. However, the treating doctor i.e. Dr. T. Raja (Oncologist) Dr. Gunavathi K. N. (Jr. Consultant) and Dr. Sangita (Jr. Consultant) of Apollo Speciality Hospital, Chennai did not appear before the Ethics Committee. Dr. T. Raja has sent a letter dated 16.06.2013 to the Council Office stating that the present matter is not maintainable since Tamilnadu Medical Council is hearing the matter.

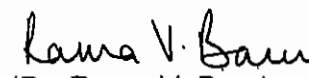
The Ethics Committee is of the view that sufficient time has been given to Tamilnadu Medical Council to decide the complaint and they have failed to do so. Therefore, in these circumstances, the Committee is fully competent to take up the present complaint. The Committee is of the view that one final opportunity may be given to Dr. T. Raja alongwith other doctors i.e. Dr. Gunavathi K. N. (Jr. Consultant) and Dr. Sangita (Jr. Consultant) of Apollo Speciality Hospital, Chennai to appear before the Ethics Committee for hearing alongwith all the medical records and supportive documents available with them in the subsequent meeting, failing which, the decision will be taken ex-parte as per available records/material.



(Dr. B.G. Tilak)


(Dr. Atul Sood)


(Sh. Amit Bansal)


(Dr. Vinay Sakhuja)


(Dr. Rama V. Baru)


(Prof. Sneha Bhargava) – Chairperson


(Dr. Y. K. Gupta)


(Dr. Sangeeta B. Desai)

20. (a) Appeal against the order dated 14.01.2013 passed by West Bengal Medical Council made by Syamal Bose against Dr. P.K. Pujari, Dr. Ranjan Bhattacharjee and Dr. Asis Kumar Patra and

(b) Complaint dated 14.02.2013 held by Syamal Bose against Dr. S.S. Das -reg. (F.No. 601/2011)

- (a) The Ethics Committee considered the appeal filed by Sh. Syamal Bose against Order dated 14.01.2013 passed by West Bengal Medical Council and noted that West Bengal Medical Council vide its order dated 14.01.2013 held that:-

"After receipt of comments from Dr. Patra, Dr. Pujari, Dr. Bhattacharya and attested copies of BHT from Paramount Nursing Home, the case investigated by one of the Penal & Ethics Cases Committees of this Council, who took depositions from all concerned. After completion of investigation, the Committee submitted its report before the West Bengal Medical Council for consideration and decision.

The Council considered the case on 04.12.2012 and observed that the main complaint is that in spite of leucocytosis, the patient was operated, which led to death of complainant's elder sister, the patient in question. She was an elderly person. If the operation was deferred, there were chances of further aggravation of infection, fat embolism and non-union. The count of 15000 per cubic mm is not a very grave sign in any kind of infection. Apart from that Meropenem, a very effective antibiotic was used in this case.

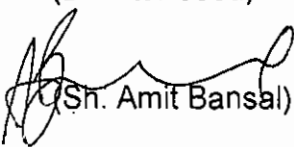
Hence, the council could not find any negligence on the part of the treating doctors and decided 'Not to proceed further' in this regard".

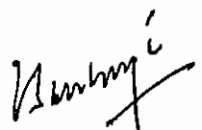
The Ethics Committee noted that Sh. Syamal Bose, Appellant appeared before the Committee for hearing and submitted his statement but the respondent doctors i.e. Dr. P. K. Pujari, Orthopaedic Surgeon, Dr. Ranjan Bhattacharjee and Dr. Asis Kumar Patra, of Paramount Nursing Home, Kolkata did not appear before the Ethics Committee for hearing. The Committee noted that letters sent to above respondent doctors have not been received by them and returned back due to wrong addresses. The MCI is directed to determine the fresh addresses of the Respondent doctors and fresh notices be sent to Dr. P. K. Pujari, Orthopaedic Surgeon, Dr. Ranjan Bhattacharjee and Dr. Asis Kumar Patra to appear before the Ethics Committee in subsequent meeting for hearing, failing which, the decision will be taken ex-parte as per available records/material.

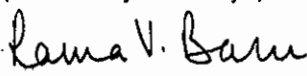
- (B) The Ethics Committee noted that Sh. Syamal Bose, Complainant and Dr. Sourendra Sankar Das, Respondent appeared before the Committee for hearing. With regard to complaint against Dr. Sourendra Sankar Das, Respondent filed by Sh. Syamal Bose, the Ethics Committee after hearing both the parties, is of the view that there is no medical negligence on the part of Dr. Sourendra Sankar Das and decided to dispose of the matter.

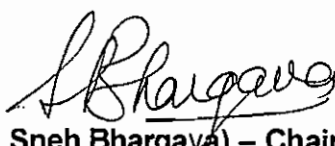

(Dr. B.G. Tilak)


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(Dr. Rama V. Baru)


(Prof. Sneha Bhargava) – Chairperson)


(Dr. Y.K. Gupta)


(Dr. Sangeeta B. Desai)

21. Appeal dated 24.12.2012 filed Sh. Sudhansu Shekhar Mohanty, Bangalore against Dr. K.G. Kallur, Bangalore-reg.(F.No. 314/2012).

The Ethics Committee considered the appeal filed by Sh. Sudhansu Shekhar Mohanty against Order dated 19.07.2012 passed by Karnataka Medical Council and noted that Dr. K. G. Kallur had appeared before the Ethics Committee for hearing and submitted his statement. Despite repeated reminders, Sh. Sudhansu Shekhar Mohanty did not appear before the Committee.

After considering all the documents and record, the Ethics Committee found no evidence of medical negligence on the part of Dr. K.G. Kallur. Therefore, the Ethics Committee decided to dispose of the matter.

22. Appeal dated 17.07.2012 filed Mr. Rishi Sabharwal against the letter dated 20.06.2012 of Delhi Medical Council - reg.(F.No. 245/2012)

The Ethics Committee considered the appeal filed by Mr. Rishi Sabharwal against the letter dated 20.06.2012 issued by Delhi Medical Council and noted that Respondents, officials of Fortis Hospital, Vasant Kunj presented before the Committee and submitted their statements.

As per directions of the Ethics Committee, Dr. Mahajan of Mahajan Imaging Center submitted the CD of the MRI Scan of the patient.

The Committee also directed the MS of the Fortis Hospital to submit all the records in original related to the patient as well as the correct address, qualification certificates and contact details of Dr. Pushkar Nandan Singh. The required records were not submitted.

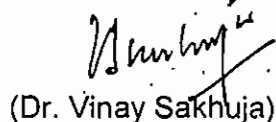
Mr. Rishi Sabharwal appeared before the Ethics Committee and the Committee heard the deposition of Mr. Rishi Sabharwal in detail. After detailed deliberation, the Ethics Committee decided to remove the name of Dr. Amit Shrivastava, Neurologist, Fortis Hospital from Indian Medical Register for a period of **SIX MONTHS** since transporting a critically ill patient to Mahajan Imaging Centre for an emergency MRI was not justified, under the circumstances.

A warning letter be issued to the Medical Superintendent, Fortis Hospital for providing insufficient facilities to manage critically ill patients and ill equipped ambulance for transportation.

A separate letter should be sent to the Directorate of Health Service, Govt. of Delhi stating that the Fortis Hospital, Vasant Kunj does not have basic infrastructure to manage critically ill patients and to take stringent action against the hospital and ensure the MRI facilities is made available in the hospital.

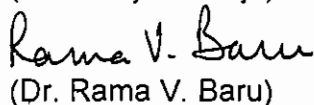
The Mahajan Imaging Centre which conducted diagnostic test on critically ill patients for imaging procedure did not provide resuscitation facilities and did not possess adequately trained staff for managing such patients. Hence, a warning


(Dr. B.G. Tilak)

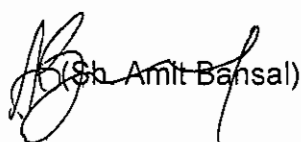

(Dr. Vinay Sakhuja)

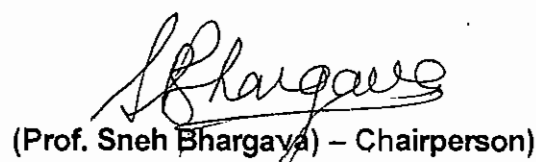

(Dr. Y. K. Gupta)


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(Dr. Rama V. Baru)


(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson

must be issued to Dr. Harsh Mahajan of Mahajan Imaging Centre to ensure that they should have adequate facilities including infrastructure and availability of trained personnel to attend critically ill patients referred to their centre for diagnostic investigations.

23. Clarification as requested by Ms. Bindu M.V (F.No. 216/2008)

The Ethics Committee considered the matter with regard to Ms. Bindu M. V. and noted that Dr. K. V. Babu and Mr. K. N. Madhusoodhanan, Advocate on behalf of Indian Medical Association, Kerala have appeared before the Ethics Committee for hearing. After hearing both sides, the Committee was of the view that issuance of show cause notices to Dr. K.V. Babu by the office bearers of IMA, who are registered medical practitioners, for allegedly talking to the press and to MCI and Health Ministry about endorsement of Pepsico food products by IMA, caused undue harassment to the complainant and amounts to violation of the MCI Ethics Regulations.

In terms of Regulation 1.7 of MCI Regulations, a doctor is duty bound to expose, without fear of favour, incompetent or corrupt or dishonest or unethical conduct on part of member of the profession. In fact, MCI had directed IMA to stop all endorsements and decided to remove the name of Dr. Dharam Prakash and Dr. G. Samaram for a period of SIX MONTHS.

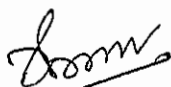
Therefore, in view of the above, the Committee decided that the names of Dr. Dharam Prakash, Dr. A.V. Babu, Dr. D.R. Rai and Dr. Rajagopalan Nair be struck off from the Indian Medical Register for ONE YEAR.

24. Appeal dated 28.12.2012 filed by Sh. Sunil Kumar against Dr. Ramesh Kumar Kamra and Dr. Urmil Dhatarwal-Reg (F.No.01/2012).

The Ethics Committee considered the appeal dated 28.12.2012 filed by Sh. Sunil Kumar against Dr. Ramesh Kumar Kamra and Dr. Urmil Dhatarwal and after considering all the records, the Committee noted that Dr. Ramesh Kumar Kamra has already appeared before the Ethics Committee on 23.03.2013 and submitted his deposition.

The Ethics Committee noted that despite repeated reminders Dr. Urmil Dhatarwal, Respondent did not appear before the Committee.

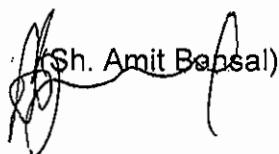
The Ethics Committee on the basis of the available records and the statements given by the appellant and respondent Dr. Ramesh Kumar Kamra, has come to the conclusion that the complainant has failed to give concrete evidence in support of the allegations made in his complaint that the Medico Legal Report given by the two doctors is a false document. Accordingly, the Complaint is disposed of.



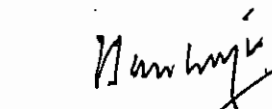
(Dr. B.G. Tilak)



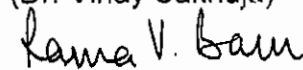
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(Dr. Vinay Sakhuja)

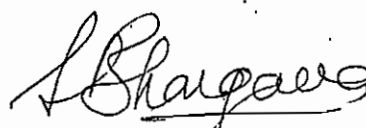


(Dr. Rama V. Baru)



(Dr. Y. K. Gupta)

(Dr. Sangeeta B. Desai)



(Prof. Sneh Bhargava) – Chairperson

25. Complaint dated 28.01.2013 made by Sh. Vimal Mehra against Dr. Raj Kumar Batra.

The Ethics Committee considered the complaint filed by Sh. Vimal Mehra against Dr. Raj Kumar Batra and after examining the complaint and the attached documents, the Ethics Committee noted the Complainant, Sh. Vimal Mehra and Mr. Shubham Batra, on behalf of his father Dr. Raj Kumar Batra appeared before the Ethics Committee for hearing.

The Ethics Committee heard the deposition of Complainant, Sh. Vimal Mehra. The Committee was informed by Dr. Batra's son that he continues to be ill and not fit to appear before the Ethics Committee. No documents have been provided by Mr. Shubham Batra to substantiate the above claim.

The Ethics Committee further decided to grant final opportunity to Dr. Batra to present before the Committee in the subsequent meeting, failing which an ex-parte decision will be taken by the Committee on the basis of the available records.

26. W.P. (C) No. 3425/2008 titled as Ram Kumar Gupta Vs. Dr. S.S. Saha & Ors., before Hon'ble Delhi High Court (File No. 246/2007).

The Ethics Committee considered the W.P. (C) No. 3425/2008 titled as Ram Kumar Gupta Vs. Dr. S.S. Saha & Ors., before Hon'ble Delhi High Court and noted that in the previous meeting, the Ethics Committee decided to call both the parties i.e. Complainant, Sh. Ram Kumar Gupta and Respondents, Director Medical, Sir Ganga Ram Hospital, Dr. Rajesh Khullar and Dr. S. S. Saha, Sir Ganga Ram Hospital.

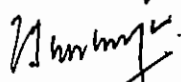
The Ethics Committee noted that Dr. S. S. Saha and Dr. Suchita Katoch on behalf of Sir Ganga Ram Hospital appeared before the Committee and submitted their statements. Complainant, Sh. Ram Kumar Gupta did not appear before the Committee.

The Ethics Committee heard the deposition of both the parties in detail and after going through all the relevant records & documents, the Committee decided to uphold the action taken by the Delhi Medical Council because the treatment that was given by the concerned hospital was in accordance with good medical practice and the post operative management with respect of wound management and diabetes control was satisfactory.

27. RC 34(A)/2010 of CBI, ACB, Chennai – MCI case – Charge sheet (against Shri M.K. Rajagopalan, Chairman, Sri Balaji Educational & Charitable Public Trust, Chennai and Dr. D.R. Gunasekaran, Vice Chancellor, Sri Balaji Vidyapeeth, Deemed University, Pondicherry)

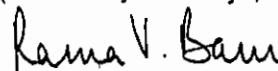
The Ethics Committee considered the RC 34(A)/2010 of CBI, ACB, Chennai – MCI case – Charge sheet (against Shri M.K. Rajagopalan, Chairman, Sri Balaji Educational & Charitable Public Trust, Chennai and Dr. D.R. Gunasekaran, Vice


(Dr. B.G. Tilak)

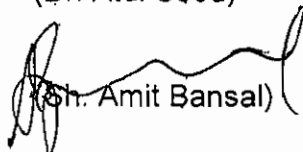

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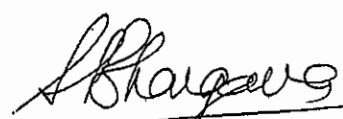

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(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson

Chancellor, Sri Balaji Vidyapeeth, Deemed University, Pondicherry and noted that the following doctors appeared before the Ethics Committee and were examined by the Committee:-

Sh. M. K. Rajagopalan, Chairman, Sri Balaji Educational & Charitable Public Trust:-

Mr. M. K. Rajagopalan, Chairman has submitted that he has been the Chancellor and CEO of Sri Balaji Education & Charitable Trust of Chennai since 2008 till date. He stated that the college is located in rural area, 65 km far from Chennai. He had issues with the appointment of faculty and admitted having wrongfully employed some of the teaching faculty who are drawing salary from two places. The Ethics Committee was of the opinion that since Mr. M. K. Rajagopalan is not a medical doctor, no action can be initiated by MCI. However, he has flouted the rules and regulations of the MCI in order to benefit his institutions. The Institution may be derecognized by the MCI.

Dr. D.R. Gunasekaran, Vice Chancellor, Sri Balaji Vidyapeeth, Deemed University, Pondicherry:-

Dr. D.R. Gunasekaran stated before the Ethics Committee that he has been appointed Vice Chancellor in December-2007 and he is continuing till date. He never signed any Declaration Form and he visited Chennai once in a month (VC of Mahatma Gandhi at Pondicherry). He has never visited for MCI inspection. He submitted that Dean of the college is responsible for MCI inspection.

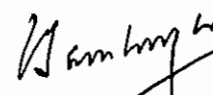
After due deliberation, the Ethics Committee decided to remove the name of Dr. D.R. Gunasekaran, Vice Chancellor from Indian Medical Register for a period of **FIVE YEARS**.

2. Dr. Nilima Prakashrao Patil –

Dr. Nilima Prakashrao Patil appeared in person and submitted that she joined the college on 17.11.2008 and was relieved on 04.07.2010. During this period, she worked on a regular basis with the college and regularly signed the attendance register. She received salary for this period after deduction of tax. She was present for the MCI inspection held in May 2009. She stated that she was present on the day of Inspection on Feb.2010 but she was not called for head counting and she had not signed the Declaration Form.

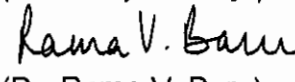
After going through all the records and the statement recorded, the Ethics Committee is of the opinion that she has been a regular employee of the above college but she submitted that she has not signed the Declaration Form, therefore, the Ethics Committee suggested that the signature on the Declaration Form needed to be verified from the college authorities. A letter in this regard be send to college authority at the earliest.


(Dr. B.G. Tilak)

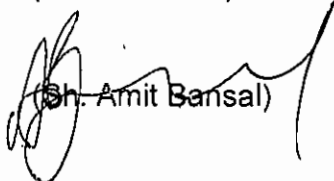

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(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson

3. Dr. U. K. Singh

Dr. U. K. Singh appeared in person and submitted that he joined the college in May 2008 on the oral instructions of Dean Dr. D. R. Gunasekarana but could not remember the exact date of joining. He was relieved from there in September 2008. He submitted that he went back to MGMC &RI, Pondicherry on oral instructions and he complied with the instructions. He admitted that he was present for the MCI inspection held in May 2008, September – 2008 but in the inspection of May-2009, he was not present in the college. He also stated that he had not signed the Declaration Form of 2009-2010. He has not submitted the form 16.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that a warning letter be issued to Dr. U. K. Singh.

4. Dr. Mridul Gogoi

Dr. Mridul Gogoi appeared in person and submitted that he joined the college on 15.12.2007 in the department of Forensic Medicine and was relieved on 29.09.2010. He stated that he was not given any appointment letter but on the date of hearing Mr. Rabisaran has given the appointment letter and other enclosures. During this period, he worked on a regular basis with the college and regularly signed the attendance register. He received emoluments from April-2009 to March-2010. He was present for the two MCI inspections held in May-2008 and February-2010. He accepts his signatures on the Declaration Form of 2010 but denied the signatures on the Declaration Form of 2008. He has not submitted any his attendance record and stated that he does not remember the days he attended the college. He has also not taken any class. He admitted of wrong doing on his part.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that a warning letter be issued to Dr. Mridul Gogoi.

7. Dr. S. Raghu Ramulu-

Dr. S. Raghu Ramulu appeared in person and submitted that he joined the college on 20.02.2009 and was relieved on 18.11.2010. During this period, he worked on a regular basis with the college and regularly signed the attendance register. He received salary for this period after deduction of tax. He was present for the two MCI inspections held in May-2009 and February-2010. He accepts his signatures on the Declaration Form. He also submitted that he has not taken any classes but he attended only OPDs.

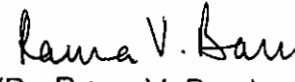
After going through all the records and the statement recorded, the Ethics Committee is of the opinion that he has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against him is disposed off.


(Dr. B.G. Tilak)

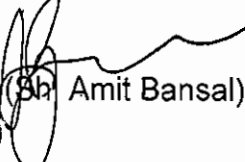

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(Dr. Sangeeta B. Desai)


(Dr. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson

9. **Dr. M. Raj Kumar** - Dr. M. Raj Kumar represented by Advocate who assured his presence in the subsequent meeting.

The Ethics Committee accepted the request of their Advocate and agreed to call him for hearing in the next meeting.

13. **Dr. V. A. Gunasekara**

Dr. V. A. Gunasekaran appeared with his Advocate Mr. A. Ganesh. He has completely denied that he appeared for any of the MCI inspection. He stated that through out he has been in the employment of Chennai Port Trust. He has also denied the signatures on the Declaration Forms stating that the same have been forged by the college authorities. He stated that his personal details such as PAN Card etc. were provided to the college by his colleague at Chennai Port Trust in an unauthorized manner. He denied that he received any salary or TDS certificates from the college.

The Ethics Committee was of the opinion that Dr. V. A. Gunasekara should be placed under suspension for a period of two years. This matter may be reported to the competent authority.

14. **Dr. S. Palaniaappan**

Dr. S. Palaniaappan appeared in person and submitted that he joined the college on 16.02.2010 on the date of MCI Inspection and worked there only for three months but the appointment letter/order issued to him was shown dated 10.11.2009. He received salary for this. He was present for the MCI inspection held in February-2010. After inspection Dr. Gunasekaran told him that he will be informed later the possible date of reporting as a faculty in the medical college but it never happened and finally he decided to resign from the college. He was relieved on 09.05.2010. He accepts his signatures on the Declaration Form.

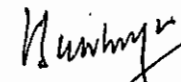
After going through all the records and the statement recorded, the Ethics Committee is of the opinion that the name of Dr. S. Palaniaappan be remove from the Indian Medical Register for a period of Two Years.

17. **Dr. Nidhi Agarwal:-**

Dr. Nidhi Aggarwal appeared in person and submitted that she joined the college on 02.01.2009 and was relieved on 05.09.2010. During this period, she worked on a regular basis with the college and regularly signed the attendance register. She received salary for this period after deduction of tax. She was present for the two MCI inspections held in May 2009 and February-2010. She accepts her signatures on the Declaration Form.

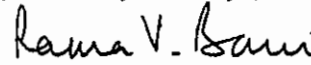
After going through all the records and the statement recorded, the Ethics Committee is of the opinion that she has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against her is disposed off.


(Dr. B.G. Tilak)

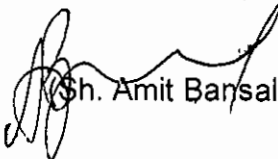

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(Sh. Amit Bansal)


(Prof. Sneha Bhargava) - Chairperson

20. Dr. M. Padmasree

Dr. M. Padmasree appeared in person and submitted that she joined the college on 13.11.2009 and was relieved on 30.06.2011. During this period, she worked on a regular basis with the college and regularly signed the attendance register. She received salary for this period after deduction of tax. She was present for the MCI inspection held in Feb. 2010. She accepts her signatures on the Declaration Form.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that she has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against her is disposed off.

22. Dr. D. Sarvanan

Dr. D. Sarvanan appeared with his Advocate Mr. A. Ganesh. He has completely denied that he appeared for any of the MCI inspection. He stated that through out he has been in the employment of Chennai Port Trust. He has also denied the signatures on the Declaration Forms stating that the same have been forged by the college authorities. He stated that his personal details such as PAN Card etc. were provided to the college by his colleague at Chennai Port Trust in an unauthorized manner. He denied that he received any salary or TDS certificates from the college.

The Ethics Committee is of the opinion that the name of Dr. D. Sarvanan be remove from the Indian Medical Register for a period of Two Years.

23. Dr. V. Suresh.

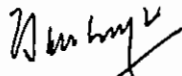
Dr. V. Suresh appeared in person and submitted that he joined the college on 09.01.2010 and was relieved on 27.02.2010. Before this period and after this he was working with the Mahatma Gandhi College in Pondicherry, which was also run by the same Trust. He has received the salary regularly from the Trust. During this period, he worked on a regular basis with the college and regularly signed the attendance register. He was present for the MCI inspection held in February-2010. He accepts his signatures on the Declaration Form.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that he has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against his is disposed off.

24. Dr. M. Senthil

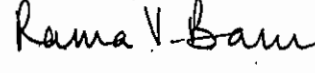
Dr. M. Senthil appeared in person and submitted that he joined the college on 21.07.2008 and was relieved on 12.09.2010. He has received the salary regularly from the Trust. During this period, he worked on a regular basis with the


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(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson

college and regularly signed the attendance register. He was present for the two MCI inspections held in May-2009 and February-2010. He accepts his signatures on the Declaration Form.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that he has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against him is disposed off.

26. Dr. K. Krishna Kumar-

Dr. K. Krishna Kumar appeared in person and submitted that he joined the college on 03.09.2009 and was relieved on 30.06.2011. During this period, he worked on a regular basis with the college and regularly signed the attendance register. He received salary for this period after deduction of tax. He was present for the MCI inspection held in February-2010. He accepts his signatures on the Declaration Form.

After going through all the records and the statement recorded, the Ethics Committee is of the opinion that he has been a regular employee of the above college and, therefore, has not violated any MCI Ethics Regulations. Accordingly, the case against him is disposed off.

The Ethics Committee further decided that the remaining doctors who did not appear today, provided one more opportunity to present before the Committee in the subsequent meeting.

28. Complaint dated 06.06.2012 received from Sh. Sudhir Kumar Thakur against Dr. Suresh Ramasubban, Kolkata Apollo Gleneagle Hospital, Kolkata- reg.

The Ethics Committee considered the complaint dated 06.06.2012 filed by Sh. Sudhir Kumar Thakur against Dr. Suresh Ramasubban, Kolkata Apollo Gleneagle Hospital, Kolkata and noted that both the parties i.e. Sh. Sudhir Kumar Thakur, Complainant and Dr. Suresh Ramasubban, Respondent have appeared before the Ethics Committee for hearing.

The Ethics Committee heard the deposition of both the parties i.e. Sh. Sudhir Kumar Thakur, Complainant and Dr. Suresh Ramasubban, Respondent. After detailed deliberation, the Ethics Committee found no evidence of any medical negligence on the part of Dr. Suresh Ramasubban and the Neuro intensive care team. As far as, other doctors of Apollo Gleneagle Hospital, Kolkata are concerned, their case is being dealt with the West Bengal Medical Council.

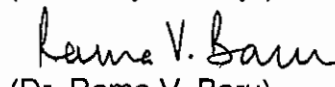
Accordingly, complaint against Dr. Suresh Ramasubban is disposed of.


(Dr. B.G. Tilak)

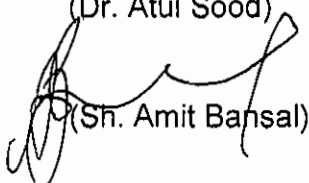

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(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson)

29. Appeal dated 02.05.2013 filed by Dr. Shoma Munshi & Poroma Rebello, Delhi against decision of Delhi Medical Council dated 05.03.2013 - reg.

Dr. Sneh Bhargava, Chairman and Sh. Amit Bansal, Advocate recused themselves from the hearing which was chaired by Dr. Vinay Sakhuja.

The Ethics Committee considered the appeal dated 02.05.2013 filed by Dr. Shoma Munshi & Poroma Rebello, Delhi against decision of Delhi Medical Council dated 05.03.2013 and noted that Delhi Medical Council vide its order dated 05.03.2013 held that:-

" the Executive Committee makes the following observations:-

1. *The complainant had questioned every drug and every modality of treatment which was given to the patient by various treating physicians at different institutions.*
2. *The treatment provided to the patient by various consultants at Sita Ram Bhartiya Instt. Of Science & Research and Indraprastha Apollo Hospital was as per the standard guidelines and protocols, taking into account the severity of the disease and the pre-existing co-morbid conditions.*

In the light of the observations, made hereinabove, it is the decision of the Executive Committee that prima facie no case of medical negligence is made out on the part of doctors of Sitaram Bharatiya Instt. of Science & Research and Indraprastha Apollo Hospital, in the treatment administered to the complainants father late Wg. Cdr. Anil Chandra Munshi.

Complaint stands disposed."

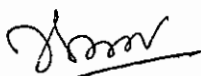
The Ethics Committee noted that both the parties i.e. Appellant, Dr. Shoma Munshi & Poroma Rebello and Respondent doctors Dr. J. N. Pande, of Sitaram Bharatiya Instt. of Science & Research, Dr. Lalitha Shekhar, Physician, Dr. Rajesh Chawla, Dr. Jasvinder Paintal of Indraprastha Apollo Hospital were present before the Ethics Committee for hearing.

The Ethics Committee heard the deposition of both the parties in detail and after going through all the relevant records & documents, the Committee concluded that there was no medical negligence on the part of any of the treating doctors in the management of Late Sh. Anil Munshi, an 84 years old patient who was suffering from progressive Interstitial lung disease (for which he had been under the care of Dr. J. N. Pande since 2004), coronary artery disease treated by bypass surgery who was now admitted with acute gastroenteritis followed by pneumonia and respiratory failure.

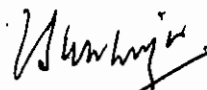
Accordingly, the appeal is disposed of.

30. Appeal dated 21.03.2013 filed by Sh. Sunil Kumar Chaurasia, Varanasi, UP against Order dated 21.01.2013 passed by U.P. Medical Council - reg.

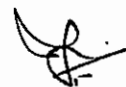
The Ethics Committee considered the appeal dated 21.03.2013 filed by Sh. Sunil Kumar Chaurasia, Varanasi, UP against Order dated 21.01.2013 passed by U.P. Medical Council and noted that U. P. Medical Council vide its order dated 21.01.2013 held that:-



(Dr. B.G. Tilak)



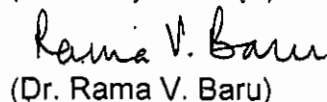
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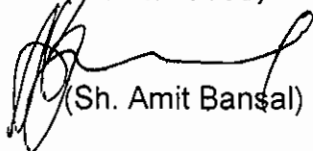


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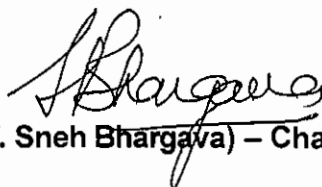


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(Sh. Amit Bansal)



(Prof. Sneha Bhargava) – Chairperson)

"the Ethical Committee observed that the Normally Cerebral Palsy is not related to Perinatal Asphyxia & Most Perinatal Asphyxia does not cause Cerebral Palsy.

The Ethical Committee is of the opinion that Dr. Kaveri Gupta cannot be held guilty of medical negligence."

The Ethics Committee noted that Appellant, Sh. Sunil Kumar Chaurasia and Mr. S. K. Roy, Counsel on behalf of Respondent, Dr. Kaveri Gupta have appeared before the Ethics Committee for hearing. But, Mr. S.K. Roy said that he was a lawyer of the doctor but he has no Vakalatnama, therefore, his statement could not be recorded.

The Ethics Committee heard the deposition of Appellant, Sh. Sunil Kumar Chaurasia in detail and he informed that they were not informed of any abnormality in the child or nor was any treatment administered. It is only after two years that Cerebral Palsy was detected.

The Ethics Committee further decided to grant final opportunity to Dr. Kaveri Gupta to present before the Committee in the subsequent meeting, failing which an ex-parte decision will be taken by the Committee on the basis of the available records.

31. Appeal dated 18.03.2013 filed by Sh. Ajay Kaushik, President, Men's Right Protection Forum against Dr. R. P. Khanduri, Health Centre, Sahaspur - reg.

The Ethics Committee considered the appeal dated 18.03.2013 Sh. Ajay Kaushik, President, Men's Right Protection Forum against Dr. R. P. Khanduri, Health Centre, Sahaspur and noted that both the parties i.e. Appellant, Sh. Ajay Kaushik, President, Men's Right Protection Forum and Respondent, Dr. R. P. Khanduri, Health Centre, Sahaspur did not appear before the Ethics Committee.

The Ethics Committee also observed letter dated 18.06.2013 received from Dr. R. P. Khanduri requesting therein to provide another date for hearing as he is already committed for some work on 27th & 28th June and the Committee considered their request and decided to call them for hearing in the next meeting of the Committee.

32. Appeal dated 05.04.2013 filed by Sh. Mohan Lal Sain against Tongia Heart & General Hospital, Jaipur - reg.

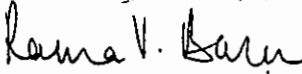
The Ethics Committee considered the appeal dated 05.04.2013 filed by Sh. Mohan Lal Sain against Order dated 07.01.2013 passed by Rajasthan Medical Council and noted that both the parties i.e. i.e. Appellant, Sh. Mohan Lal Sain and Respondents, Sh. Kailash Chandra Khandel, Administrator of Jaipur Heart Institute have appeared on behalf of Dr. Vikram Goyal. Dr. Prakash Chandwani, Dr. Alok Mathur and Dr. Rakesh Chitoria of Tongia Heart & General Hospital, Jaipur did not appear before the Ethics Committee for hearing.


(Dr. B.G. Tilak)

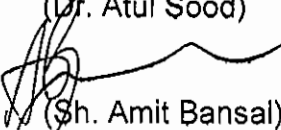

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(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)


(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson)

The Ethics Committee heard the deposition of Appellant, Sh. Mohan Lal Sain. After hearing the complainant, the Ethics Committee decided to grant final opportunity to Dr. Vikram Goyal. Dr. Prakash Chandwani, Dr. Alok Mathur and Dr. Rakesh Chitora of Tongia Heart & General Hospital, Jaipur to present before the Committee, failing which an ex-parte decision will be taken by the Committee on the basis of the available records.

33. Appeal dated 20.04.2013 filed by Sh. K. V. Jayant, Mysore against Order dated 30.11.2012 passed by Tamilnadu Medical Council – reg

The Ethics Committee considered the appeal dated 20.04.2013 filed by Sh. K. V. Jayant, Mysore against Order dated 30.11.2012 passed by Tamilnadu Medical Council and noted that Tamilnadu Medical Council vide its order dated 30.11.2012 held that "The Council decided to drop further action against Dr. N. S. Nagamani, as the explanation of the above doctor found satisfactory."

The Ethics Committee noted that Respondent Dr. N. S. Nagamani, (Retired Anesthetist and incharge of ICU) Christian Medical College, Vellore have appeared before the Ethics Committee for hearing and submitted her statement. The Committee also observed the letter dated 13.06.2013 of Appellant, Sh. K. V. Jayant in which he has requested to condone his appearance as he is suffering with ankylosing spondylitis and compensated heart failure.

The Ethics Committee heard the deposition of Respondent Dr. N. S. Nagamani. The Ethics Committee noted that Dr. N. S. Nagamani had attended the Clinical Nutrition Course of Nestle Nutrition Institute at Lausanne, Switzerland as a participating speaker. She did not receive any monetary benefit for the said trip. Therefore, the Ethics Committee decided to dispose of the Appeal.


34. Appeal against order dated 30.08.2012 passed by Delhi Medical Council made by Sh. Shashi Kant Sharma against Dr. Ajeet Kumar of St. Stephen Hospital, Delhi.(F.No. 250/2012)

The Ethics Committee considered the appeal filed by Sh. Shashi Kant Sharma against the order dated 30.08.2012 passed by Delhi Medical Council and noted that Dr. Ajeet Kumar, St. Stephen's Hospital have appeared before the Ethics Committee for hearing and submit his statement.

After detailed deliberation, the Ethics Committee did not find any medical negligence on the part of Dr. Ajeet Kumar of St. Stephen Hospital and the Ethics Committee decided to dispose of the appeal.

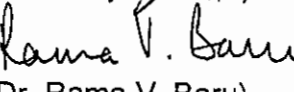
35. Order dt. 25.03.2013 passed by Hon'ble High Court of Andhra Pradesh in W.P. No. 16305/2007 filed by Dr. L. Sudhakar –Vs.- Medical Council of

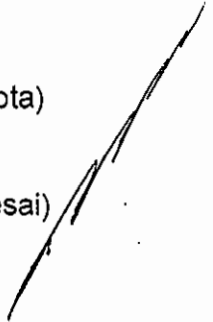

(Dr. B.G. Tilak)

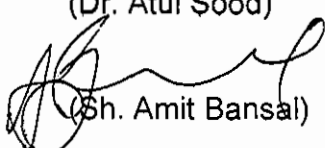

(Dr. Vinay Sakhuja)

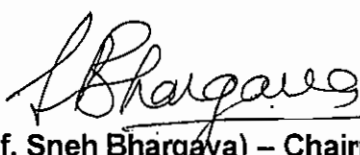

(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)


(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson)

India & Others – Reconsider the appeal against the order passed by the Andhra Pradesh Medical Council on the complaint made by Dr. K. Srikar Reddy, Third Secretary in Embassy of India, Berlin with regard to death of Mrs. Srilatha Reddy- reg.

The Ethics Committee decided to defer the matter for the next meeting.

36. **Appeal dated 27.10.2011 filed by Dr. Vipul Shah against Order dated 14.10.2011 passed by U. P. Medical Council & Appeal dated 18.11.2011 filed by Sh. Sudhir Kumar Shrivastava against the same order dated 14.10.2011 of U.P. Medical Council - reg.(F.No.272/2011).**

The Ethics Committee decided to defer the matter for the next meeting.

37. **Appeal against order dated 18.11.2011 passed by Uttar Pradesh Medical Council filed by Sh. Ghulam Abbas against Dr. Aroti Ghosh.(F.No. 431/2011)**

The Ethics Committee considered its Order dated 26th & 27th April, 2013 passed in the Appeal against Order dated 18.11.2011 passed by Uttar Pradesh Medical Council filed by Sh. Ghulam Abbas against Dr. Aroti Ghosh for some clerical correction in the MCI Order.

The Order of the MCI dated 26th & 27th April, 2013 reads as under:-

"The Ethics Committee considered the appeal filed by Sh. Ghulam Abbas against Order dated 18.11.2011 passed by U.P. Medical Council and noted that U. P. Medical Council vide its order dated 18.11.2012 held that "the Ethical Committee is of the opinion that Dr. Aroti Ghosh cannot be held guilty of misconduct and medical negligence."

The Ethics Committee further noted that the patient Smt. Butul Azra had pregnancy Induced Hypertension (PIH) & Colilithiasis for which she was treated by Dr. Aroti Ghosh. She had IUD at 34 weeks for which she was admitted and labour was induced apparently with I/M (Intra Muscular) Oxytocin injection. Later on it was followed by I/V (Inter Venous) Pitocin drip. During this time the monitoring was inadequate & as per the admission notes of Nazareth Hospital, patient had gone into septicemic shock even before the patient was shifted to the Nazareth Hospital.

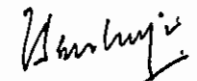
It appears from the available papers that the treatment and monitoring of the patient was below the required standards and was also not timely referred to the Nazareth Hospital. Besides it is to be noted that Dr. Aroti Ghosh has not appeared before the ethics committee on number of occasions & has failed to defend her actions.

After detailed deliberation, the Ethics Committee was of the view that treatment provided by "both" the doctor constituted professional misconduct and medical negligence and, therefore, the Ethics Committee decided to remove the name of Dr. Aroti Ghosh for a period of SIX MONTHS from the Indian Medical Register/State Medical Register from the date of issue of the order of punishment by concerned Council.

Accordingly, the appeal is disposed off".

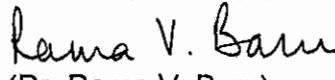
In the above order, the Council Office has inadvertently mentioned "both" in the first line of second last para which the Ethics Committee agreed to delete


(Dr. B.G. Tilak)

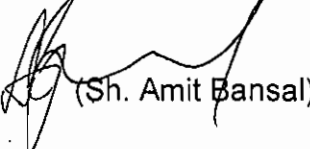

(Dr. Vinay Sakhuja)

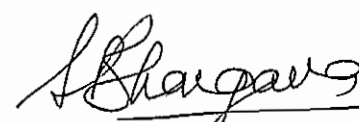

(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson

from the above order and again place the above order to the Board of Governors for information and approval.

38. Appeal dated 14.01.2013 filed by Mrs. Shalini Gupta against Dr. Nikhil Raheja.(F.No. 459/2011)

The Ethics Committee considered the appeal filed by Mrs. Shalini Gupta against Order dated 30.08.2012 passed by Delhi Medical Council against Dr. Nikhil Raheja and noted that in the previous meeting, Ethics Committee directed Dr. Nikhil Raheja to submit the following documents:-

- (i) MBBS qualification record,
- (ii) Postgraduate qualification record in Psychiatry,
- (iii) Permanent Registration with additional qualification certificate issued by concerned Medical Council,
- (iv) certificate of training in Cognitive Behavior Therapy, and
- (v) the treatment records of Mrs. Shalini Gupta.

In response to above, Dr. Nikhil Raheja submitted some documents vide his letter dated 22.05.2013. The said documents was examined by the Committee and noted that Dr. Nikhil Raheja has furnished the DPM (Part-I) Examination Marksheet only not the marksheet of Part-II. After detailed deliberation, the Committee directed the Council to obtained the following documents:-


1. Marksheet of Dr. Nikhil Raheja of DPM(Part-II) Examination.
2. Details and contact details regarding qualification of Clinical Psychologist, Binod Pandey, who was the specialist in Cognitive Behaviour Therapy and treated Mrs. Shalini Gupta.

After receipt of the above documents, matter will be again considered by the Ethics Committee.

Note:-


It has been increasingly observed by the Ethics Committee that many of the State Medical Councils particularly West Bengal Medical Council, Haryana Medical Council and Punjab Medical Council etc. are not deciding the complaints filed before them in a timely manner. This has resulted in the complainants approaching MCI directly under Clause 8.7 of the MCI Regulations namely Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, which reads as under:-


(Dr. B.G. Tilak)

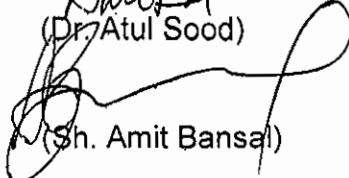

(Dr. Vinay Sakhuja)


(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneh Bhargava) – Chairperson

"Where either on a request or otherwise the Medical Council of India is informed that any complaint against a delinquent physician has not been decided by a State Medical Council within a period of six months from the date of receipt of complaint by it and further the MCI has reason to believe that there is no justified reason for not deciding the complaint within the said prescribed period, the Medical Council of India may-

- (i) *Impress upon the concerned State Medical Council to conclude and decide the complaint within a time bound schedule;*
- (ii)
- (iii) *May decide to withdraw the said complaint pending with the concerned State Medical Council straightaway or after the expiry of the period which had been stipulated by the MCI in accordance with para (i) above, to itself and refer the same to the Ethical Committee of the Council for its expeditious disposal in a period of not more than six months from the receipt of the complaint in the office of the Medical Council of India."*


This is causing serious prejudice to the complainants, as they have to appear before the MCI in Delhi to present their case, whereas it would have been far more convenient for them to present their case in their home State. Further, this also denies them a right of appeal under Clause 8.7 of the MCI Regulations.


The Ethics Committee would like this issue to be placed before the Board of Governors, as it requires urgent attention and intervention by the Board of Governors as the valuable rights of the complainants are being compromised on account of State Medical Council not deciding the complaints in a timely manner and abdicating their responsibility. The Board of Governors is requested to take up the issue with concerned State Medical Councils, so that they take up and decide complaints filed before them in a timely manner.

The Meeting ended with a Vote of Thanks to the Chair.

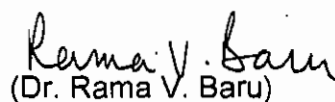
New Delhi, 28th & 29th June, 2013.


(Dr. B.G. Tilak)

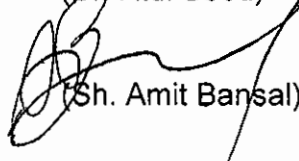

(Dr. Vinay Sakhuja)



(Dr. Y. K. Gupta)


(Dr. Atul Sood)


(Dr. Rama V. Baru)

(Dr. Sangeeta B. Desai)


(Sh. Amit Bansal)


(Prof. Sneha Bhargava) – Chairperson)