

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

Minutes of the meeting of the Ethics Committee held on 17th July, 2012 at 10.30 A.M. in the Council Office, Sector- VIII, Pocket- 14, Dwarka, New Delhi.

Present in the meeting

1.	Prof. Sneh Bhargava	Chairperson
2.	Dr. Y.K. Gupta	Member
3.	Dr. Anil Dhal	Member
4.	Dr. R. B. Panwar	Member
5.	Dr. Atul Sood	Member
6.	Dr. Kumudini Sharma	Member
7.	Dr. (Prof.) Chander Shekhar Shetty	Member
8.	Sh. Amit Bansal (Advocate)	Member
	Dr. P.Prasannaraj	Addl. Secretary, MCI
	Dr. M.Rajalaxmi	Chief Consultant (Academic)

Leave of absence was received from Dr. Sanjay Gupte, Dr. Arun Bal, Dr. V. Sakhuja, Members, Ethics Committee.

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

The minutes of the meeting of the Ethics Committee held on 19.06.2012 were read and confirmed.

2. Minutes of the last meeting of the Ethics Committee-Action taken there on.

The Ethics Committee noted and action taken on the minutes of the Ethics Committee held on 19.06.2012 pertaining to the hearing cases.

3. Complaint against Dr. S.S.Bansal, Metro Heart Instt., Faridabad as alleged by Sh. Sandeep Kumar

The Ethics Committee considered the complaint against Dr. S.S.Bansal, Metro Heart Instt., Faridabad as alleged by Sh. Sandeep Kumar, and his application of withdrawal of said complaint vide letter dt. nil. The Committee noted that complaint has already been referred on 16.05.2011 to the concerned state Medical Council i.e. Haryana State Medical Council and Dental council, (HSM&DC) and observed that more than six months have lapsed with no response from the concerned council. The Ethics Committee decided to call back the complaint to the Medical Council of India for its further consideration and to call the complainant to determine the reasons for his decision for withdrawal.

4. (i) Complaint against Dr. O.P. Murthy for plagiarism of Scientific papers and other Fraud and Cheating at A.I.I.M.S).

(2) Complaint against Criminal nexus of Dr. O P Murthy additional professor forensic medicine AIIMS and Dr. Ketan Desai former MCI President and others for monetary gain, extortion of money by blackmail, forgery and fudging the inspection report for the various medical colleges by impersonation and other criminal activities with regard to grant of permission/recognition of various medical colleges in the country.

The Ethics Committee perused the request received from Dr. O.P. Murthy on 6.06.2012 to expunge/remove the censure and charges against him. The Ethics Committee considered the matter and was of the view that it does not have the jurisdiction to review its own order/decision in terms of the Supreme Court ruling in this regard.

5. **Appeal against order dated 06.09.2011 passed by Karnataka Medical Council made by Ch. Shankaraiah against Dr. Kiran J. (F.No. 535/2011)**

The matter was placed before the BOG at its meeting held on 31.08.2012 and as decided the same was referred to Ethics Committee.

6. **Complaint against Dr. Deepak Tyagi, Dr. Chetan Goel & Dr. Vikas Ragve of IVY Hospital, Mohali(Punjab) as alleged by Mr. Om Prakash Sikka. (F.No. 209/2009)**

The Ethics Committee noted that the complaint of Sh. Om Prakash Sikka against Dr. Deepak Tyagi, Dr. Chetan Goel & Dr. Vikas Ragve of IVY Hospital, Mohali(Punjab) was referred to Punjab Medical Council vide letter dt. 19.06.2009 for investigation and necessary action within a prescribed period of 6 months and no response had been received from the Punjab Medical Council till date even after sending reminders dated 14.10.2011, 16.12.2011 & 01.03.2012.

In view of the above, the Committee was of the opinion that a letter might be sent in this regard to the Chief Secretary, Govt. of Punjab and Principal Chief Secretary (Health), Govt. of Punjab for no action taken on the part of Punjab Medical Council as requested by this Council since 19.06.2009. Further, in terms of 8.7 of sub-clause (ii) of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, the Committee decided to withdraw the said complaint pending with the Punjab Medical Council with intimation to the said Council.

In view of above, the Ethics Committee directed the Council to communicate to the Registrar, Punjab Medical Council and both the parties pertaining to this case for their presence before the Ethics Committee alongwith all the relevant documents, at its meeting to be held on 22nd September, 2012.

7. **Complaint against Dr. R. P. Singh, Eye Surgeon as alleged by Mr. P.C.Jain - F.No. 78(2010)**

The Ethics Committee noted that the complaint of Sh. P.C. Jain dt. 21.01.2010 against Dr. R.P. Singh Eye Surgeon was referred to the Haryana State Medical & Dental Council (HSM&DC) vide this Council letter dt. 13.03.2010 for investigation and necessary action within the prescribed period of 6 months. No response has been received from the HSM&DC till date even after repeated reminders dated 03.01.2011, 15.04.2011, 07.07.2011 & 12.03.2012.

In view of the above, the Committee was of the opinion that a letter may be sent in this regard to the Chief Secretary, Govt. of Haryana and Principal Chief Secretary (Health), Govt. of Haryana for no action taken on the part of HSM&DC as requested by this Council since 13.03.2010. Further, in terms of 8.7 of sub-clause (ii) of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, the Committee decided to withdraw the said complaint pending with the HSM&DC with intimation to the said Council.

In view of above, the Ethics Committee directed the Council to communicate to the Registrar, Haryana Medical Council and both the parties pertaining to this case for their presence before the Ethics Committee alongwith all the relevant documents, at its meeting to be held on 22nd September, 2012.

8. **Appeals by Sh. Ramesh Kumar Khatri Numbardar against(1) Order dated 30.12.2011 passed by Delhi Medical Council (DMC) (2) Order passed by Haryana State Medical and Dental Council (HSMDC) dated 12.10.2011 and against (3) DMC for referring the complaint to HSMDC and no action by both Councils.**

The Ethics Committee considered the matter with regard to appeals of Sh. Ramesh Kumar Khatri Numbardar against (1) Order dated 30.12.2011 passed by Delhi Medical Council (DMC) (2) Order passed by Haryana State Medical and Dental Council (HSMDC) dated 12.10.2011 and against (3) DMC for referring the complaint to

HSMDC and no action by both Councils and decided to call before the Ethics Committee (i) Dr. Akhil Saxena, Consultant – Saxena Multi-speciality Hospital, (ii) Dr. Anupama Sethi – Amar Sethi Hospital, Kharkhoda (iii) Medical Director - Sir Ganga Ram Hospital & (iv) Head of Bharat Blood Bank, Panipat for hearing at the Ethics Committee meeting to be held on 22nd September, 2012.

9. **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 the matter with regard to appeal filed by Sh. Ghulam Abbas against order passed by Uttar Pradesh Medical Council against Dr. Aroti Ghosh and noted that Sh. Ghulam Abbas did not attend the meeting but sent his brother Mr. Ghulam Asghar as his representative in the said matter without authorization letter. The Ethics Committee decided that if Sh. Ghulam Asghar is appearing in the next meeting as a representative of Mr. Ghulam Abbas, he is permitted to do so provided he submits Power of Attorney/letter of authority issued by Ghulam Abbas. The Committee noted the absence of Dr. Aroti Ghosh who was called for hearing, and directed the Council office to inform both the parties to attend next hearing on 22nd September, 2012, failing which the matter will be decided ex-parte.

10. **Appeal against order dated 27.07.2011 passed by Delhi Medical Council made by Dr. Bhupendera Nath Singh (F.No. 407/2011).**

The Ethics Committee considered the matter with regard to appeal against order dated 27.07.2011 passed by Delhi Medical Council made by Dr. Bhupendera Nath Singh and heard Dr. Bhupendera Nath Singh and Mr. U.K. Sinha father of the patient late Navneet Singh. The Ethics Committee decided that Dr. Vishal Sharma Casualty Medical Officer at Indian Spinal Injury Centre and Dr. K. Khetarpal, Medical Superintendent, may be called alongwith Mr. U.K. Sinha & Dr. Bhupendera Nath Singh for next hearing of the Ethics Committee meeting to be held on 22nd September, 2012.

11. **Appeal against the activities and order dated 26.10.2007 passed by Rajasthan Medical Council made by Sh. Ajeet Singh Singhvi, IAS (Retd.)- (F.No. 277/2007). 03:30PM**

The Ethics Committee considered the matter with regard to appeal against the activities and order dated 26.10.2007 passed by Rajasthan Medical Council made by Sh. Ajeet Singh Singhvi, IAS (Retd.) and noted that Dr. Dinesh Jindal was called for hearing but did not attend the same. He has submitted his representation dated 03.07.2012 wherein he has said that his statement with regard to this complaint is already been recorded in the Medical Council of India, Rajasthan Medical Council and SMS Medical College, Jaipur, and he has stated that, he has nothing further to add. Now it was decided that one of the members would do an in-depth study. Thereafter the committee will examine the matter and take a decision.

12. **Appeal made by Mr. K.C. Aggarwal against Dr. Charanjit Singh (F.No.828/2010).**

The Ethics Committee considered the appeal made by Mr. K.C. Aggarwal against Dr. Charanjit Singh and heard Mr. K.C. Aggarwal who requested some more time to submit important documents to support his allegation/complaint against Dr. Charanjit Singh. The Ethics Committee noted that Dr. Charanjit Singh had not attended the hearing and not provided any communication justifying his absence.

In view of the above, the Ethics Committee provided final opportunity to Mr. K.C. Aggarwal for submission of claimed supportive documents within 2 weeks of time. Both the parties may be communicated to attend the hearing of the Ethics Committee meeting to be held on its subsequent meeting. Failure to attend the said meeting by either parties will force the Ethics Committee to take an ex-parte decision.

13. **Complaint against Dr. Surender Pratap Singh working in Pushpanjali Medical Centre under Dr. Vinay Kumar Aggarwal as alleged by Dr. Pankaj Singhal, Dr. M.C. Gupta & Dr. Babu K.V. (F.No. 463/2011)**

The Ethics Committee considered the matter with regard to Complaint against Dr. Surender Pratap Singh working in Pushpanjali Medical Centre under Dr. Vinay Kumar Aggarwal as alleged by Dr. Pankaj Singhal, Dr. M.C. Gupta & Dr. Babu K.V. Opportunity of hearing was provided to Dr. Vinay Kumar Aggarwal and to the complainant Dr. Pankaj Singhal.

Dr. Vinay Aggarwal of Pushpanjali Medical Centre submitted that Dr. Surender Pratap Singh who had provisional registration certificate issued by the MCI was appointed as clinical assistant on locum basis and he was not a full time doctor. His job was only to assist the doctors and consultant in their work. The records produced by Dr. Vinay Aggarwal were scrutinized by the Committee.

The Committee unanimously decided that the entire documents of the file pertaining to the above said case may be sent to **one of the member** of the Ethics Committee for his perusal with the request for presentation of the same before the Ethics Committee at its meeting to be held on its subsequent meeting. Thereafter, the committee will examine the matter and take a decision.

14. **Appeal against order dated 07.06.2010 passed by Delhi Medical Council made by Mr. S.P.Manchanda.(F.No.597/2010).**

The Ethics Committee considered the matter with regard to appeal against order dated 07.06.2010 passed by Delhi Medical Council made by Mr. S.P.Manchanda and noted that senior counsel representing the doctors of Max Hospital (Dr. Alka Gupta, Dr. Pooja Bhatia, Dr. Navita Kumari & Dr. Vikas) were heard as the doctors were not present. The complainant Mr. S.P. Manchanda, stated that case had been prolonging for the last 3 years and requested for decision in the matter without further delay.

In view of above the Ethics Committee directed the Council to send communication to Dr. Alka Gupta, Dr. Pooja Bhatia, Dr. Navita Kumari & Dr. Vikas and Mr. S.P. Manchanda to personally attend the hearing of the Ethics Committee at its meeting on 22nd September, 2012.

15. **Demand to Investigate the Pharma company sponsored Foreign visit by Medical Doctors of Madhya Pradesh.**

The Ethics Committee considered the matter with regard to demand to Investigate the Pharma company sponsored Foreign visit by Medical Doctors of Madhya Pradesh and the Committee took note of the letter dated 23.06.2012 received from Swasthya Adhikar Manch, M.P. with regard to hospitality services received by certain doctors from a pharmaceutical company in the form of overseas travel and hospitality. The Committee noted all the doctors who had been enlisted belong to Madhya Pradesh & hence decided to refer the matter to Madhya Pradesh Medical Council for taking necessary action within six months of receipt of this communication under intimation to this Council. A letter may also be sent to the Swasthya Adhikar Manch that the matter had been referred to the Madhya Pradesh Medical Council for expeditiously action so that it can follow up with the Madhya Pradesh Medical Council, which is an appropriate authority to inquire and investigate in such cases.

16. Newspaper coverage regarding treatment provided by the sweeper & ward boys to injured patient at Bulandshahr's District Hospital, Uttar Pradesh - Reg. (F.No. 80/2012)

The Ethics Committee perused the matter with regard to newspaper coverage regarding treatment provided by the sweeper & ward boys to injured patients at Bulandshahr's District Hospital, Uttar Pradesh and noted that the State health authorities had appointed Dr. Dinesh Kumar, Additional Director, U.P. to investigate the matter and expedite the enquiry and provide the report of the enquiry to this Council. The Ethics Committee decided to await the inquiry report. After receiving the report appropriate action will be taken accordingly.

17. (i). Criminal Misc. Application No. 6991 in Criminal Revision Application No. 219/2010 and
(ii). Criminal Misc. Application No. 6992 in Criminal Revision Application No. 220/2010 and
(iii). Criminal Misc. Application No. 6993 in Criminal Revision Application No. 221/2010 and
(iv). Criminal Misc. Application No. 6994 in Criminal Revision Application No. 222/2010 and
(v). Criminal Misc. Application No. 6995/2012 in Criminal Revision Application No. 223/2010 - Prahladbhai Shankalchand Patel Vs. State of Gujarat & Ors. in the High Court of Gujarat at Ahmedabad.

Order dated 23.05.2012 of Hon'ble High Court of Gujarat, Ahmedabad directing Medical Council of India to enquire the conduct of Dr. N.K. Parikh in issuing medical certificate in Criminal Application No. 6991 to 6695 to Prahlad Bhai Shankarchand Patel.

The Ethics Committee considered the Order dated 23.05.2012 of Hon'ble High Court of Gujarat, Ahmedabad directing Medical Council of India to enquire the conduct of Dr. N.K. Parikh in issuing medical certificate in Criminal Application No. 6991 to 6695 to Prahlad Bhai Shankarchand Patel.

In view of the direction contained in the above order to enquire into the matter, the Ethics Committee decided a letter may also be sent to the Registrar, Hon'ble High Court of Gujarat, Ahmedabad to send all the relevant documents pertaining to this case including certificate issued by Dr. N.K. Parikh and Dr. N.M. Agarwal and the matter will be taken up after the receipt of the documents from the Registrar, Hon'ble High Court of Gujarat and refer the same to one of the expert Ethics Committee member for expert opinion.

18. Appeal against order dated 22.02.2011 passed by Delhi Medical Council made by Dr. Sunil Choudhary (F.No.172/2011).

In response to the observations made by the Board of Governors while considering the minutes of the Ethics Committee meeting held on 15.05.2012, the Board of Governors at its meeting held on 07.06.2012 decided to ask the Ethics Committee to consider Dr.P.K. Talwar's request and give him a chance to present his views before the Ethics Committee in the matter before finalizing their decision in the matter.

In view of above, the Ethics Committee considered the matter and decided to call all the parties again for a fresh hearing in its meeting to be held at its subsequent meeting. Accordingly, hearing notice to be sent to both parties.

(Dr. P.Prasannaraj)

Additional Secretary

**(PROF. SNEH BHARGAVA)
CHAIRPERSON**

(Dr. Y.K. Gupta)
Member

(Dr. Anil Dhal)
Member

(Dr. R. B. Panwar)
Member

(Dr. Atul Sood)
Member

(Dr. Kumudini Sharma)
Member

Dr. (Prof.) Chander Shekhar Shetty
Member

(Amit Bansal) (Advocate)
Member

Approved On 21st August, 2012

