

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

Minutes of the meeting of the Ethics Committee held on 21st August, 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. Anil Dhal	Member
3.	Dr. R. B. Panwar	Member
4.	Dr. Sanjay Gupte	Member
5.	Dr. Vinay Sakhuja	Member
6.	Dr. Kumudini Sharma	Member
7.	Sh. Amit Bansal (Advocate)	Member
	Dr. P.Prasannaraj	Addl. Secretary, MCI
	Dr. M.Rajalaxmi	Chief Consultant (Academic)

Leave of absence was received from Dr. Y.K. Gupta, Dr. Atul Sood, Dr. Chander Shekhar Shetty 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 17.07.2012 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 various doctors of Melmaruvathur Adiparasakthi Institute of Medical Sciences, Melmaruvathur, Tamil Nadu giving false and misleading information regarding their working as full time faculty as alleged by CBI Case in RC.25(A)/2010 of ACB, Chennai.

The Ethics Committee considered the matter regarding the letter dated 27.02.2012 received from Head of Branch, CBI: ACB: Chennai with regard to Complaint against 35 doctors (32 faculty members and 03 doctors from management who issued appointment orders) of Melmaruvathur Adiparasakthi Institute of Medical Sciences, Melmaruvathur, Tamil Nadu giving false and misleading information regarding their working as full time faculty. The said matter was placed before the Ethics Committee on 19.06.2012. The Ethics Committee after deliberating on the issue, took a serious note of the report from the CBI and as decided show- cause notice was issued to all the 32 doctors of MAIMS mentioned in the CBI Report, as well as Dr. Shashikant Patel, Dean of MAIMS, Dr. Ramesh T., MAIMS and Dr. Kalai Selvi (MAIMS) who issued appointment orders and were directed to appear before the Ethics Committee in the meeting scheduled on 21st August, 2012 at 11.00 a.m. alongwith all documentary evidence in support. As per the committee directions issued, inspection reports from the council office with the address of the inspectors who conducted the inspections dated 16-17th February, 2010 & Compliance verification inspection on 29th March, 2010 and relevant declaration forms of the faculties presented during the said inspections were obtained. The CBI office, on approaching them provided the statements of the doctors mentioned in their report.

The Ethics Committee considered the case of following 32 doctors and Dr. Shashikant Patel, Dean of MAIMS, Dr. Ramesh T., MAIMS and Dr. Kalai Selvi (MAIMS) who issued appointment orders called for the hearing on 21.08.2012:

Sl. No.	Alleged Doctor	Address	Registration No.	Registered Council
1.	Dr. Surendra Singh Verma	S/o Shri Shivcharan Das Verma, Professor, Department of Community Medicine	2001/07/2612 dated 07.10.2001	Maharashtra Medical Council
2.	Dr. Anuja Pandey	D/o Awadh Bihari Pandey, Assistant Professor, Department of Community Medicine	2006/04/2242 dated 17.04.2006	Maharashtra Medical Council
3.	Dr. Gathe Sachin Bhaurao	S/o Shri Bhaurao Punjaram Gathe, Asstt.Professor, Department of Community Medicine	2004/03/1356 Dated 01.03.2004	Maharashtra Medical Council
4.	Dr.Asmitha Deshmukh	D/o Shri Manik Bajirao Deshmukh, Professor, Department of Medicine	2004/03/1729	Maharashtra Medical Council
5.	Dr.K.Jagadeesh	S/o Krishnamurthy, Sr. Resident, Department of Medicine	25947 Dated 10.04.1987	Karnataka Medical Council
6.	Dr.ManojKumarGupta	S/o Shri Mangeram Gupta, Senior Resident, Department of General Medicine	15061 Dated 23.10.2003	Orissa Medical Council
7.	Dr. Sarath Chandra Shah	S/o Shri Rasiklal Shah, Associate Professor, Department of Radiology	G-11552 Dated 08.06.1981	Gujarat Medical Council
8.	Dr. Shalik Bhaurao Ade	S/o Shri Bhaurao Gulabrao Ade, Associate Professor, Department of Radio Diagnosis	82206 Dated 26.02.1987	Maharashtra Medical Council
9.	Dr. Manjunath B. V.	S/o Shri Venkaramappa.B.K., Sr.Resident, Department of Radio Diagnosis.	23190 Dated 06.08.1984	Karnataka Medical Council
10.	Dr. Chitgopeker Vijay	S/o Shri Srinivasa Rao Chit Gopekar, Sr.Resident, Department of Radio Diagnosis	16822 Dated 24.08.1978	Karnataka Medical Council
11.	Dr.Manjiri Vasantao Morab	D/o Shri Vasantao Apparao Morab, Department of Radiology	89822 Dated 26.02.1999	Maharashtra Medical Council
12.	Dr.JayaPrabhu	S/o Shri C. Somraj, SeniorResident in Department of Surgery	88479	Tamil Nadu Medical Council
13.	Dr.S.Thiagarajamurthy	Shri Sundaramoorthy, the then Sr. Resident, Department of General Surgery.	52351 Dated 08.03.1993	Tamil Nadu Medical Council
14.	Dr.Naresh.V	S/o Shri V.Lakshmaiah, Sr. Resident, Department of General Surgery.	7601 Dated 22.09.1978	Andhra Medical Council

15.	Dr. Chandan Jadhav. N	S/o Shri Lakshmi Narayanan, Sr. Resident, Department of General Surgery.	69295 Dated 25.08.2004	Karnataka Medical Council
16.	Dr.Bhuva Bhavin Ambavibhai	S/o Shri A.K.Bhuva, Associate Professor, Department of Surgery	32133 Dated 31.12.2002	Gujarat Medical Council
17.	Dr. C.V.P.K.B.H. Subrahmanyeswara Rao	S/o Shri Cherukuri Arjuna Rao, Associate Professor Department of GeneralSurgery	6633 Dated 27.09.1976	Hyderabad Medical Council
18.	Dr. Mysamy	S/oShri Kandasamy Gounder, Associate Professor, Department of Surgery	24706 Dated 17.01.1974	Tamil Nadu Medical Council
19.	Dr.Ramesh Limbajirao Renge	S/o Shri Limbajirao Renge, Asst. Professor, Department of Paediatrics	77164 & 23016 Dated 17.07.1975	Maharashtra Medical Council
20.	Dr. Vishnu Prasad Madhusudan Bapat	S/o Shri Madhusudan Bapat, Professor, Department of Pathology	32639 Dated 17.12.1974	Maharashtra Medical Council
21.	Dr. Anamalla Naresh	S/o Shri Bhoomaiah, Associate Professor, Department of Anesthesiology	40985 Dated 12.01.1998	Andhra Medical Council
22.	Dr.Jogesh Chandra Choudhury	S/oShri Brundaban Choudhary, Associate Professor, Department of Anesthesiology	3960 Dated 06.04.1971	Orissa Medical Council
23.	Dr. K. Nedumaran	S/o Shri V.Kaliaperumal, Assistant Professor, Department of Anesthesiology	60908 Dated 12.02.1998	Tamil Nadu Medical Council
24.	Dr. R. Mahadevan	S/o Shri V.Ramasamy, Assistant Professor, Department of Anesthesiology	53106 Dated 08.07.1993	Tamil Nadu Medical Council
25.	Dr.Lokesh	S/o Shri C.Easwara, Sr.Resident, Department of Anesthesiology	70565 Dated 04.05.2005	Karnataka Medical Council
26.	Dr.Abhay Vasant Rao Anurkar	S/o ShriVasantMaruthrao Anurkar, Associate Professor, Department of Anesthesiology.	2000072718	Maharashtra Medical Council
27.	Dr. Sachin Hanumantrao Chandolkar	S/o Shri Hanumatrao, Associate Professor, Department of Anesthesiology	3295 & 2259 September, 2002	Maharashtra Medical Council
28.	Dr.Binny	Shri Kuttan Krishnan Kutty, Sr. Resident, Department of Pharmacology	28368 Dated 20.01.2000	Travancore Cochin Medical Council

29.	Dr.K.Padmanabhan	S/o Shri S.Kumar, Asst. Professor, Department of ENT	24928 Dated 01.02.1997	Travancore Cochin Medical Council
30.	Dr.Dhanumjaya Rao	S/o Shri Appanna, Asst.Professor, Department of TB&Chest	50389 Dated 02.01.2004	Andhra Medical Council
31.	Dr.T.Manjunath	S/o Shri Thimmappa, Professor, Deptt. Of Orthopedics	16374 Dated: 28.04.1978	Karnataka Medical Council
32.	Dr.A.L.V. Rajasekhara Rao	S/o Shri Venkataramana Rao Allam, Senior Resident, Department of Orthopaedics	46459 Dated 09.10.2001	Andhra Medical Council

The committee noted that the following doctors could not be contacted/regretted to attend the hearing scheduled and decided to provide them one more opportunity to attend the Ethics Committee Meeting for hearing subsequently.

Sl. No.	Name of Doctors	Designation and Department	Reasons
05	Dr.K.Jagadeesh	Sr. Resident, Department of Medicine	Regretted to appear (He wants TA/DA from Medical Council of India)
07	Dr. Sarath Chandra Shah	Associate Professor, Department of Radiology	Confirmed to come but not appeared
12	Dr.JayaPrabhu	Senior Resident in Department of Surgery	Regretted
15	Dr. Chandan Jadhav. N	Sr. Resident, Department of General Surgery	Not traceable
17	Dr. C.V.P.K.B.H. Subrahmanyeswara Rao	Associate Professor Department of General Surgery	Not traceable
30	Dr.Dhanumjaya Rao	Asst. Professor, Department of TB & Chest	Not traceable
31	Dr.T.Manjunath	Professor, Deptt. Of Orthopedics	He was Out of country on 21.08.2012
	Dr. Kalai Selvi (MAIMS)	The then Dean (MAIMS)	Regretted

The Ethics Committee heard all the doctors who appeared before this committee. All of them were given sufficient time and ample opportunity to give their explanation regarding their working in the college/institutions. Written statements were also taken from them. The CBI statements, the written statement of each doctor who appeared before the Committee along with the observations of the Ethics Committee is as under:

Sl. No.1

Dr. Surendra Singh Verma (F.No. 1)

Statement submitted by CBI

"Statement of Dr. Surendra Singh Verma, S/o Late Dr. Shivdass, aged 64 yrs., (Professor- Community Medicine), working in Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Melmaruvathur, Kancheepuram District, as Professor. R/o No. R-315, Doctor's Quarters, Melmaruvathur Medical College Hospital, Melmaruvathur, Kancheepuram District, Perm. Address : I-Block, Flat No.3, Dhan Raj Park, Kalewadi Phata, Wakad, Pune - 57, Tel - 020-2727325, Mobile # 09850058677.

I am as above. I completed my MBBS in the year 1970 and MD in Community Medicine in the year 1982 from Armed Forces Medical College, Pune vide registration No. 2007/07/2612 dtd. 20.07.2001 of Maharashtra Medical Council. Thereafter, I worked in the Army for 31 years

till I resigned in April 2001. I joined WHO as Consultant and State Coordinator for National Leprosy Eradication Programme. Thereafter, I joined Kesarsal Medical College & Research Centre, Ahmedabad, where I worked during the period 01/2006 to 06/2007. After this, I joined PSG Institute of Medical Sciences and Research, Coimbatore on 21.12/008 and left it in December, 2009.

By then I was approached by the officials of Melmaruvathur Adiparasakthi Institute of Medical Science and Research. I do not remember how they got my name and phone number. I was contacted by some one over phone in regard. I was not much interested in the same, since the College was far away and there was a language problem. However, since they persisted, I agreed to come once in a while as per the needs of the College, as and when the classes were to be conducted etc. Since the college is only in the third year of its existence (sixth semester), the main course for community medicine starts only this academic year. Till now, the students were only undergoing introduction to the subject theoretically and practically. So, my requirement was not much there. I had joined the college some time in December, 2009. I was on an average present in the College for about 10 to 15 days a month initially. My visits to the college were not frequent.

Some time in March, on 22nd March, 2010, Shri Ramabhadran contacted me and informed me that an MCI inspection was to take place shortly. For travelling to Chennai there was an SMS message from Shri Ramabhadran forwarding a PNR no. of the flight to be taken. I went to Chennai and at the Airport we were picked up by the officials of Melmaruvathur Medical College who dropped us at the college. No inspection took place and I returned after 2-3 days. I, along with other Doctors from outside the state were dropped at the Chennai airport and tickets were arranged by the college.

Again after few days on 28.03.2010 I was called over phone for attending the inspection on 29.03.2010. An SMS message forwarding a PNR no. of the flight to be taken was sent. Dr. Bapat also travelled with me to Chennai. The flight reached Chennai and as per instructions we waited at the Airport for a vehicle. After some time other doctors also joined us from some other places. All of us left for Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, after some time by a vehicle arranged by the College.

After attending the inspection on 29.03.2010, on 30.03.2010 all of us who had come from outside Chennai were taken back in the College vehicle to Chennai Airport from where all of us left for our home towns. I had left along with Dr. Bapat by the same flight on 30.03.2010.

As per the terms agreed upon, there was no fixed salary as such. They only paid me a sort of incentive for my to & fro journeys to Pune. Apart from this, I have only received a sum of Rs. 60,000/- in March 2010 and subsequently they have paid me only in the month of January 2011, Rs. 46,000/- as net salary. I did not have any fixed timings for my duties, even though it is stated so in the declaration form.

I am shown the declaration form dtd. 12.02.2010. This has been signed by me and I confirm that the contents of the same are correct. The entries in the form are not in my hand writing. It can also be seen that the column for total emoluments received in the declaration form has been scored out as I have not received the salary.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 21.12.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me.

During February/March, 2010, I was working for 10-15 days a month in the Melmaruvathur Adhiparasakthi Institute of Medical Science and Research. I was present during the inspection by MCI held in March, 2010 only, Prior to that I was not employed permanently with Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research as stated in the Declaration form by the college officials.

On being asked I hereby state that I have not been given Form-16 by the College so far since I have not been paid last year by the college."

Statement submitted to Medical Council of India by the representative, Mrs. Rekha Verma W/o of alleged doctor

Mrs. Rekha Verma on behalf of her husband Dr. Surender Singh Verma stated that he could not attend the hearing as he was suffering from Alzheimer's disease. She stated that Dr. Verma joined the duties in MAPIMS on 21.12.2009 and requested the college authorities for relieving from duty on 23.07.2012. She was not aware about his regularity in work at MAPIMS and could not provide any other information.

The Ethics Committee observed as under:

Dr. Surendra Singh Verma had given a signed declaration on 12.2.2010 at the time of MCI inspection that he has been working on a regular basis at the college since 21.12.2009, which was counter signed by the Dean of the college and signed by the MCI inspector on 29.3.2010.

As per the statement given by the said doctor to CBI, the arrangement between him and the college was that he would come to the college as and when the college requires him and the college will pay the return air fare for his journey. Accordingly he was called by the college at the time of inspection on 29.3.2010 and immediately thereafter, he went back to his hometown. There was no fixed salary paid to him by the college.

At the hearing before the ethics committee on 21.8.2012, Dr. Verma's wife appeared on his behalf and produced a letter of authority in her favour. She provided copies of MRI report dated 14.6.2012 and medical certificate dated 23.7.2012 to the effect that her husband, Dr. Verma is suffering from Alzheimer's disease. She also produced a resignation letter dated 23.7.2012 sent by Dr. Verma to Melmaruvathur Adhi Parasakthi Institute of Medical Sciences (MAPIMS)

In response to the questionnaire given by the Ethics Committee to his wife, she stated that she does not know how regular he was at the college or how many classes he took or whether he got any remuneration from the college. These are all vague and evasive responses. If Dr. Verma has authorized his wife to represent him at the hearing, she should have had answers to all these questions.

In view of the above, it is a clear case of Dr. Verma filing a false declaration form at the time of MCI inspection. Current medical certificates dated 23.07.2012 produced at this stage, even if taken to be genuine, cannot mean that Dr. Verma was suffering from this condition since 2009-2010. All these documents have been created at this stage only as a defense to the show cause notice sent to him by MCI.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Surendra Singh Verma, have come to the unanimous decision that Dr. Surendra Singh Verma has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician

should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission on the part of Dr. Surendra Singh Verma constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council India register for a period of **three (03) years**.

Sl. No. 2

Dr. Anuja Pandey (F.No. 2)

Statement submitted by CBI

"Statement of Dr. Anuja Pandey, (aged 28 years) W/o Dr. Ashish Narang, earlier working as Assistant Professor in Department of Community Medicine, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, presently working as Sr. Lecturer (Community Medicine), Indian Institute of Public Health, Delhi, Plot No.34, Sector 44, Institutional Area, Gurgaon, Haryana - 122002, Phone # 01244722900, Fax # 0124-4722901, Mobile # 08120037818, e-mail : anuja.pandey@iiphd.org, resident of Plot No. 51E, Ujjwal Apartments, Tirumurti Nagar, Nagpur - 440022.

I am working as above since October, 2010. Prior to this, I was working in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, during the period December 2009 to July 2010.

I did my MBBS from Govt. Medical College, Nagpur in the year, 2004 and was registered vide registration No. 2006/4/2242 dated 17.04.2006 of Maharashtra Medical Council. Subsequently, I did my PG in Community Medicine from Govt. Medical College, Nagpur in the year 2009 and was registered vide No. 2242 dated 30.11.2009.

After registration in November, 2009, I joined Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Tamilnadu. For this purpose I had contacted the College authorities on coming to know of a vacancy from a senior of mine who was working there. I was asked by the College authorities to come over. I came down on the 15th of December, 2009 and after scrutiny of my papers I was appointed on 16.12.2009 after a formal interview. It was agreed that I have to work for about 15 days in a month depending on the requirements and that my salary would be Rs.35,000/- a month. They also told me that the salary would be deducted to the extent of leave taken by me during the month. I agreed to the conditions and

joined on 16.12.2009. I was posted as Asstt. Professor in the Community Medicine department. I was attending to taking of classes.

I had attended the MCI inspection held in the month of March, 2010.

I am shown the declaration form of MCI for 2010-11 dated 12.02.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I was working as a full time teacher. However, I cannot say that I worked as full time as it was agreed upon that I would be working only 15 days in a month.

On being asked as to why it was declared in the Declaration Form that I was working as a full time teacher. I have to state that it was already agreed that I would work only 15 days in a month as I was on the look out for a new job and was not interested in staying for long time. I am shown the appointment order, joining report form and quarters allotment order all dated 16.12.2009. I was staying in the quarter No. A-11 in the college whenever I came on duty. The joining report bears my signatures, which I identify.

On being asked I state that I was signing on the departmental Attendance Register. I was not asked to use the bio-metric system of attendance by the College.

I am shown the cash voucher towards salary dated 03.04.2010. This shows an amount of Rs. 35,000/- having been paid to me. I was receiving this amount by way of cash throughout my tenure. On those months whenever I availed leave, the College used to deduct the amount towards this.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur since I did not come within the limit of Income Tax in the period covered in March, 2010."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Pandey Anuja Awadh stated that she joined MAPIMS on 16.12.2009 as Assistant Professor and was relieved on 31.07.2010. She stated that she was regular and full time in her duties during her tenure and was not working in any other college during the above period. On an average 2-3 classes per week were taken by her. She was present during the MCI Inspection on 29.03.2010. She stated that she was receiving 35,000/- per month and Form - 16 was not issued to her by the college authorities.

The Ethics Committee observed as under:

Dr. Anuja Pandey had given a signed declaration form on 12.2.2010 stating that she has been working on a regular basis at the college since 16.12.2009, which was counter signed by the Dean of the college on 12.02.2010 and signed by the MCI inspector on 29.3.2010. The appointment letter issued to her does not mention any salary figure.

As per the statement given by the said doctor to CBI, the arrangement between her and the college was that she would work in the college for 15 days in a month and would be paid Rs. 35,000/- remuneration.

At the hearing before the ethics committee on 21.8.2012, Dr Pandey appeared personally. In response to the questionnaire given to her by the ethics committee, she has stated that she was with the college till 31.7.2010 and in that period she took 2-3 classes a week. She was paid her salary in cash and no TDS certificate was issued to her. She has also stated that she used to travel back and forth to her hometown.

In view of above, it is a clear case of Dr. Pandey filing a false declaration form at the time of MCI inspection. It is evident that she was not working as full time faculty at the said college, but was approached only to be present around the time of MCI inspection.

She has not produced any document to show that she was physically present in the college from 16.12.2009 to 31.7.2010. Rather she has admitted that she used to travel back and forth between her hometown and the college.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Anuja Pandey, have come to the unanimous decision that Dr. Anuja Pandey has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Anuja Pandey constitutes PROFESSIONAL MISCONDUCT, which renders her liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of her name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 3

Dr. Gathe Sachin Bhaurao (F.No. 3)

Statement submitted by CBI

"Statement of Dr. Gathe Sachin Bhaurao, Sio Shri Bhaurao Gathe, (aged 30 years), working as Asstt. Professor in Department of Community Medicine, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, Present resident of Doctor's Quarters, MAPIMS, Melmaruvathur, Perm: Add: P No.-598, Nehru Nagar, Tiranga Square, Behind Rajgire Hospital, Nagpur, Maharashtra - 440009; Mobile # 09892649826, 0712-6991688 (R).

I am working as above since 02.02.2010. I did my MBBS from N.K.P. Salve Medical College, Nagpur in the year 2003 and got registered vide registration No. 2004/03/1356 on 01.03.2004 of Maharashtra Medical Council. Subsequently, I did my PG in Community Medicine from Seth G.S. Medical College, Mumbai in the year 2009. Before joining PG Degree Course, I was also doing house job in private hospital in Nagpur. Presently I am working as a family physician and also attending medical camps run by .NGOs in Nagpur. After passing out, I came to know about Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur through friends of mine who were already working there. I remember that a consultant of Mysore had contacted me for referring me to Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur.

The officials of Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur contacted me in the first week of February 2010. I was offered a package of Rs. 2.5 lakhs per annum. The number of the days was not fixed. It was around three to four days a month. I agreed to this and came down to Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur on 02.02.2010. I handed over my papers to Shri. Rambadhran, who took the papers from me and told me that he would contact me later. I had also given the Declaration form duly signed by me.

On 02.02.2010, I stayed for two days and did some official work in the college before returning to Nagpur. In the last week of March 2010, I was called by the college authorities informing that there would be an Inspection by MCI shortly. Accordingly, I came over on 28.03.2010 and stayed in Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, Melmaruvathur and attended the said inspection on 29.03.2010.

I was paid Rs.1.25 lakhs on the day I first visited Melmaruvathur on 02.02.2010 and the remaining Rs.1.25 was paid on 30.03.2010 after the inspection. After this I was not asked to come to the College nor I was paid for the rest of the academic year i.e. till July.

After this, I was called to the College some time in November, 2010 and submitted another Declaration form. I had stayed for only one day then. After that I was called only in March, 2011. Since August, 2010 I have been getting my salary on a monthly basis. However, I have not been asked to attend regular official work.

I am shown the Declaration Form dated 11.03.2010 and the entries in the said form are correct. I identify my signature on the said form and confirm the contents of the said form as correct. I have stated in the said Declaration form that I was a full time teacher and that was not practicing anywhere etc. I admit that I was not a full time teacher, because as agreed upon with the management, I was to come and attend the College as and when required by them. On 11.03.2010 I was not in Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, Melmaruvathur and hence, this form appears to have been prepared in my absence.

I am shown the cash voucher dated 03.04.2010 for Rs.35,000/- which bears my signature. This was taken from me by the College management. However, during those days I was not being paid on a monthly basis and I cannot say that the payment details are correct. This voucher along with several other vouchers were got signed by me by the college staff after the inspection was over on 29.03.10.

I am shown the appointment order, joining report form and quarters allotment order, all dated 02.02.2010. I was staying in the quarter of the college whenever I came on duty. This changed every time I came. The joining report bears my signatures, which I identify. The appointment order and quarters allotment order, all dated 02.02.2010 were given to me when I came to attend inspection to Melmaruvathur.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur since I did not receive the TDS certificate from the College authorities in spite of requesting them. I continue to work in the college now."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Gathse Sachin Bhaura stated that he joined MAPIMS on 02.02.2010 as Epidemiologist cum Assistant Professor and he is still attached with college. He stated that he was regular faculty at the college however, no attendance register was maintained from day of his joining till July 2010. On an average 2-3 classes per week and the work given by head of department were taken by him. He was present during the MCI Inspection on 29.03.2010. He stated that he was receiving Rs. 35,000/- per month in cash and Form - 16 was not issued to him by the college authorities. He denied that he was paid Rs. 1.25 Lakh each in two installment.

The Ethics Committee observed as under:

Dr. Gathe Sachin Bhaurao, had given a signed declaration at the time of MCI inspection that he has been working on a regular basis at the college since 2.2.2010, which was counter signed by the Dean of the college on 12.02.2010 and signed by the MCI inspector on 29.3.2010. The appointment letter issued to him does not mention any salary figure.

As per the statement given by the said doctor to CBI, the arrangement between him and the college was that he would work in the college for 3-4 days in a month and would be paid Rs. 2.5 Lakhs remuneration per annum. He has also admitted that he was called intermittently by the college and was not there on a regular basis.

At the hearing before the ethics committee on 21.8.2012, Dr. Gathe Sachin Bhaurao appeared personally. In response to the questionnaire given to him by the ethics committee, he has stated that he continues to be with the college till now. He took 2-3 classes a week. He was paid salary in cash and no TDS certificate was issued to him. He has further admitted that no attendance register was maintained by the college.

In view of above, it is a clear case of Dr. Gathe Sachin Bhaurao filing a false declaration form at the time of MCI inspection. It is evident from the responses given in the questionnaire that he was not working as full time faculty at the said college, but was approached only to be present around the time of MCI inspection. He has not produced any document to show that he was physically present in the college on a regular basis. Rather he has admitted that he was called only around the time of inspection.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Gathe Sachin Bhaurao have come to the unanimous decision that Dr. Gathe Sachin Bhaurao has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Gathe Sachin Bhaurao constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 4

Dr. Asmita Manik Deshmukh (F.No. 4)

Statement submitted by CBI

"Statement of Dr. Asmita Manik Deshmukh, D/o Shri Manik Bajirao Deshmukh, aged 42 years, earlier shown working as Professor, Department of Medicine, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, presently working Consultant Physician, Sea Woods Hospital, Plot No.21, Sector 48, Neru Navi Mumbai- 400706, Phone # 022-27723440, 022-32482153, Permanent resident of No.31/303, NRI Complex, Sector - 54/56, Nerul, Navi Mumbai - 400706, Phone # 09769340976.

I did my MBBS from Gajra Raja Medical College, Gwalior, MP in the year 1992 and was registered vide registration No. MMC-2004/03/1729 dated 11.03.2004 with the Medical Council of Maharashtra. I passed my MD in General Medicine from S.S. Medical College, Rewa, MP in the year 1997.

Following this, I worked as Lecturer in Medicine in PDMMC, Amravati, Maharashtra during the period 1997 to 1998. Afterwards from March 1999, I was working as a Lecturer in DY.Patil Medical College, Pimpri, Pune from March 1999 to September 2003. Then from October 2003 to January 2008 worked as Associate Professor / Professor and HoD at Terna Medical College, Nerul, Navi Mumbai. I resigned from the said Medical College in January 2008. During this period, I was contacted by one Dr. Sridhar over phone and told me that there was a vacancy for the post of Professor in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur and asked me whether I was willing to join. I was told that I would be paid a package amount of Rs.3.00 lakhs per annum and that I would have to work 3 to 4 days in a month. I agreed to this proposal and I was called to the College in April, 2008 and was asked to join. I gave my educational/qualification papers which I had brought with me. I reached the College some time in the second half of April, 2008 and joined. Within two to three days of my joining, the MCI inspection has took place and I attended the same as Professor. Since I was not familiar with the language, I was only required to attend the teaching classes. I attended to my work taking classes three to four days a month regularly till September, 2008 as and when they called me. Thereafter, they stop calling me for some time. I was paid Rs.3.00 lakhs

in installments for which I had signed vouchers some time when I came last to the College in September, 2008.

In March, 2010 I was called by one Shri Subrahmaniam who told me that he was recruiting people for Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research and asked me whether I was interested to work in the College again on the same terms and conditions. I agreed to this and I was told to attend the College immediately and was sent a PNR No. of the air ticket by SMS. On 22.03.2010, I went from Mumbai to Chennai by Jet Airways which started from Mumbai around 7.00 evening. Subrahmaniam came to Airport and picked us up and left for Melmaruvathur where we reached around 11.00 AM and remained there for three days till 25.03.2010, Since there was no Inspection by MCI we decided to return by then. The college did not provide return tickets then and I had got the return tickets booked through my husband for myself, Dr. Radhika, Dr. Adhe and Dr. Naresh. The amount paid towards air tickets were reimbursed later on by the College.

On being asked I state that I met Dr. Ade only in the Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research campus, Melmaruvathur. I did not know him before and his mobile number was given by Subrahmaniam.

After this, on 28.03.2010, I was called by Subrahmaniam over phone and informed that I have to reach Melmaruvathur immediately. For this purpose they sent PNR No. by SMS. I went by air on 28.03.2010 by evening flight which reached Chennai around 9.30 PM. Shri Subrahmaniam had come to the airport to receive me and take to Melmaruvathur. Dr. Ade was also with me in the same flight. On 29.03.2010, I attended the MCI inspection at the College. The MCI team cross checked the documents produced by me with the original and also did head count of the faculty member. I was paid the total amount promised Rs.3.00 lakhs in installments during the next few months till July, 2010. I stayed in the college till 30th March, 2010. After this I left along with Dr. Ade back to Mumbai.

As on earlier occasions, I had taken classes for students as required by the College for this period for 3-4 days a month. After July, 2010 I was never called to the College and hence I did not go again.

I am shown the declaration form of MCI for 2010-11 dated 25.03.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full time teacher. I did not notice the declaration made therein at that point of time.

On being asked, I state that I cannot say that I worked full time as at the time of joining they had not asked me to work on a full time basis and they had specifically wanted me to be there only for MCI inspection and for few days a month.

I am shown the appointment order, joining report form and quarters allotment order all dated 21.04.2008. I had not stayed in the Doctors' quarters of the college when I went for the MCI inspection. I was staying in the "round building" of the Temple side. The joining report bears my signatures, which I identify. I have not been given my Quarters allotment order while I came for the first time in April, 2008.

I have not signed on any attendance register of the department since the college did not require me to do so.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 45,000/- having been paid to me for the month of March 2010. The payment as stated is not correct. The payment was made as stated above. This voucher was signed blank. I had signed around 5-6 blank vouchers as which was given to me by Subrahmaniam.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur so far since they did not give me the TDS Certificate on the basis of the actual payment received. I waited for the college authorities to send the same. I intend to pay it shortly this AY without the TDS certificate by declaring it on my own.

I am furnishing a copy of the Relieving order 10.03.2011 from Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, Melmaruvathur which was given to me as per my request, for the purpose of investigation."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Asmita Deshmukh stated that she joined MAPIMS on 21.04.2008 as Professor of Medicine and relieved on 31.07.2010. Work from 21.04.2008 to 30.09.2008 and again 01.03.2010 to 31.07.2010. She stated that she was regular, not working any other college and took 1-2 class per week. Attended the college on 22/23.03.2010 and also 28/29.03.2010 and was staying in the quarter. Received Rs. 3,00,000/- totally and no Form-16 was issued. No attendance register for faculty and students and did not sign any attendance register.

The Ethics Committee observed as under:

Dr. Asmitha Deshmukh, had given a signed declaration dated 25.3.2010 at the time of MCI inspection that she has been working on a regular basis at the college since 21.4.2008, which was counter signed by the Dean of the college and signed by the MCI inspector on 29.3.2010. The appointment letter issued to her does not mention any salary figure.

As per the statement given by the said doctor to CBI, the arrangement between her and the college was that she would work in the college for 3-4 days in a month and would be paid Rs. 3 Lakhs remuneration per annum. She has also admitted that she was called intermittently by the college and was not there on a regular basis. She was specifically called at the time of the inspection on 29.3.2010 and provided air ticket for the same.

At the hearing before the ethics committee on 21.8.2012, Dr Deshmukh, appeared personally. In response to the questionnaire given to her by the ethics committee, she has stated that she was relieved by the college on 31.7.2010. She has admitted that she was engaged for a period of four months in 2008 and once again from 1.3.2010 to 31.7.2010. She took 1-2 classes a week. She was paid salary in cash and no TDS certificate was issued to her. She has further admitted that no attendance register was maintained by the college.

In view of the above, it is a clear case of Dr. Deshmukh, filing a false declaration form at the time of MCI inspection. It is evident from the responses given in the questionnaire that she was not working as full time faculty at the said college, but was approached only to be present around the time of MCI inspection. She has not produced any document to show that he was physically present in the college on a regular basis. Rather she has admitted that she was called only around the time of inspection.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Asmitha Deshmukh have come to the unanimous decision that Dr. Asmitha Deshmukh has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession,

assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Asmitha Deshmukh constitutes PROFESSIONAL MISCONDUCT, which renders her liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of her name from the concerned State Medical Council's register as well as the Medical Council India register for a period of **five (05) years**.

Sl. No. 5

Dr. Manoj Kumar Gupta (F.No. 6)

Statement submitted by CBI

"Statement of Dr. Manoj Kumar Gupta, S/o Shri Mange Ram Gupta, Senior Resident, (General Medicine), Age: 32 yrs., Occ: Melmaruvathur Adhiparashakthi Institute of Medical Sciences & Research, Melmaruvathur, Distt. Kancheepuram. Res: Near Railway Station, Distt. Bargarh, Odisha-768028, Mobile No. 9676236568.

On being asked I state that I did my MBBS from Veer Surendra Sai Medical College, University of Sambalpur, Odisha in the year 2002. I did my MD (Medicine) from the said college in the year 2008. I have not practiced anywhere. I had joined the Melmaruvathur Adhiparasakthi Hospital soon after the completion of my MD.

I came to know about the requirement of the post of Senior Resident in Melmaruvathur Hospital through a friend of mine. I had applied for the post and I was offered a payment of Rs. 30,000/-. I joined the hospital on 01.12.2009. I was paid salary through cash. I was not asked to sign any voucher showing the receipt of salary. At the time of interview, it was agreed upon that I had to come only thrice a week and the duty timing was 9 AM to 5 PM.

I am shown the Declaration form dated 15.02.2010 showing that I was a Sr. Resident of the above Hospital. I confirm that whatever is given in the Declaration Form is correct and have been filled by me and bears my signatures except the details of salary paid to me and the name of the college on the first page.

I am shown the copies of Appointment letter and Quarter Allotment letter which I confirm having received. However, I am not occupying the said Quarter since I am visiting the Hospital only three days a week and since I am staying outside in Chennai City.

I state that on 29.3.2010 I was present during the inspection by the MCI. I was interested getting a permanent job here as I intend to go to my home town some time later. I am not employed elsewhere now.

On being asked I state that I was not present on the date of first inspection by MCI on 16/17.2.2010 since I had gone to my native place in Orissa to attend to some medical problem of my wife.

On being asked I state that I have not been signing the attendance register of the Hospital, since I was not asked by anyone in the college to do so.

I am shown Petty cash voucher dt. 07.04.2010 for Rs. 28,000/- prepared in respect of my salary, but unsigned. I cannot say why this is not signed or as to why sign was not taken from me."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Manoj Kumar Gupta stated that he joined MAPIMS on 04.12.2009 and he is still attached with college. He stated that he was regular faculty at the college. however, no attendance register was maintained from day of his joining. He took an average one clinical class per week. He was present during the MCI Inspection on 22/23.03.2010 and also 28/29.03.2010. He stated that he received Rs. 30,000/- per month in cash though he demanded to be paid by cheque and Form - 16 was not submitted by the college authorities. He stated that the declaration form was not filled by him but signed by him.

The Ethics Committee observed as under:

Dr. Manoj Kumar Gupta - His statements to CBI & MCI are at variance in so far as full time appointment is concerned.

In the absence of an attendance register it cannot be proved that he was attending college/ hospital on all days. Also it's claimed differently that he was staying on the premises or not. Has he become wiser now in front of MCI?

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Manoj Kumar Gupta, have come to the unanimous decision that Dr. Manoj Kumar Gupta has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do

not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Manoj Kumar Gupta constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 6

Dr. Shalik Bhaurao Ade (F.No. 8)

Statement submitted by CBI

"Statement of Dr. Shalik Bhaurao Ade, S/o Shri Bhaurao Gulabrao Ade, aged 40 years, earlier shown working as Associate Professor, Department of Radio Diagnosis, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, presently working as Consultant in Radiology in Sri Sal Diagnostic" Centre, Mira Road East, Thane, Maharashtra-401107, 022-28129009, residing at No.202, Bhagirathi Building Jangid Complex, Mira Road East, Thane, Maharashtra - 107, Phone # 09892813564, Permanent resident of Bothbodan, Thasil & District Yeotmal, Maharashtra - 445001.

I did my MBBS from Grant Medical College, Mumbai in the year 1995 and was registered vide registration No. 082206 dated 26.02.1997 with the Medical Council of Maharashtra. I passed my MD in Radio Diagnosis from the same Medical College in the year 2000.

Following this, I joined as Lecturer in Govt. Medical College, Yeotmal, Maharashtra and worked there 22.01.2001 to 21.02.2003. Afterwards from March 2003 to January 2004, I was practising privately.

I worked in various medical colleges till September 2009. In September 2009, I was introduced to one Shri Subrahmanyam by a colleague of mine, who offered the post. of Associate Professor in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur. He offered on behalf of the college a package of Rs. 3 lakhs and 4 to 5 classes per month. I agreed to this suggestion and resigned from Chettinad Medical College where the pay was less and they did not want me to continue there.

I joined the college on 1st of October 2009, I went there for the first time in October and 01.10.2009 met Shri Rambadran who introduced me to Dr. Ramesh, MD as per the directions of Shri Subrahmanyam. I handed over my papers to Shri Rambadran. I was allowed to join and my appointment order was handed over to me. I also gave my joining report to the college.

In February 2010, I was called by Shri Rambadran who asked me to come immediately for filing the declaration form. Accordingly, I went to the college in the last week of February or first week of March 2010. I filled up the declaration form and gave it to Shri Rambadran. I was given Rs. 1.5 lakhs by Shri Rambadran. Later, I went back. I was told that I would be called by the college when the requirement comes.

On 21st of March 2010, I was called by Shri Rambadran over phone and asked to come over to the college. I was sent the PNR number of the Air ticket by SMS for my air journey. On the next day morning i.e. 22.03.2010, around 0705 hrs. I came by Jet Airways flight to Chennai. I came to Chennai Airport, was received by Shri Subrahmanyam, who took me to Melmaruvathur, where I stayed 2 to 3 days. Since we found that no inspection was taking place, we planned to return and accordingly, booked tickets for return journey for Mumbai through Dr. Asmitha's husband. On 25.03.2010, we returned to Mumbai. The other doctors who had come from outside the state also returned. I remember Dr. Ramesh, Dr. Manjiri, Dr. Naresh and some other doctors were also at the Airport. Myself and Dr. Asmitha went by the same flight.

On 28.03.2010, I was called by Shri Subramaniam over phone and informed that I have to reach Melmaruvathur immediately. For this purpose they sent PNR number by SMS. I went by air on 28.03.2010 by an evening flight which reached Chennai around 9.30 PM. Shri Subramaniam had come to the airport to receive me and take to Melmaruvathur. The college authorities had sent a vehicle for taking us to the College. On 29.03.2010, I attended the MCI inspection at the College. The MCI team cross checked the documents produced by me with the original and also did head count of the faculty member. After the inspection, I was paid the remaining amount promised i.e. Rs.1.5 lakhs on 30.03.2010. I left along with Dr. Asmitha on 30.03.2010 to Mumbai around 0845 evening by Air India Chennai Mumbai flight. There were some other doctors also at that time along with us. On the day I came for filing the declaration form and on the days I came for inspection, I had done some work in the hospital viz, scan, sonography etc. In the month of April 2010, I was called for inspection by local body. Till July 2010, I was called once in a month for a few days for attending to the work.

After July, 2010 I never called to the College and hence I did not go again.

I am shown the declaration form of MCI for 2010-11 dated 04.03.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full time teacher. I did not notice the declaration made therein at that point of time. I was only told that this would be a part time post and hence, I did not bother to see much.

On being asked, I state that I cannot say that I worked full time as at the time of joining they had not asked me to work on a full time basis and they had specifically wanted me to be there only for MCI inspection and for few days a month.

I am shown the appointment order, joining report form and quarters allotment order all dated 21.04.2008. I had not stayed in the Doctors' quarters of the college when I went for the MCI inspection. I was staying in the "round building" of the Temple side. The joining report bears my signatures, which I identify. I have not been given my Quarters allotment order while I came for the first time in April, 2008.

I have not signed on any attendance register of the department since the college did not require me to do so.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 45,000/- having been paid to me for the month of March, 2010. The payment as stated is not correct. The payment was made as stated above. This voucher was signed blank. I had signed around 5-6 blank vouchers which were given to me in the college office.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur so far since they did not give me the TDS Certificate on the basis of the actual payment received. I waited for the college authorities to send the same. I intend to pay it shortly this AY without the TDS certificate by declaring it on my own.

I am furnishing a copy of the Relieving order 04.03.2011 from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur which was given to me as per my request, for the purpose of investigation."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Shalik Ade stated that he joined MAPIMS as Associate Professor of Radiodiagnosis on 01.10.2009 and relieved on 31.07.2010. He stated that he was fairly regular faculty at the college and not working in any other college. However, no attendance register was maintained from day of his joining. He took on an average 1-2 class per week. He was present during the MCI Inspection on 28/29.03.2010. He stated that he received total Rs. 3,00,000/- in cash and Form - 16 was not provided by the college authorities. He stated that the declaration form was not filled by him but signed by him.

The Ethics Committee observed as under:

Dr. Shalik Bhaurao Ade, Assoc Prof Radio diagnosis. As per his statement he was not working as a full time employee but only coming for MCI inspections.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Shalik Bhaurao Ade, have come to the unanimous decision that Dr. Shalik Bhaurao Ade has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Shalik Bhaurao Ade constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 7

Dr. Manjunath.B.V (F.No.9)

Statement submitted by CBI

"Statement of Dr. Manjunath.B.V. SA) Shri Venkatasamappa B.K., Sr. Resident, Radio Diagnosis, Melmaruvathur Adhiparashakthi Institute of Medical Sciences & Research, Melmaruvathur, Distt. Kancheepuram. age : 52 years, Resident of : "Surya House", C.S.I. Hospital Road, Chikkaballapur, District Chikkaballapur - 562101.

I am working as above since 4th March, 2010. I did my MBBS from Mysore Medical College, Mysore in the year 1983 vide Registration No. 23190 dated 01.08.1984. After completion of MBBS, I was practising at my own clinic by name Nandhi Clinic, Railway Station Road at Chikkaballapur. In September 2004, I had joined MD (Radiology) In Bangalore Medical College. I passed the same in September 2007.

After this, I had worked as Consultant for nearby hospitals. In February 2010, I was contacted by Shri Ramabadran, Administrative Officer of Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Melmaruvathur asking me whether I was interested in the post of Sr. Resident in the College. I agreed to the same.

On being asked I state that as per the Terms and Conditions orally agreed upon with my employer, I had to attend the hospital once in a week which is being continued till now. I used to attend to Clinical work only. I was In fact asked to work as a consultant and not as a regular employee. I was offered a consolidated salary of Rs. 28,000/- at the time of joining which was paid through cash and which practice is still continuing.

I am shown the cash voucher dated 07.04.2010 for Rs. 28,000/-, in which I identify my signature.

During February/March, 2010, I was working in the Melmaruvathur Adhiparasakthi Hospital. However, I was not present during the inspection by MCI held in February, 2010. I was present in the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 04.03.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the said form are not in my handwriting. This appears to have been filled up by the office staff. Regarding the erasure seen in the designation in the Declaration Form, I state that originally I was posted as a Senior Resident in the hospital, it was changed to Asstt. Professor at the time of MCI inspection at the instance of the MCI Inspectors since another doctor by name Manjiri who was posted as Asst. Professor, could not produce some original documents.

I am shown the Appointment Order, Joining report and Quarters allotment orders all dated 08.02.2010. I confirm that these are papers related to my employment It is true that I had not joined in February, 2010. The hospital appears to have put the date of 08, February, 2010 in the concerned papers. I remember that I had applied for the post some time in February 2010, even though I joined in March 2010.

I am shown the Attendance Registers of the faculty members of the Hospital. I have not been signing till now since I am not a regular employee and not required to do."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Manjunath B.V. stated that he joined MAPIMS in 22nd March, 2010 and did not take relieving letter till date. He has not commented on the regularity of his working and stated that he was not working in any other college. He stated that he did not take any classes and attended the college for only 5 days and was not a regular employee He was present during the MCI Inspection 28/29.03.2010. He could not continue the job because of major surgery. He stated that he received total Rs. 28,000/- in cash and Form – 16 was not provided by the college authorities. He stated that the declaration form was not filled by him but signed by him.

The Ethics Committee observed as under:

Dr. Manjunath B. V., Joined as SR Radio diagnosis but during inspection changed to Asst Prof. From the records & his statement it seems he was appointed for MCI inspection only on a one time payment basis. It was observed that Dr. Manjunath. B.V. at the age of 52 years was appointed as Sr. Resident after having worked as a consultant in his specialty which itself reflects that the appointment was solely for the MCI inspection.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Manjunath B. V., have come to the unanimous decision that Dr. Manjunath B. V. has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

“Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Manjunath B. V. constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council India register for a period of **four (04) years**.

Sl. No. 8

Dr. Chitgopeker Vijay (F.No. 10)

Statement submitted by CBI

“Statement of Dr. Chitgopeker Vijay, S/o Shri Srinivas Rao Chitgopeker, earlier worked as Sr. Resident (Radio Diagnosis), Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur. Age : 56 years, presently doing -freelancing at Bangalore. Perm. Res. - No.15/23, 1st D-Main Road, 2nd Phase, Girl Nagar, Bangalore - 560085, Mobile # 09886835155, Phone # 080-26725489 (R).

I did my MBBS from M.R. Medical College, Gulbarga in the year 1978 and Registration No. is 16822 dated 24.08.1978 under Karnataka Medical Council. Later on, I did my Diploma in Radio Diagnosis in the year 1986 from the same College. After completion of Diploma in Radio Diagnosis, I worked for eight years in Saudi Arabia and came back to Gulbarga; where I worked for 3 years. Thereafter, I shifted to Bangalore in the year 1998. Since then, I am working in Bangalore.

In April 2009, I was contacted by a friend of mine who told me that there was a vacancy of Senior Resident in the Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research and that I would be paid Rs. 12,500/- P.M. He told me that I have to attend the College

only as and when required by the college officials. My friend asked me to meet a faculty member by name Dr. Krishnan, who was then working in the College. I agreed to the proposal since I thought I would that if the college was good I would get a permanent job there. Accordingly, I went there with my papers on 05.04.2009. Dr. Krishnan directed me to the college officials who scrutinised my papers and I was given appointment on the same day. After this, I returned to Bangalore.

After that in the last week of April, 2009 I was called over on my mobile by some one among the staff and was asked to come over to Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research to attend the MCI inspection which was to take place any time in the next few days. I left for Chennai immediately and stayed for three to four days and returned to Bangalore after attending inspection during this period. I remember the date of inspection by MCI as 30.04.2009. I was paid salary of Rs. 25,000/- by cash.

After this, I was called to the college only in March 2010 by the office staff. Around a week prior to the MCI inspection i.e. 29.03.2010, they had called me up and asked me to come over. I had gone there on 22.03.2010 and stayed for four/five days in the "round building" in the college campus but no inspection took place that week. I returned to Bangalore on Friday night and came back on Monday morning i.e. 29.03.2010. On that day, inspection took place and I was present during inspection. My papers were scrutinised by the MCI team and my identity was confirmed by them. I returned to Bangalore on the same day.

After that I was paid the salary through bank i.e. 513I, Hanumant Nagar, Bangalore which is near to my house since they wanted an account in a local. SBI branch. I received the payment of Rs.12,500/- per month from April 2009 to July 2010 even though I was not required to attend the college.

On being asked I state that I have attended the Melmaruvathur Adhi Parashakthi Institute of Medical Sciences only on these 2 occasions. I have not been called ever since.

I am shown my Declaration form given to the MCI dated 04.03.2010. This has been signed by me and I confirm that the contents of the same are correct except the fact that I am not a regular employee of the College and in fact I have not worked in the College at all. The entries in the said form are not in my handwriting.

On being asked I state that, I had joined the College under the impression that would be made a permanent faculty member of the College. However, as time passed by since there was no call from the College, I understood that they were not inclined to take me on their rolls.

I am shown the Appointment Order and Joining report dated 05.04.2009. I confirm that these are papers which are related to my employment and the joining report was signed by me. I have paid the Income Tax in respect of this income showing it in my tax returns as received from other sources.

I did not resign from the college as such. Later, they had sent me the relieving order."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Chitgopeker Vijay stated that he joined MAPIMS as Sr. Resident from 05.04.2009 to 31.07.2010. He has not commented on the regularity of his working and stated that he was not working in any other college. However, he attended the college from 26.04.2009 to 29.04.2009 (05 days), 22.03.2010 to 26.03.2010 (05 days) and 29.03.2010 i.e. total of 11 days in one year and three months job. He did not take any classes. He stated that he was appointed as retainership and promised to be made full time faculty in due course time but not made full time faculty, so resigned. He was present during the MCI Inspection on 28/29.03.2010. He could not continue the job because of major surgery. He stated that he received total Rs. 1,87,000/- (Rs. 12,500/-) per month for 15 month in cash. Amount mentioned in column 10 of declaration form was credited to his account but he said that he never work for a single

day in the Department of Radio-diagnosis. Amount paid was actually in view of appearing for MCI inspection in March, 2010. During the above period he was engaged in private in Bangalore and Form – 16 was not provided by the college authorities. He stated that the blank declaration form was not signed by him and later filled by the college peoples.

The Ethics Committee observed as under:

Dr. Chitgopeker Vijay, At 63 yrs of age worked as Sr. Resident, Radiodiagnosis, is strange, it is evident from the records & statement that he was only employed for MCI inspection purpose. He was practicing elsewhere simultaneously. Falsely declared to be full time.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Chitgopeker Vijay, have come to the unanimous decision that Dr. Chitgopeker Vijay has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Chitgopeker Vijay constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Dr. Manjiri Vasant Rao Morab (F.No. 11)**Statement submitted by CBI**

"Statement of Dr. Manjiri Vasant Rao Morab, aged 35 years, W/o Dr. Mukund Madhavrao Joshi, earlier shown as working as Senior Resident, Department of Radiology, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur; Clinic: "Nalini Diagnostic Centres, Vazirabad, Nanded, Maharashtra. Perm Add: Flat No.7, Sanman Gardens, Borban, Vazirabad, Nanded, Maharashtra - Pin-431601 Mobile No. 09890067811.

I did my MBBS from M.I.M.S.R. Medical College, Latur Distt. Maharashtra in the year, 1998 and was registered vide registration No.89822 dated 26.02.1999 with the Medical Council of Maharashtra. I passed my MD in Radiology from S.R.T.R. Rural Medical College, Ambegojai, Distt. Beed, Maharashtra in the year, 2002. Following this, I worked as Lecturer (Temporary) in Radiology during the period March, 2003 to November, 2005. Since November, 2005, I am practicing In Nanded privately.

In 2009, I came to know from my friends that there was a vacancy of Senior Resident In the Deptt. of Radiology in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur. Some time in June 2009, I contacted the office of the said institute and talked to Shri Ramabhadran, whose name was suggested to me by my friends, who asked me to come to the College with the relevant papers as and when they called me. During the said talk, nothing was told about the salary, I was only told that I would be paid some amount. He also asked me to produce the required necessary documents regarding my qualification and experience when I came to Melmaruvathur.

I was thereafter, called by Shri Ramabhadran some time in the second week of January, 2010. I went to the College on 18.01.2010 and was made to stay in the "round building" next to the Om Shakti temple for two days as per the instructions of Shri Ramabhadran. I also attended to the deptt during this period. My signatures were taken on several sheets of papers related to my appointment by Shri Ramabhadran and told me that I would be called as and when my services are required. He told me that I would be considered as a Visiting Faculty member. Thereafter, I returned to Nanded. At the end of the stay, I was paid Rs.1.25 lakhs by Shri Ramabhadran in cash as half the package.

After this, I was called on 18th March, 2010 over phone to come over to the College so as to attend the MCI inspection. I came on the night of 21st March, 2010 and stayed till 25th. Since the MCI inspection did not happen, I returned to my home town. Again, I was called on 28th March, 2010 to attend the College immediately. For this the College sent tickets by e-mail and I flew from Hyderabad to Chennai and reached Chennai by evening around 7 PM. Dr. Ramesh, Dr. Chandolker who were also from Nanded were also in the same flight. A tempo traveler came from the College to pick us all up. There were some Doctors from Bangalore also coming to attend the MCI inspection who reached there around the same time and who were picked up in the same Tempo traveler. We were taken in the same vehicle to the College that evening and remained in the College up to 30th March, 2010. I had attended the MCI inspection held In the month of March, 2010. I was paid the remaining amount of the package of Rs.1.25 lakhs on the day before leaving to my home town. On 30.03.2010 all the Doctors who came only for MCI inspection were taken to the Chennai Airport by Tempo traveler. There were several Doctors in this group. Those from Nanded left from Chennai together.

I am shown the declaration form of MCI for 2010-11 dated 04.03.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full time teacher.

On being asked, I state that I cannot say that I worked full time as at the time of joining they had not asked me to work on a full time basis and they had specifically wanted me to be

there only for MCI inspection. In fact, I had wanted to get a regular employment in the College and hence stated that I was working on a full time basis. There are certain mistakes in the Declaration Form regarding my qualification details 'which was filled up by the office staff.

On being asked I state that the said form was handed over to me blank while obtaining my signature. That is why the mistakes mentioned above regarding my personal particulars appeared in the said form.

I am shown the appointment order, joining report form and quarters allotment order all dated 01.06.2009. I had not stayed in the Doctors' quarters of the college whenever I came on duty. The joining report bears my signatures, which I identify. I have not been given my Appointment order and Quarters allotment order while I came for the first time in January, 2009. Only at the time of MCI inspection was I given these orders and told that if the Inspection team asks me I should produce them.

On being asked I state that the date of joining given in these orders i.e. dated 01.06.2009 was wrong since I had not visited the college then.

I have not signed on any attendance register of the department of Radiology since the college did not require me to do so.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 35,000/- having been paid to me for the month of March 2010. The amount stated is not correct. The payment was made as stated above. This voucher was signed at my home on the instructions of Shri Ramabdran who sent two persons from Hyderabad to my home in July 2010 to get the signatures on a bunch of similar vouchers. The person who came told me that he was a devotee of Adhi Parashakthi and that whatever I was doing i.e. signing the vouchers which were blank for the salary was for the sake of the college. I had signed the vouchers since I had received the package salary as promised by the college.

On being asked I state that I have paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur even though they have not given me the TDS Certificate on the basis of the actual payment received. Since there was no cash receipt to show the receipt from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur it was simply shown as part of my annual income and not specifically mentioned in my IT Returns.

I am furnishing a copy of the Relieving order from Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, Melmaruvathur which was given to me as per my request, for the purpose of investigation."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Manjiri Vasantrya Morab stated that she joined MAPIMS as Assistant Professor, Radiology on 01.06.2009 and relieved on 31.07.2010. She stated that she was fairly regular faculty at the college and not working in any other college. She stated as there were no classes held she could not take any classes. After joining on 01.06.2009. She stated that as she had personal problems and could not work, hence home after 08 days of joining. Again returned on 18.01.2010 for few days and went home. College authorities contacted in the month of March, 2010 for MCI inspection and so attended the inspection in the month of March, 2010. She received Rs. 2,50,000/- in cash at that time. She did not sign any attendance register. She stated that she was made sign on a blank declaration form in Jan, 2010. She stated that while she was in home she was in private practice.

The Ethics Committee observed as under:

She will prove that sometime in the second week of January, 2010, she was called to the college & stayed there for 2 days awaiting MCI team. She was told

that she would be considered as a Visiting Faculty member. Before she returned to her hometown, Nanded, she was paid Rs. 1.25 lakhs by the college in cash as half of the package. Again, she was called on the 27th March, 2010 to attend the college & she came on 28th of March, 2010 & remained in the College upto 30th March, 2010 & attended the MCI inspection held in the month of March, 2010 & was paid the remaining amount of the package of Rs 1.25 Lakhs on the day before she left for her hometown on 30th.

There is discrepancy in her statement to CBI where she says she went to the college in second week of Jan for the first time and statement given to MCI where she says she joined on 1st June 2009. She was paid in cash Rs. 2.5 lakh/- She did not submit form 16. Signed on blank document provided by the college. Practically went only for attending MCI inspections. Did not sign any attendance register.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Manjiri Morab have come to the unanimous decision that Dr. Manjiri Morab has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Manjiri Morab constitutes PROFESSIONAL MISCONDUCT, which renders her liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of her name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Dr. S. Thiagarajamurthy (F.No. 13)**Statement submitted by CBI**

"Statement of Dr. S. Thiagarajamurthy, S/o Shri P. Sundaramoorthy, earlier working as Sr. Resident, General Surgery, in Melmaruvathur Adiparasakthi Institute of Medical Science and Research, Melmaruvathur, Age : 40 yrs., presently working as Cardio Thoracic Surgeon, Billroth Hospital, Chennai, presently residing at No.34, Krishnapuri Main Street, R.A.Puram, Chennai-28, Permanent resident of No.23, Srinagar, B.R.Puram, Peelamedu, Coimbatore - 641004, Mobile # 9677027911, 044-24622692 (R).

I had worked as above in the Melmaruvathur Hospital from the end of 2006. Some time in June'2010, I was told that my services were not required till some time and I discontinued my services there.

I did my MBBS in the year 1987 to 1993 from Coimbatore Medical College, Coimbatore vide Registration No.52351 dated 08.03.1993 from Tamilnadu Medical Council. After completion of MBBS, I did my M.S. from B.J. Medical College, University of Pune in the year 1996. After this, I did my F.R.C.S. at London. Once I came back to India in 2006, I started working with Frontier Lifeline - Dr. K.M. Cherian's Heart Foundation, Mogappair for six months. jATlif Mit, I betarrie engaged In Opening a Cardio Thoracic Department in Billroth Hospital, Chennai.

While working in Billroth Hospital, I met [Jr. Ramesh, MD of Melmaruvathur Adiparasakthi Hospital, who was a friend of mine since college days. He requested me to join his College and to work as a General Surgeon. Even though, I was not a General Surgeon and my specialty was Cardio Thoradc, since Melmaruvathur Adiparasakthi Hospital did not have a Cardio Thoracic Unit, I was treated as a General Surgeon and was asked to attend the Hospital as per the requirements of the hospital since there was inadequate staff situation. Hence, there was no fixed timings or days of attendance and I was not required to sign the register for this purpose. When I joined the said Hospital, the Medical College had not started functioning.

I have also not been required to teach the undergraduate students. After joining Melmaruvathur Adhiparasakthi Hospital, I was doing freelancing also since I used to visit, Melmaruvathur Adhiparasakthi: Hospital On a case to case basis and not on daily basis, as my services was not required by the hospital on a daily basis.

I was not formally offered any salary for my work in the above hospital. Whenever I use to visit the hospital, the payment made by the hospital was only nominal i.e. to cover the travel and journey part. Actually I was more interested in setting up a cardio thoracic unit in the Melmaruvathur Adiparasakthi Institute of Medical Science and Research, and so I was not much interested in the money part. Starting a cardio thoracic unit there would benefit thousands of patients in and around the area and hence my interest.

I am shown the cash voucher dated 07.04.2010 for Rs. 35,000/-. This payment stated to have been made by me is not correct as I was not being paid this amount and there was no monthly amount paid for my work. This was more of a service oriented work.

During February, 2010 I was not present during the inspection by MCI held in February, 2010, because of the reasons stated above. I was present during the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 29.03.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the form are not in my hand writing. Though is written that I was not working elsewhere, I had agreed to work there in part time, since I was not required to do and salary received was also small.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 02.04.2008. I confirm that these papers are related to my employment. The Joining Report has been signed by me, but does not bear my hand writing.

On being asked I hereby state that I have filed my income Tax Returns for the financial year 2010-11 does not include any payment made by the college, since I have not been given any payment."

Statement submitted to Medical Council of India by the alleged doctor

Dr. S. Thiagarajamurthy stated that he joined MAPIMS as Sr. Resident of General Surgery in 02.04.2008 and became Assistant Professor in 2009 and work till June, 2010 (he mentioned that he was attached with the hospital since 2006 even before the medical college started and was treating patient regularly). He stated that he attended clinical work regularly and also attended emergency cases and he taken classes for paramedical staff. He stated that he has not worked in any other medical college. He stated that he did not take any classes for undergraduate students since there was only 1st year students and he has not asked to do the same. Although he has taken 20 or more classes for paramedical staff and students. He stated that he was not sure regarding his presence in the college on 22.03.2010 but was sure for MCI inspection on 29.03.2010. He stated that he has received Rs. 30,000/- for travel and subsistence and his work was purely based on non – monetary terms. He stated that as the college authorities has philanthropic, with religious background and were doing lot of good work to poor patient he did not insist for his pay and he was also involved in many cardiac screening camps at MAPIMS. He stated that he was involved in private practice including Cardio Thoracic surgery along with anaesthetists Dr. Mahadevan and Dr. Nedumaran in Chennai in Billroth Hospital. As Form – 16 was not provided by the college authorities the same could not be filled. He stated that the declaration form was not filled by him but signed by him.

The Ethics Committee observed as under:

He has served in Melmaruvathur Adhiparashkti Institute of Medical Sciences & Research, for a short period and that he had resigned from it for personal reasons. He was paid salary in cash and had signed the cash voucher.

He joined the medical college as a Sr. Resident in General Surgery on 02.04.2008 even though he was actually a cardiovascular surgeon aged about 39 yrs at the time of joining. Did not attend the medical college and hospital regularly. Simultaneously he was working in Billroth Hospital at Chennai as a consultant CTVS surgeon. Attended inspection in March. Signed the forms which was not filled by him.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. S. Thiagarajamurthy have come to the unanimous decision that Dr. S. Thiagarajamurthy has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure

in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. S. Thiagarajamurthy constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 11

Dr. Naresh V (F.No. 14)

Statement submitted by CBI

"Statement of Dr. Naresh V, S/o Shri Laxamaiah, aged 58 yrs., Sr. Resident (General Surgery), MAPIMS, Perm. Address : House No.6-1-132/61, Padmarao Nagar, Post Sitapal Mandl, Secunderabad, Andhra Pradesh-61. Mobile No. 09848016449.

I am as above. I completed my MBBS in the year 1977 from Osmania Medical College, Hyderabad, Andhra Pradesh vide Registration No. 7601 of 1978 issued by Hyderabad Medical Council. After completing my MBBS, I did my Post Graduation in General Surgery in the year, 1979 to 1981 from. Osmania Medical College, Osmania University. After that I worked overseas for 15 years then came to India in 2000 and did private practice in Hyderabad in Gastro Enterology Centre, at 6-1-118, Belvedere Garden, Opp. Scandagiri Temple Lane, Padmarao Nagar, Secunderabad. Thereafter, I joined Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Medical College on 22.02.10 as Senior Resident in General Surgery Deptt.

I joined Melmaruvathur Hospital through a friend of mine, Dr. Naresh in Anaesthesia who referred me. As per the Terms and Conditions orally agreed upon, I was to attend to the college for 2 days in a week (Tuesday and Friday) for which I am given the to and fro allowance to attend the Hospital. I also have to attend the Operation Theatre and to take classes for the Junior Residents. This arrangement was agreed upon by the management of the Institute. I still continue to be working in the said Institute.

My salary is Rs. 28,000/- per month which I have received through cash. I am shown the cash voucher dated 07.04.2010 containing the payment of Rs. 28,000/- made to me which I confirm as containing my signature.

I am shown my Declaration form given to the MCI dated 23.03.2010. This has been signed by me and I confirm that the contents of the same are correct. The entries in the form are mostly in my hand writing.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 22.02.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me but does not bear my hand writing. While working in Melmaruvathur, I was living in D-2, Lakshmi Apartments, Melmaruvathur Medical College Hospital.

During March, 2010 I was working in the Melmaruvathur Adhiparasakthi Institute of Medical Science and Research. I was present during the inspection by MCI held in March, 2010 only.

I was not required to sign the Attendance Registers of the faculty members of the Hospital.

On being asked I hereby state that I have not been given Form-16 by the College so far for the relevant period. I am filing the IT Returns but it does not contain the details of salary received from Melmaruvathur since they did not provide the Form -16.

On being asked I state that I cannot say I was working full time in the above college even though it is stated so in the Declaration Form."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Naresh V stated that he joined MAPIMS as Sr. Resident of General Surgery in 22.02.2010 and still continues to work regularly. He was present during the MCI Inspection on 28/29.03.2010. He stated that he has received Rs. 23,000/- per month by cash despite his request for payment through cheque. He did not submit Form - 16 for the salary received but filled his Income Tax return for private practice. He said that the blank declaration form was signed by him and was not filled by him. He stated that he has not signed on any attendance register. On weekend he returned to home town in Hyderabad and did private practice there. He also stated that as his mother-in-law was ill due to sepsis and respiratory failure, he used to visit her in between.

The Ethics Committee observed as under:

He joined Melmaruvathur Adhiparashkti Institute of Medical Sciences & Research, Melmaruvathur on 22.02.2010 under the condition that he will attend to the college for two days a week. Received salary 28,000/- Rs per month by cash. Did not sign attendance register. Not given form 16.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Naresh V have come to the unanimous decision that Dr. Naresh V has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure

in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

“It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.”

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Naresh V constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 12

Dr. Bhuva Bhavin Ambavibhai (F.No. 16)

Statement submitted by CBI

“Statement of Dr. Bhuva Bhavin Ambavibhai, (aged 34 years) S/o Shri Ambavibhai, working as Associate Professor, Department of Surgery, Melmaruvathur Adhi Paraliakthi Institute of Medical Sciences and Research, Melmaruvathur. r/o Qrtr No. C-9. Lakshmi Qrts., Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur , Perm Add: 202, Shubhlakshmi Apartments, 150 feet, Ring Road, Rajkot Phone No. 9909917517.

I am working as above since June, 2009. I still continue to work there. I did my MBBS from B.J. Medical College, Ahmedabad in the year, 2001 and was registered vide registration No.G 32133 dated 31.12.2002 of Gujarat Medical Council. Subsequently, I did my PG in Surgery from NHL Medical College, Ahmedabad in the year, 2003 and was registered vide No. 12209 dated 9.7.2003. After passing out from the same I joined Health and Education Department of Gujarat State and was posted as an Asstt. Professor in Government Medical College, Surat in March, 2004. I worked there as Asstt. Professor till 25th March, 2009 when I resigned from the College since the pay was poor and chances of promotion was also bad.

I came to know about the vacancies in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur from a friend of mine and contacted the College authorities. I was asked to come for a formal interview. I was told that I have to work for about 12 days in a month depending on the requirements and that my salary would be Rs.35,000/- a month. The salary would be deducted to the extent of leave taken by me during the month. I agreed to the conditions and joined on 20.06.2009. I was posted as Associate Professor in the Surgery department. I am attending to both classes as well as Operation Theater.

I had attended the MCI inspection held in the month of March, 2010. I am shown the declaration form of MCI for 2010-11 dated 13.02.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full

time teacher. However, I cannot say that I worked as full time as at the time of joining they had put forward the condition that I work for around 12 days in a month.

On being asked I state that I am not in a position to work full time since my family is far away and that was the reason I joined under their terms and conditions.

I am shown the appointment order, joining report form and quarters allotment order all dated 20.06.2009. I am staying in the quarter in the college whenever I come on duty. The joining report bears my signatures, which I identify.

I am shown the attendance register of the department of Surgery. It is seen that my name does not appear in the said register. I remember to have signed on some register which I cannot recollect now.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 45,000/- having been paid to me. The amount stated is not correct. However, they had, in fact they paid me around Rs. 3.25 lakhs over a period of time in 3 to 4 installments. As per the terms and conditions I should have got more than this amount.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaru Vathur since they have not given me the TDS Certificate.

Statement submitted to Medical Council of India by the alleged doctor

Dr. Bhuva Bhavin Ambavibhai stated that he joined MAPIMS as Associate Professor of Surgery in 20.06.2009 and relived on 29.07.2011. He was regular and worked all working days. He was present during the MCI Inspection on 28/29.03.2010. He stated that he has received Rs. 35,000/- per month by cash despite his request for payment through cheque. He did not receive and hence did not submit Form - 16. He said that the blank declaration form was signed by him and was not filled by him. He stated that he has not signed on any attendance register."

The Ethics Committee observed as under:

He was working as such since June 2009. He was told that he had to work for about 12 days in a month depending on the requirements & that his salary would be Rs. 35,000/- a month. He stated that he was not in a position to work full time since his family was far away & that was the reason he joined under their terms and conditions. They had paid around Rs. 3.25 lakhs over a period of time in 3 to 4 installments.

He stated that, he attended college regularly, and was paid Rs. 35,000/- per month in cash. Signed declaration form which was not filled by him. He has not signed the attendance register

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Bhuva Bhavin Ambavibhai have come to the unanimous decision that Dr. Bhuva Bhavin Ambavibhai has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician

should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Bhuvu Bhavin Ambavibhai constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 13

Dr. K. Mylsami (F. No. 18)

Statement submitted by CBI

"Statement of Dr. Mylsamy, S/o Shri Kandasamy, earlier working as Associate Professor, General Surgery, in Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Melmaruvathur, Age : 62 yrs., presently working as Professor, Mahatma Gandhi Medical College, Pondicherry, presently residing at No.104, PG Quarters, Mahatma Gandhi Medical College, Pondicherry, Permanent resident of No.2-13, Sitaram Apartment, Malaviya Street, Ram Nagar, Coimbatore-641009, Telephone # 0422-2236373 (R), Mobile # 9488750332, 9842250330.

I completed my MBBS from Coimbatore Medical College in 1972 and was registered vide No. 24706 dated 17.01.1975. After completion of MBBS, I joined the Tamilnadu Govt. Service in Aliyar Govt. Dispensary in 1978. Over the years, I served in different hospitals in different places in the state and retired in May 2007. During the course of my tenure, I passed my PG in General Surgery in 1981. After retirement, I was practicing in Coimbatore privately.

While practicing privately, some time in the last week of January 2009, I was contacted by a Doctor from Chennai asking me to contact officials in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur as there was a vacancy for the post of Associate Professor in the college. Accordingly, I went to college on 01.02.2009 along with my papers and proceeded to meet the concerned officials of the college including the Dean and Shri Ramabhadhran who is the Administrative Officer of the College. I was given the appointment order on the same date.

In 2009, there was an MCI inspection, a few days before which they called me and asked me to come telling that there would be an inspection. Once, the inspection was over, they paid me Rs. 80,000/-. After that, I was called to work for two to three days every month. But no payment was made by way of salary. Subsequently, in March 2010, I was called again for

attending the inspection. After the inspection was over, I was paid Rs. 2,00,000/- the next day. After the inspection also, I was called to the college on a few days. I stopped attending the college after April 2010, since they were not paying regularly except for those employed on a regular basis and also because, I got better offer subsequently in November 2010 from Mahatma Gandhi Medical College where I am now working.

I am shown the declaration form dt.02.03.2010. This has been signed by me and I confirm that the contents of the same are correct as regards my personal details. The entries in respect of the salary paid is not correct. The entries in the form are not in my hand writing. The declaration in this form in respect of my undertaking that I was working as a full time faculty member etc. and that I was not practicing anywhere else etc. was not noticed by me, since these were filled-up routinely by the office staff and not by me.

I am shown the cash voucher dtd.07.04.2010 showing that I have been paid Rs.45,000/-, I confirm having signed this, however, this amount has not been received by me. The voucher in respect of the payments of Rs. 80,000/- and Rs. 2,00,000/- have been taken separately.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 01.02.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me and bears my hand writing.

On being asked I hereby state that I have filed my Income Tax Returns for the financial year 2010-11 does not include any payment made by the college, since I have not been given any payment."

Statement submitted to Medical Council of India by the alleged doctor

Dr. K. Mysami stated that he joined MAPIMS as Associate Professor of Surgery in 01.02.2009 and relived on 31.07.2010 and he was staying in quarters of the campus. He was regular and worked all working days. He was present during the MCI Inspection on 28/29.03.2010. He did not take any classes as there was no clinical posting for students. He stated that he has received Rs. 80,000/- in cash after first few months and then Rs. 2,00,000/- in cash. He stated he never took classes as there was no clinical students posted in surgery. He did not receive and hence did not submit Form - 16 but regularly submitting income tax. He said that the declaration form has not seen filled by him in his own handwriting.

The Ethics Committee observed as under:

Doctor K. Mysami: Age 60 years. He has been shown as associate professor in general surgery and his date of joining has been shown as 01-02-2009. From his statements given to investigating agency and before the ethics committee of MCI, provides convincing evidences to prove that Dr. K.Mysami was not working as the full time faculty in the department of surgery of the medical college. Hence he has violated the professional conduct, Etiquette and ethics regulations 2002.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. K.Mysami, have come to the unanimous decision that Dr. K.Mysami has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. K.Mylsami constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Dr. Ramesh Limbajirao Renge(F.No. 19)

Sl. No. 14

Statement submitted by CBI

"Statement of Dr. Ramesh Limbajirao Renge, S/o Shri Limbajirao Renge, aged 39 years, earlier shown working as Asst. Professor, Department of Paediatrics, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur; Clinic: Vivekanand Balarugnalaya, Doctors Lane, Nanded, Maharashtra. Perm Add: Shivaji Nagar, Opp Hanuman Mandir, Nanded, Maharashtra - Pin-431601 Mobile No. 09970178549. Land Line: 02462-247042.

I did my MBBS from Govt. Medical College, Nagpur, Maharashtra in the year 1994 and was registered vide registration No. 77164 dated 14.07.1995 with the Medical Council of Maharashtra. I passed my MD in Paediatrics from Indira Gandhi Medical College, Nagpur, Maharashtra in the year, 2001 and was registered vide registration No. 223016 dt 24.06.2005.

Following this, I worked as Temporary Lecturer in Paediatrics during the period March, 1998 to March, 2001. 'Afterwards in February, 2002 I joined the above clinic where I continue to work till date.

In November, 2009, I came to know from my friend, Shri Sachin Chandolkar that there was a vacancy of Senior Resident in the Dept of Paediatrics in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur. Some time in November 2009, I contacted the office of the said institute and talked to Shri Ramabhadran. He asked me to come to the College with the relevant papers then. However, since I was busy in November I could get

time only in December, 2009. I informed him accordingly and he agreed to it. He also told me that my presence was meant only for the purpose of Medical Council of India inspection. During the said talk, nothing was told about the salary, I was only told that I would be paid some amount. He also asked me to produce the required necessary documents regarding my qualification and experience when I came to Melmaruvathur. He sent me the air ticket to Chennai and I visited the Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur in December 2009. I do not remember exactly when I visited the college.

On reaching the college I contacted Shri Ramabhadran. He saw my qualifications, took photocopies of the same and returned the originals to me. He gave me the Declaration form and asked me to sign the same on some places. He told me that he would get the same filled up later. The same was filled up by his staff. During the visit which lasted for a day I was picked up at the airport and also dropped at the airport on the same day by the college authorities who had sent a car for this purpose.

During the said visit, after the Declaration form was signed I was given a sum of Rs 1.25 lakhs by cash by Shri Ramabhadran when I contacted him in his chamber. I was not taken to any senior faculty member like the Dean/Principal or any one else from the Paediatrics deptt. in this connection. After receiving the cash, I left. He also told me that he would contact on a later date at the time of MCI Inspection.

I tried to find out more about the deptt. of Paediatrics and also to know more about the same. I also tried to find out about the residential accommodation facilities with the college. But Shri Ramabhadran did not give any clear reply regarding this. It appeared that they were not keen in keeping me on a regular basis.

I was next called in the month of March, 2010. I refused to come since I felt that their attitude was not to keep me on a regular basis whereas it was my intention to be employed on a regular basis. In the 2nd week of March, 2010 I was again called by Shri Ramabhadran, but I refused to come. He again called me in the 3rd week of March, 2010 and told me that I should come since it was a question of the future of the college students who were already enrolled and studying there and all that. Since I had already received some money and hence obliged to him I could not refuse it this time and decided to go.

This time also, I was sent an air ticket from Hyderabad to Chennai for 27.03.2010. When I reached Chennai airport, 2 others also had come in the same flight from Hyderabad, viz. Dr Manjiri, whom I already knew and Dr. Sachin Chandolkar another doctor from my home town, Nanded. A Tempo Traveller had picked up us and I came to know there were also some more people. I remember Dr. Jagadish, Dr. Binny etc.

Accordingly, I came on 28th evening and remained in the College up to 30th March, 2010. I had attended the MCI inspection held in the month of March 2010. I was paid the remaining amount of the package of Rs. 1.25 lakhs on the day before leaving to my home town. I left the college and returned to Nanded. While returning Dr. Manjiri, Dr. Binny, Dr. Ade and Dr. Asmita Deshmukh were there along with me. We were also given the return ticket.

I am shown the declaration form of MCI for 2010-11 dated 29.03.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full time teacher. I did not notice the declaration made therein at that point of time. As such, I wanted to continue as a faculty member.

On being asked, I state that I cannot say that I worked full time as at the time of joining they had not asked me to work on a full time basis and they had specifically wanted me to be there only for MCI inspection.

On being asked, I state that the said form was handed over to me blank while obtaining my signature.

I am shown the appointment order, joining report form and quarters allotment order all dated 01.12.2009. I had not stayed in the Doctors' quarters of the college when I went for the MCI inspection. I was staying in the "round building" of the Temple side. The joining report bears my signatures, which I identify. I have not been given my Appointment order and Quarters allotment order while I came for the first time in December, 2009.

I have not signed on any attendance register of the department of Paediatrics since the college did not require me to do so.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 35,000/- having been paid to me for the month of March 2010. The payment as stated is not correct. The payment was made as stated above. This voucher was signed blank. This was because Dr. Ramesh, MD along with Shri Ramabhadran and some person whom I do not recollect, called all of us who were brought for the purpose of inspection, i.e. around one dozen and told us to sign blank vouchers and that they would give our TDS certificates later on. He said that since everyone was paid in a different way there was difficulty in accounting and hence he was asking us to sign on blank papers. I had signed around 5-6 vouchers since I had received the package of salary as promised by the college. They wanted to show a voucher for every month.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi institute of Medical Sciences and Research, Melmaruvathur so far since they did not give me the TDS Certificate on the basis of the actual payment received. I waited for the college authorities to send the same. I intend to pay it shortly this AY without the TDS certificate by declaring it on my own.

I am furnishing a copy of the Relieving order 30.06.2010 from Melmaruvathur Adhi Parasakthi Institute of Medical Sciences and Research, Melmaruvathur which was given to me as per my request, for the purpose of investigation."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Ramesh Limbajirao Renge stated that he joined MAPIMS as Assistant Professor of Paediatrics in 01.12.2009 and relived on 30.06.2010 and he was staying in quarters of the campus. He was fairly regular in his duty for all the working days. He was present during the MCI Inspection on 28/29.03.2010. He did not take any classes as there was no clinical posting for students. He stated that he has received Rs. 2,50,000/-. He stated that there was no batch in final year but conducted few clinic for second year students as long as he remembered. He did not receive and hence did not submit Form - 16 but regularly submitting income tax. He said that the declaration form was not filled by him but some one else with his knowledge seen filled by him in his own handwriting.

The Ethics Committee observed as under:

Dr. Ramesh Limajirao Renge:- Age 38 years. He has been shown as full time faculty as assistant professor in pediatrics and with date of joining 01-12-2009. In the statements given before CBI officials and before the ethics committee of Medical Council of India, It becomes evident that the concerned Doctor was not a full time faculty of the institution as in his statements he has mentioned that I have not signed any attendance register of the dept. of the pediatrics since the college did not require me to do so. Further in his statements on declaration form he has said "The declaration form states that I am working as full time teacher. I did not notice the declaration made therein at that point of time. As such, I wanted to continue as a faculty member, I am shown the declaration form of MCI for 2010-11 dated 29.03.2010. The declaration form has not been filled in by me, but is signed by me at two places". This provides logical evidence that he was not a full time faculty of the college. Hence he has violated the professional conduct, Etiquette and ethics regulations 2002.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Ramesh Limbajirao Renge, have come to the unanimous decision that Dr. Ramesh Limbajirao Renge has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Ramesh Limbajirao Renge constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Sl. No. 15

Dr. Vishnu Prasad Madhusudan Bapat (F.No. 20)

Statement submitted by CBI

"Statement of Dr. Vishnu Prasad Madhusudan Bapat, (aged 59 years) 510 Shri Madhusudhan Bapat, earlier working as Professor, Department of Pathology, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur presently working as Freelance Pathologist, Vidish Bungalow, S.No. 86/3, Erandavane, near Kamala Nehru Park, Pune 411 004 Phone No. 98220- 14214 ; 020 25672608.

I am working as above since 01.08.2010, earlier I worked in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur from 18.02.2010 to 31.07.2010.

I did my MBBS from B 3 Medical College, Pune, University Pune in the Year 1973 vide Reg. No. MMC-32639 dated 17.12.1974. After this I went on to study MD (Pathology) in the year 1978. After passing out I joined as lecturer in Pathology in the same college from 30.04.1977. Thereafter, I became Reader' in the year 1979. Thereafter I got promotion as Professor in the year 1995. I took voluntary retirement in the year 10th December, 1999. Thereafter, I joined as HOD Lab in Jahangir Hospital, Pune in December, 1999, where I worked till December 2009. I retired from service that year since I completed 58 years.

On 10th March, 2010, I was contacted by one Shri Subramaniam, who asked me if I was interested in joining Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research where there was a vacancy in Pathology Dept. As per the terms and conditions offered I was to be paid Rs. 25,000/- per month and I was to be called for about a week in a month. I informed him that I was interested. He told me that he would contact me later.

In the month of March, 2010 I was first called for 2 to 3 days between 22nd to 25th March 2010 and later during 29th to 30'.

On 12th March, 2010, I proceeded to Chennai, as per the directions of Shri Subramaniam who contacted us at Chennai Airport. On that day I had signed Declaration form. I came over and my papers were scrutinized by Shri Ramabadran. On the same day I was taken in as Professor of Department of Pathology and given the appointment order.

On 22nd March, 2010, I proceeded to Chennai as there was a message from Shri Subramaniam that an MCI inspection was to take place. I was met at the Airport by Shri Subramaniam who picked me up at the Airport and dropped us at the Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research. Dr Varma of Pune also returned on 25th March, 2010 with me on the same day.

For attending the inspection on 29.03.2010, I was called on 28.03.2010. I travelled to Chennai on 28.03.2010 by Kingfisher flight starting at 6.15 PM from Pune and reaching Chennai at 7.30 PM. Dr. (Col.) Verma was also travelling with me to Chennai. The flight reached Chennai and as per instructions we waited at the Airport for a vehicle. After some time other doctors also joined us from Bangalore and Hyderabad. Some of them were from Nanded, Maharastra. I remember, Dr. Manjiri, Dr. Ramesh, Dr. Sachin Chandolker etc, Some Doctors from Mumbai side were also present. All of us left for Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, after some time around 9.00 PM by a Tempo traveller and other vehicles arranged by the College.

After attending the inspection on 29.03.2010, on 30.03.2010 all of us who had come from outside Chennai like Bangalore, Hyderabad, Mumbai etc. were taken back in Tempo traveller to Chennai Airport from where all of us left for our home towns. I had left along with Col. Varma by the Kingfisher flight at 3.30 on 30.03.2010.

During my period in that college I had practically visited only three times after the initial visit on 12.03.10.

I am shown the declaration form of MCI for 2010-11 dated 15.03.2010. The declaration form has not been filled in by me, but is signed by me at two places. The declaration form states that I am working as full time teacher. However, it is not true that I have worked as full time. I was, in fact, not in a position to work full time. A blank declaration form was given to me and I had signed on it under the impression that it was going to be as a visiting Faculty Member.

I am shown the appointment order, joining report form and quarters allotment order all dated 18.02.2010. I have not seen my appointment order nor the quarter allotment letter. I have not stayed in the quarter in the college at any time and I do not know about the quarter allotted to me. The joining report bears my signatures, which I identify.

I have not signed any attendance register during my tenure in Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur.

I am shown the cash voucher towards salary dated 03.04.2010. This shows an amount of Rs. 60,000/- having been paid to me. However, they had, in fact paid me Rupees One lakh at the time of my first visit i.e 12.03.2010 as part payment of the total salary package. The actual package offered was of Rs. 3 lakhs upto 31st of July, 2010 (academic year - August, 2009 to July, 2010). Out of this, the remaining Rs.2 lakhs was paid on 30.03.2010 after the inspection on 29.03.1010.

I have been paid salary by cash only. I remember having signed a blank voucher in token of having received payments towards salary. I was told that I would be receiving the TDS certificate in token of the amount paid. However, I have not received my TDS certificate till date. I have paid my Income Tax dues on the payment received partly for in the previous years IT returns and partly I have to pay in the returns for the AY 2011-12."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Vishnu Prasad Madhusudan Bapat stated that he joined MAPIMS as Professor of Pathology in 18.02.2010 and relived on 31.07.2010. He stated that he was irregular and attended the college after visiting the same on 04 occasions in 08 days (March, 12, 22, 23, 24, 25, 29, 30 and July 14, 2010). He stated that he was called one week - 10 days before the inspection and accordingly was present on 22/23.03.2010 and also 28/29.03.2010. He did not take any classes. He stated that he has received Rs. 3,00,000/- in cash in spite of persistent request to management to pay by cheque & issue Form - 16. He stated that the declaration form not filled by him but signed by him and joining report was not signed by him. There was no attendance register.

The Ethics Committee observed as under:

Dr. Vishnu Prasad Madhusudan Bapat: - Age 59 years. He has been shown as the professor of dept. of pathology and 18-02-2010 as his date of joining, in the statements given before CBI officials and the ethics committee of Medical Council of India. He has stated that during his period in that college He had practically visited only three times after the initial visit on 12-03-2010. The declaration form has not been filled in by him, but is signed by him at two places. In his declaration form, he stated that he was working as full time teacher. However, it is not true that he was worked as full time. He said that, in fact, he was not in a position to work full time. A blank declaration form was given to him and he had signed on it under the impression that he was going to be working as visiting faculty member. Thus this conclusively proves that he was not a full time faculty of the said college and as such he has violated the professional conduct, Etiquette and ethics regulations 2002.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Vishnu Prasad Madhusudan Bapat, have come to the unanimous decision that Dr. Vishnu Prasad Madhusudan Bapat has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient,

prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Vishnu Prasad Madhusudan Bapat constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 16

Dr. Anamalla Naresh (F.No. 21)

Statement submitted by CBI

"Statement of Dr. Anamalla Naresh, S/o Shri Bhomaiah, Associate Professor, Anesthesiology, Melmaruvathur Adhiparashakthi Institute of Medical Sciences & Research, Melmaruvathur, Distt. Kancheepuram. Age: 40 years, Res: C-9, Doctors' Quarters, G.B. Apartments, Melmaruvathur Adhiparashakthi Institute of Medical Sciences & Research. Perm. Address: 6-6-558, Mancheryal Chowrastha, Karim Nagar, A.P. Mobile No. 9963155550.

I am working as above since February, 2010. I did my MBBS from Osmania Medical College, Hyderabad in the year 1997 vide Registration No. 40985 dated 12.01.1998. After completion of MBBS, I was preparing for PG entrance test which I cleared in 1998. I joined MD (Anesthesia) in January, 1999 and I completed the course in February, 2002.

After this I worked as Asstt. Professor in Mamta Medical College, Khammam, AP during the period 1.3.2002 to 30.6.2002. Thereafter, I worked as Asstt. Professor in Prathima Institute of Medical Sciences, Karim Nagar, AP, during the period from 01.07.2002 to 28.02.2007. Thereafter, I was promoted as Associate Professor on 01.03.2008 and I remained in the said College till 30.06.2009. I was doing private work also in between, which the College Management wanted to discontinue. So I resigned from the said post and started practicing privately. In February, 2010, I was told by my colleague working in General Surgery Deptt., Dr. Naresh that there was a vacancy in the post of Associate Professor in the Adhiparasakthi hospital, Melmaruvathur. Accordingly, I met the MD of the Hospital who offered it to me.

On being asked I state that the Terms and Conditions of my employer included working hours from 8-30 AM to 4.00 PM for two to three days a week which is being continued till now. I used to attend to Theater duties and take classes for UG students.

I was offered a consolidated salary of Rs. 45,000/- at the time of joining. which was paid through cash initially for a few months and subsequently in July, 2010 I was asked to open a

bank account for the purpose of crediting my salary. However, I have not been able to do so till now.

I am shown the cash voucher dated 7.4.2010 for Rs. 45,000/-, in which I identify my signature.

During February/March, 2010, I was working in the Melmaruvathur Adhiparasakthi hospital. However, I was not present during the inspection by MCI held in February, 2010. I was present in the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 16.2.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the said form are not in my handwriting. Even though the date of Declaration Form was 16.2.2010, I was not present at the time of inspection on that day, hence my presence is not marked by the MCI in the relevant column.

I am shown the Appointment Order, Joining report and Quarters allotment orders all dated 04.07.2009. I confirm that these are papers are related to my employment. It is true that I had not joined in July, 2009. However, the Hospital asked me to give a back-dated Joining Report since otherwise there would have been a gap in my service after leaving Prathima Medical College and this would not have been acceptable to the MCI.

I am shown the Attendance Registers of the faculty members of the Hospital. I have not been signing till now since I am not able to attend regularly due to personal commitments and since the Hospital management has agreed to this."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Anamalla Naresh stated that he joined MAPIMS as Associate Professor of Anaesthesia in 04.02.2010 and now continued as Professor. He stated that he was regular to OT work and took classed for junior colleagues and there was no attendance register. He went to his village by train on the same day of joining to take care of his sick father and returned to college on 21.02.2010. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 45,000/- P.M. in cash in spite of persistent request to management to pay by cheque & issue Form - 16. He stated that the declaration form was not filled by him but signed by him. There was no attendance register.

The Ethics Committee observed as under:

Dr. Anamalla Naresh: Age 39 years who has been shown as associate professor in dept. of Anesthesiology, 04-02-2010 as his date of joining. In the statements provided before CBI officials and ethical committee he has stated "I am shown the Attendance Registers of the faculty members of the Hospital. I have not been signing till now since I am not able to attend regularly due to personal commitments and since the Hospital management has agreed to this". Further in connection with his joining report he has stated that the Hospital asked to give a back dated joining report since otherwise there would have been a gap in my service and this would not have been accepted to MCI, He has further stated that the entries in the declaration form are not in his handwriting and though the date of declaration form was 16-02-2010, I was not present at the time of inspection on that day. These statements provide sufficient evidence that he was not regular full time faculty of the institution which he has been falsely presented before MCI team during inspection. Hence he has violated the professional conduct, Etiquette and ethics regulations 2002.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Anamalla Naresh, have come to the unanimous decision that Dr. Anamalla Naresh has violated

the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Anamalla Naresh constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 17

Dr. Jogesh Chandra Choudhary (F.No. 22)

Statement submitted by CBI

"Statement of Dr. Jogesh Chandra Choudhury, S/o Shri Brindavan Choudhury, (aged 64 years), working as Associate Professor in Department of Anaesthesiology, Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur, Perm: Add: 931, Mahanadi Vihar, Cuttack-753004 (Orissa) Mobile No.09338100121 0671-2440520.

I am working as above since 09.02.2010.

I did my MBBS from SCB Medical College, Cuttack in the year, 1970 and was registered vide registration No. 3960 dated 06.04.1971 of Orissa Medical Council. Subsequently, I did my PG in Anesthesiology from the same College. After completing my PG, I joined as Lecturer in the same College till 1991. After this, I joined VSS College, where I worked till 1993 when I took Voluntary Retirement. After this I worked as a freelance anesthetist. In March, 2007 I joined Konaseema Institute of Medical Sciences & Research, AP and after wards in Kalinga Institute of Medical Science & Research during the period November, 2008 to October, 2009.

Some time in June 2009, I came to know about Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur from certain friends. I contacted the office of the College some time in December, 2009 and after scrutinizing my papers I was asked to join in the month of February, 2010. Accordingly, on 09.02.2010 I joined the said College.

On being asked I state that it was orally agreed upon that I have to work in the college around 10 days a month. The package offer was Rs.4 lakhs per year. The amount was not being paid on a monthly basis. They were paying some time Rs.50,000/- or at other times Rs.1 lakh etc. I was attending to Operation Theatres most of the time.

I had attended the MCI inspection held in the month of March, 2010.

I am shown the declaration form of MCI for 2010-11 dated 16.02.2010. The declaration form has not been filled in by me, but is signed by me at two places. There are some errors regarding my experience in the said form. Whatever I have stated above in this statement is correct. The declaration form states that I was working as a full time teacher. However, I cannot say that I worked full time as it was agreed upon that would be working only 10 days in a month. In the remaining days I still work as a Free lancer. I am still employed as such in the Melmaruvathur Adhiparasakthi hospital.

On being asked as to why it was declared in the Declaration Form that I was working as a full time teacher, I have to state that it was already agreed that I would work only 10 days in a month as I was far away from my home. My signature was taken on a blank Declaration form. The signature was given in good faith thinking they would fill up correctly.

I am shown the appointment order, joining report form and quarters allotment order all dated 16.02.2010. I was staying in the quarter No. D-8 in the college whenever I came on duty. The joining report bears my signatures, which I identify.

On being asked I state that I was signing on the departmental Attendance Register though it was not reflected in the Attendance Register now shown to me.

I am shown the cash voucher towards salary dated 07.04.2010. This shows an amount of Rs. 45,000/- having been paid to me. I was receiving salary by way of cash throughout my tenure. However, the amount stated therein is wrong since they had taken my signature on blank payment vouchers. I had the impression that they would fill up the amount correctly.

On being asked I state that I have not paid the Income Tax on the salary received from Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur since only small amount was covered during the period March, 2010 and the same will be covered in my next Returns."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Jogesh Chandra Choudhary stated that he joined MAPIMS as Associate Professor of Anesthesia in 09.02.2010 and continued till date. He is attending the hospital regularly and conducting anesthesia for 2 major and 1-2 minor surgery and took classes as advised by the HOD for the undergraduates. There was no attendance register hence could not signed. He was in the college on 28/29.03.2010. He stated that he has received Rs. 35,000/- P.M. in cash did not submit Form - 16 for 09.02.2010 to 31.10.2010 but whatever money received was included in ITR. He stated that he suffering from hypertension, and osteo-orthorities and availed few leaves.

The Ethics Committee observed as under:

Dr Choudhury: He has admitted that he attended college only 10 days a month and worked as a freelancer elsewhere at the same time. Thus he was working only part-

time but is guilty of falsely claiming that he was employed full time at MAPIMS according to his declaration form.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Jogesh Chandra Choudhary, have come to the unanimous decision that Dr. Jogesh Chandra Choudhary has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Jogesh Chandra Choudhary constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **four (04) years**.

Sl. No. 18

Dr. K Nedumaran (F.No. 23)

Statement submitted by CBI

"Statement of Dr. K. Nedumaran, S/o Shri V. Kaliaperumal, earlier working as Assistant Professor, Anesthesiology, in Melmaruvathur Adiparasakthi Institute of Medical Science and Research, Melmaruvathur, Age : 37 yrs., presently working as Consultant in (Chennai Cardiac Centre), Billroth Hospital, R.A. Puram, Chennai - 28, Res : No.72-A, L-Block, 23rd Street, Anna Nagar East, Chennai - 102, Penn. Address: No.16, V.K.P. House, Mayilpalayam, Pattukottai, Thanjavur District, Mobile # 9840599833.

On being asked I state that I did my MBBS in the year 1998 from Rajah Muthiah Medical College, Annamalai University vide Registration No.60908 dated 12.02.1998 from Tamilnadu Medical Council. After completion of MBBS, for few years, I worked as Jr. Resident in the Apollo Hospital, Greams Road, Chennai. Thereafter, in 2001, I joined Kasturba Medical College for PG in Anesthesia. I completed MD (Anaesthesia) in 2004.

I had worked as above in the Melmaruvathur Hospital from 01.11.2007 and left the same on 30.06.2010. Before this, I was working in Meenakshi Medical College, Kancheepuram during March 2006 to October 2007. I had resigned from Meenakshi Medical College since there was a shortage of Anaesthetists in the Melmaruvathur Adhiparasakthi Hospital, Melmaruvathur and Dr. Ramesh who personally knew me requested me to come over and join this Hospital. Since, there were adequate Anesthesists in Meenakshi Medical College, I joined Melmaruvathur Hospital. When I joined the said Hospital, the Medical College had not started functioning.

After joining Melmaruvathur Adhiparasakthi Hospital, I was freelancing also, since I used to visit Melmaruvathur Adhiparasakthi Hospital on a case to case basis and not on daily basis, as my services was not required on a daily basis. I have taken classes Undergraduates, depending on requirements. There was no hard and fast timings or days set for these. For the said reasons, I was not signing any attendance register and was only reporting to the HOD.

I was offered a consolidated salary of Rs. 35,000/- at the time of joining which was paid through cash only. In March, 2010 my salary was Rs. 35,000/-.

I am shown the cash voucher dated 07.04.2010 for Rs. 35,000/-, in which I identify my signature. After joining, I was told that the mode of payment of salary will be through cash.

During February/March, 2010 I was working in the Melmaruvathur Adhiparasakthi Hospital. However, I was not present during the inspection by MCI held in February, 2010, because of the reasons stated above. I was present during the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 16.2.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the form are not in my hand writing. Even though the date of Declaration Form was 16.2.2010. I was not present at the time of inspection on that day, hence my presence is not marked by the MCI in the relevant column. Though in the Declaration form, I have stated to have been working full time, as agreed up on with the college officials I was not required to do so and hence I was not working full time.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 01.11.2007. I confirm that these papers are related to my employment. The Joining Report has been signed by me, but does not bear my hand writing. I have also produced an experience certificate from Meenakshi Medical College, Chennai dated 27.02.2008, certifying that I had worked in Meenakshi Medical College, Hospital and Research Institute during 01.03.2006 to 31.10.2007.

On being asked I hereby state that I have filed my income Tax Returns for the financial year 2010-11 including those amounts which have been paid to me during the year. I am yet to be paid certain dues, which will be included in the IT returns, which will be filed in the next AY. Regarding Professional Tax, it is to state that I have paid Rs.1,500/- to the authorities, which is reflected in the IT returns."

Statement submitted to Medical Council of India by the alleged doctor

Dr. K Nedumaran stated that he joined MAPIMS as Assistant Professor of Anesthesia on 01.11.2007 and relieved on 30.06.2010. He was regular in his duties. He stated that before the medical college was started he has joined Melmaruvathur Hospital as there were inadequate anaesthesists. He stated that he took 1-2 classes in a month. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 1,17,000/- and Rs. 1,05,000/- for the year 2008 - 09 and 2009 - 10

respectively after TDS and submitted Form – 16. He stated that there was no attendance register and declaration form was filled by some one else but signed by him. He further stated that he received salary Rs. 30,000/- pm in cash in simultaneously he was rendering services at Billroth Hospital, Chennai and earning roughly Rs. 1,00,000/- in March, 2010.

The Ethics Committee observed as under:

Dr. Nedumaran has admitted that he attended the college for only 2 days a week and was also working at Billroth hospital, Chennai at the same time.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. K Nedumaran, have come to the unanimous decision that Dr. K Nedumaran has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. K Nedumaran constitutes PROFESSIONAL MISCONDUCT, which render him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 19

Dr. R. Mahadevan (F.No. 24)

Statement submitted by CBI

"Statement of Dr. R. Mahadevan, S/o Shri V. Ramasarny, earlier working as Assistant Professor, Anesthesiology, in Meimaruvathur Adiparasakthi Institute of Medical Science and

Research, Melmaruvathur, Age : 40 yrs., presently working as Consultant in (Chennai Cardiac Centre), Billroth Hospital, R.A. Puram, Chennai - 28, Res : No. 2786, 12th Main Road, 6th Street, Anna Nagar, Chennai-40, Perm. Address : Nagapalayam, Pilikkalpalayam Post, Paramathivelur - 637213, Mobile # 9840095186.

I did my MBBS during the year 1987 to 1993 from Rajah Muthiah Medical College, Annamalai university vide Registration No.53106 dtd. 08.07.1993 from Tamilnadu Medical Council. After completion of MBBS, for few years, I worked as Jr. Resident in K.G. Hospital, Coimbatore. Thereafter, in 1999, I joined Adhichunchungiri Institute of Medical Sciences, Mandya, Karnataka for PG in Anesthesia. I completed MD (Anaesthesia) in 2002. I was Doing freelancing for Chennai Cardiac Center.

I had worked 'as above in the Meimaruvathur Hospital from 27.03.2008 and left the same on 30.06.2010. Before this, I was working in Meenakshi Medical College, Kancheepuram from 02.06.2007 to 08.08.2007. I had resigned from Meenakshi Medical College since Dr. Ramesh, who is known to me since a long time, offered me a post in Melmaruvathur Adiparasakthi Hospital, Melmaruvathur with a payment better than what Meenakshi Medical College offered. When I joined the said Hospital, the Medical College had not started functioning. I was offered a consolidated salary of Rs. 35,000/- at the time of joining which was paid through cash only. In March, 2010 my salary was Rs. 35,000/-.

After joining Melmaruvathur Adiparasakthi Hospital, I continued freelancing for Chennai Cardiac Center, since I used to visit Melmaruvathur Adiparasakthi Hospital on a case to case basis, two days a week and not on daily basis, as my services was not required on a daily basis. I also taken classes for Undergraduates, depending on requirements. There was no hard and fast timings or days set for these. For the said reasons, I was not signing any attendance register and was only reporting to the HOD, who used to call us as and when required.

I am shown the cash voucher dated 07.04.2010 for Rs. 35,000/-, in which I identify my signature. After joining, I was told that the mode of payment of salary will be through cash. I was not interested in opening a bank account since I was already having an account in Dena bank in Aminjikarai, Chennai.

During February/March, 2010 I was working in the Melmaruvathur Adhiparasakthi Hospital. Only one of us i.e. myself and Dr. Nedumaran, who was earlier in Melmaruvathur Adiparasakthi Hospital, used to attend the said Hospital. In the absence of one of us in Billroth hospital the other used to take care of matters. related to Anesthesiain Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, Melmaruvathur. However, I was not present during the inspection by MCI held in February, 2010, because of the reasons stated above. I was present during the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 16.2.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the form are not in my hand writing. Even though the date of Declaration Form was 16.2.2010.

I was not present at the time of inspection on that day, hence my presence is not marked by the MCI in the relevant column.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 27.03.2008. I confirm that these papers are related to my employment. The Joining Report has been signed by me, but does not bear my hand writing. I have also produced an experience certificate from Meenakshi Medical College dated 02.04.2008, certifying that I had worked in Meenakshi Medical College, Hospital and Research Institute that I was being relieved on 08.082007.

On being asked I hereby state that I have filed my income Tax Returns for the financial year 2010-11 including those amounts which have been paid to me during the year. I am yet to be paid certain dues, which will be included in the IT returns, which will be filed in the next AY. I use to get only Rs.1,000/- per visit to the Hospital as I opted for the same, since I wanted to

collect the remaining amount due to me, lumpsum, as I was planning the purchase of house. Thus, an amount of more than Rs. 4.5 lakhs is due to me. I have not taken this amount, hoping that I would be able to take an Interest free loan from him, when the time comes."

Statement submitted to Medical Council of India by the alleged doctor

Dr. R. Mahadevan stated that he joined MAPIMS as Assistant Professor of Anesthesia in 27.03.2008 and relieved on 30.06.2010. He was regular and not working in any other college on a faculty. He stated that he has been attached to the hospital (Melmaruvathur Adiparasakthi) before the college was started. He stated that he has taken on an average 30 classes per week for paramedical staff and physiotherapy students for undergraduate students on request only given demonstration about ACLS. He was not sure whether he attended the college during 22/23.03.2010. He appeared before the MCI team on 29.03.2010. His work at MAPIMS was purely for non-monetary. He stated that at the time of inspection in March he was simultaneously working at two places – MAPIMS and Billroth Hospital, Chennai and both the places he was paid on a case to case basis. He stated that he has received Rs. 35,000/- for his anaesthesia services only. He stated that there was no attendance register and declaration form was blank when he signed.

The Ethics Committee observed as under:

Dr. R. Mahadevan has admitted that he attended the college for only 2 days a week and was also working at Billroth hospital, Chennai at the same time.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. R. Mahadevan, have come to the unanimous decision that Dr. R. Mahadevan has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide

upon the facts brought before the Medical Council of India and/or State Medical Councils.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. R. Mahadevan constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 20

Dr. Lokesh (F.No. 25)

Statement submitted by CBI

"Statement of Dr. Lokesh, S/o Shri C. Eshwara, Senior Resident, Anesthesiology, Age: 28 yrs., working in Vikram Hospitals, Yadavagiri, Mysore- Res: Perm. Address: D.No.25/B, 6th Cross, Rajendra Nagar, Mysore-07. Mobile No. 9845150148.

I had worked as above in the Melmaruvathur Hospital from 01.10.2009 and left the same on 30.06.2010. I did my MBBS in the year April 2004 from Adhichunchungiri Instt. of Medical Sciences, Mandya vide Registration No. 70565 dated 04.05.2005 from Karnataka Medical Council. After completion of MBBS, I was preparing for Post Graduate Entrance Test which I cleared in 2006. I joined MD (Anaesthesia) in May, 2006 and I completed the course in May 2009.

After completion of the MD course, I worked in Amritha Institute of Medical Sciences, Cochin for two months i.e. during July & August, 2009. I joined Melmaruvathur Adiparasakthi Institute of Medical Science and Research, Melmaruvathur through my friend who was working in a private Hospital. Accordingly, I had applied for the post and was offered the job.

On being asked I state that the Terms and Conditions of my employer included working hours - 0900 AM to 0500 PM for 3 to 4 days a week, attending to Operation Theater duties and taking classes for UG students. I was offered a consolidated salary of Rs. 28,000/- at the time of joining which was paid through cash only. In March, 2010 my salary was Rs. 28,000/-.

I am shown the cash voucher dated 7.4.2010 for Rs. 28,000/-, in which I identify my signature. After joining, I was told that the mode of payment of salary will be through cash.

During February/March, 2010 I was working in the Melmaruvathur Adhiparasakthi Institute of Medical Science and Research. However, I was not present during the inspection by MCI held in February, 2010. I was not regular in the College during that period due to some personal problem. Was present during the inspection held in March, 2010.

I am shown my Declaration form given to the MCI dated 16.2.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the form are not in my hand writing. Even though the date of Declaration Form was 16.2.2010. I was not present at the time of inspection on that day, hence my presence is not marked by the MCI in the relevant column.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 01.10.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me but does not bear my hand writing.

I am shown the Attendance Registers of the faculty members of the Hospital. I was not signing on the same till April, 2010 since I was not attending regularly since I was trying to study for entrance exam for DMC. I was not attending regularly and nobody insisted on signing this.

On being asked I hereby state that I have not filed income Tax Returns for the financial year 2010-11 as I am not aware of the implications as I am new to the tax matters and since I am new in my career. Regarding. Professional Tax also, I am not aware of the payments to be made towards the same and hence the payment was not made."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Lokesh stated that he joined MAPIMS as Sr. Resident of Anesthesia in 01.10.2009 and relieved on 30.06.2010. He was regular and not working in any other college and he stayed in college campus. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He did not take any classes. There was no attendance register hence could not signed. He stated that he has received Rs. 28,000/- despite his request to pay by cheque and did not submit Form - 16.

The Ethics Committee observed as under:

Dr Lokesh, Senior resident Anaesthesia: He has admitted that he attended the college only 3-4 days a week as he was busy preparing for entrance exams.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Lokesh, have come to the unanimous decision that Dr. Lokesh has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Lokesh constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Sl. No. 21

Dr. Abhay Vasantrao Anurkar (F.No. 26)

Statement submitted by CBI

"Statement of Dr. Abhay Vasantrao Anurkar, MD., Sio Shri Vasant Marutrao Anurkar, aged 33 yrs., Sr. Resident (Anesthesiology), working in Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Melmaruvathur, Kancheepuram District, R/o D-9, G.B. Apartments, Melmaruvathur Medical College Hospital, Melmaruvathur, Kancheepuram District, Perm. Address : House No. 1-13-1100, Near Hanuman Mandir, Vidyut Nagar, Nanded, Maharashtra - 431605, Tel - 02462-220090, Mobile No. 9822842464.

I am as above. I completed my MBBS in the year 2001 from Govt. Medical College, Nanded, Maharashtra. After completion of MBBS, I did MD in Anesthesiology in the year, 2005 from SRTR Medical College, Maharashtra and has been registered vide Registration No.2000072718 dated 16.02.1995 in the Maharashtra Medical Council. Thereafter, I joined Sahyadri Hospital at Pune during 2006. After that, I worked in Shri Sainath Hospital, Shirdi from 2006 to 2007. After that, I returned to Nanded and started practising privately.

I joined Melmaruvathur Hospital on 15.04.2009 through a friend of mine who referred me to join here and is continuing here till date. At the time of joining, I have informed the college authorities that I would not be in a position to attend on a full time basis. I had informed the management, that I would be able to attend only 2 to 3 days a week on an average 15 days a month, to which they agreed. I was therefore working thus. When my work was over, I used to leave for Nanded There also I attended to private practice, though it is not very regular.

My salary is Rs. 28,000/- per month which I have received through cash. I am shown the cash voucher containing the payment of Rs. 28,000/- made to me which I confirm as containing my signature.

I am shown my Declaration form given to the MCI dated 16.02.2010. This has been signed by me and I confirm that the contents of the same are correct. The entries in the form are mostly in my hand writing.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 15.04.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me and bears my hand writing and signature.

During February/March, 2010 I was working in the Melmaruvathur Adhiparasakthi Institute of Medical Science and Research. I was present during the inspection by MCI held in March, 2010 only. I was not present in the February 2010 inspection since I had gone to my native place.

I am shown the Attendance Registers of the faculty members of the Hospital. My signature is not seen in this since I was not required to do sign.

On being asked I hereby state that I have not been given Form-16 by the College so far but I am filing Income Tax Returns on my own."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Abhay Vasantrao Anurkar stated that he joined MAPIMS as Sr. Resident of Anesthesia on 15.04.2009 and still working. He is full time regular and attended the college according to time table. Not working in any other college and he did not take any classes. He was in the college on 22/23.03.2010 and also 28/29.03.2010. There was

no attendance register hence could not signed. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 30,000/- pm in cash and did not submit Form – 16.

The Ethics Committee observed as under:

Dr. Abhay Anurkar, joined as full time SR in Department of Anesthesiology on 15th, April 2009 at MAPIMS. In an inspection by MCI on 01.06.2006 at Rural Medical College Loni, he was shown as a lecturer in Anaesthesia in teacher profile. While in his statement to CBI Officer, (Addl. Supdt. of Police) Chennai he said that he was working at Sahyadri Hospital, Pune 2006 & Shri Sai Nath Hospital, Shirdi in year 2006-07. He did not mention the month of joining Sahyadri Hospital, Pune in 2006. It appears that he was at Rural Medical College, Loni just one day for MCI inspection; otherwise he was working in Sahyadri Hospital, Pune in 2006. In the same statement he admitted that he was attending MAPIMS college 2-3 days a week, and the college authorities agreed to it. While the form filled by him at MCI on 21 Aug. 2012 he said that he was working as full time SR in Anaesthesia at MAPIMS. Thus his statements to CBI officer & to MCI given on 21st August 2012 are contradictory and he gave wrong information to MCI.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Abhay Anurkar, have come to the unanimous decision that Dr. Abhay Anurkar has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Abhay Anurkar constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Sl. No. 22

Dr. Sachin Hanumantrao Chandolkar (F.No. 27)

Statement submitted by CBI

"Statement of Dr. Sachin Hanmantrao Chandolkar, MD., S/o Shri Hanmantrao.Chandolkar, aged 32 yrs., Sr. Resident (Anesthesiology), working in Melmaruvathur Adhiparasakthi Institute of Medical Science and Research, Melmaruvathur, Kancheepuram District, Rio C-8, Lakshmi Apartments, Melmaruvathur Medical College Hospital, Melmaruvathur, Kancheepuram District, Perm. .Address : House No. 24A, Sai Krupa, Samarth Nagar, Nanded, Maharashtra -431602, Mobile No. 09324430429.

I am as above. I completed my. MBBS in the year 2005 from M.I.M.S.R. Medical College, Latur, Maharashtra. After completion of MBBS, I did MD in Anaesthesiology in the year 2008 from TNMC Medical College, Mumbai, Maharashtra and has been registered vide Registration No.3295 of September 2002 and No. 2259 of August 2008 for UG and PG respectively in the Maharashtra Medical Council. During the intervening period of completion of MBBS and joining PG, I was studying for PG entrance exam.

I joined Melmaruvathur Hospital on 04.04.2009 through a friend of mine who referred me to join here and I am continuing here till date. At the time of joining, I have informed the college authorities that I would not be in a position to attend on a full time basis. I had informed the management that since I have to attend to my mother in my home town I would be able to attend the college on an average only 15 days a month, to which they agreed,. Whenever my work was over, I used to leave for Nanded.

My salary is Rs. 28,000/- per month which I have received through cash. I am shown the cash voucher containing the payment of Rs. 28,000/- made to me which I confirm as containing my signature. My salary is deducted if more leaves are availed.

I am shown my Declaration form given to the MCI dated 16.02.2010. This has been signed by me and I confirm that the contents of the same are correct. The entries in the form are in my hand writing.

I am shown the Appointment order, Joining report and Quarters allotment orders all dated 15.04.2009. I confirm that these papers are related to my employment. The Joining Report has been signed by me and bears my hand writing and signature.

During February/March, 2010 I was working in the Melmaruvathur Adhiparasakthi Institute of Medical Science and Research. I was present during the inspection by MCI held in March, 2010 only. I was not present in the February 2010 inspection since I had gone to my native place.

I am shown the Attendance Registers of the faculty members of the Hospital. My signature is not seen in this since I was not required to do sign.

On being asked I hereby state that I have not been given Form-16 by the College so far but I am filing Income Tax Returns on my own."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Sachin Hanumantrao Chandolkar stated that he joined MAPIMS as Sr. Resident of Anesthesia on 04.04.2009 and still working. He is full time regular and attended the college. Not working in any other college and he did not take any classes. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 30,000/- pm in cash and did not submit Form - 16. Declaration was filled and signed by him he also stated that some time he signed the attendance register.

The Ethics Committee observed as under:

Dr. Sachin H. Chandolkar joined as full time SR, Anesthesiology at MAPIMS on April 2009. He had given false information to MCI as the form given to him on 21 Aug. 2012 he admitted that he is working as a full time SR & fairly regular in the attendance while in the statement to the CBI, Addl. Supdt of Police Chennai he said that he had attended the college on an average of 15 days a month not on full time basis. This has been permitted by the college authorities. He said that he had filled the declaration form himself in which he marked his nature of appointment full time. He did not adhere to it.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. Sachin H. Chandolkar, have come to the unanimous decision that Dr. Sachin H. Chandolkar has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils.

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. Sachin H. Chandolkar constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Sl. No. 23

Dr. Binny (F.No. 28)

Statement submitted by CBI

"Statement of Dr. K. Binny, S/o Shri K. Krishnan Kutty, Age : 35 years, Presently working as Manager in Dr Reddy's Laboratories, 6-3-865, Global Medical Affairs, Dr. Reddy's Laboratories Ltd., 3rd Floor, Madhubala Towers, Ameerpet, Hyderabad-16, Rio TC25/576, Sithara, Housing Board Junction, Thampanur, Trivandrum-1, Tel # 0471-2330999, Mobile # 9949833055.

I am as above. I am attached to the above hospital since October 2009. I completed MBBS from the Trivandrum Medical College in the year 2000. After that I did MD (Pharmacology) from 2001 to 2004 in the above college. After that, I joined SMCSI Medical College, Karakkonam, Trivandrum in the same year, where I worked for about an year and half. Thereafter, I worked in Co-operative Medical College, Cochin for around 8 months. Then, I returned back to Karakkonam, where I worked till September 2009. Then joined the present company, where I continue to work.

Towards the end of October 2009, I was contacted by Shri Ramabhadran, Administrative Officer of Melmaruvathur Adiparasakthi Institute of Medical Science and Research, Melmaruvathur and offered the post of Associate Professor in the College. I informed him that I was already employed in Dr. Reddy's Laboratories. However,, he informed me that it was not necessary to work full time and that I need to appear only once or twice a week and the salary offered was Rs. 45,000/- per month. I was also told that my job there would be permanent.

I joined Melmaruvathur Adhiparasakthi Institute of Medical Sciences & Research, Melmaruvathur in the third week of November 2009.

I was taking classes for UG students in Medicine. I was not entering my presence in attendance register kept for the purpose, since I was not asked to do so. I was taking the classes on weekends whenever asked to do so for which I was receiving Rs. 45,000/- per month throughout my tenure there.

I am shown the cash voucher dated 03.04.2010 for Rs. 45,000/-, in which I identify my signature.

During February/March 2010, I was working in the Melmaruvathur Adhiparasakthi Hospital. However, I was not present during the inspection by MCI held in February, 2010.

Some time in March 2010 last week I was present in the inspection held there. On 20.03.2010 I was called over mobile by Shri Ramabhadran and told that I have to attend the MCI inspection to be held shortly and asked me to come immediately. He sent my air ticket by e-mail to me for travelling to Chennai by air. Originally the mail containing the ticket details in the of name of one Dr. Radhika of Hyderabad was sent to me by mistake. Later, I spoke to Shri Ramabhadran and told him about the mistake. He then sent a mail containing the details of my ticket in my mail.

I had gone by Indian Airlines flight at 5.50 PM from Hyderabad on 22.03.2010. The officials had come to pick me up from the airport and drop at Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research. The MCI inspection did not happen then. All of us returned in 3 days' time. All of us were taken in the college vehicle and dropped in Chennai airport.

Again on 28.03.2010, I was called by Shri Ramabhadran and asked to come immediately for attending the MCI inspection which was to be held shortly and the ticket for this was sent to me by him by e-mail. I came to Chennai by Kingfisher flight on 28.03.2010 starting from Hyderabad at 08.20 PM. When I reached Chennai and was waiting for the college officials to pick me up, I saw that there were other doctors from Hyderabad by the same flight like Dr. Ramesh Renge and 3-4 others from Nanded, Maharashtra whose names I do not recollect and who had also come on the earlier occasion, i.e. 21st of March, 2010. We proceeded from Chennai to Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, in a Tempo Traveller. There were other Doctors also. After the inspection was over, all of us left the College and went back to our respective places on 30th of March, 2010. I will send a copy of the e-mails sent to me containing my flight details for the purpose of investigation.

On being asked I state that after the inspection also I used to attend the College on weekends till my resignation. I was attending only on weekends since that was the understanding I had with the college authorities. I resigned from the job some time in June 2010 due to some personal reasons.

On being asked I state that whenever I was coming to Melmaruvathur Adhi Parashakthi Institute of Medical Sciences and Research, I was staying in the "round building" of the temple side.

I am shown my Declaration form given to the MCI dated 'nil'. This has been signed by me and I confirm that the contents of the same are mostly correct except for the portion where in the Declaration was given.

On being asked I state that it is true that I was a not working as a full time faculty member. I had not filled in the Declaration Form nor noted its contents since I was not given an opportunity to do so. I was asked to sign this form in 2 places and told that this form would be filled in by the college authorities themselves for the purpose of inspection and hence I did not see the contents in detail. I did not know that the faculty was meant to be for full time work as per MCI rules. However, the entries in the said form are not in my handwriting. This appears to have been filled up by the Office Staff.

On being asked I state that I am yet to pay my Income Tax Returns for the period I was working there since I was not issued the Form-16 by the Melmaruvathur authorities and I was waiting for the same.

I am shown the Appointment Order, Joining report and Quarters allotment orders all dated 02.01.2010. I confirm that these are papers related to my employment. I had not been given my Appointment order and Quarters allotment order while I came for the first time in December, 2009. I had not stayed in any quarters stated to have been allotted to me. The joining report bears my signatures, which I identify."

Statement submitted to Medical Council of India by the alleged doctor

Dr. Binny stated that he joined MAPIMS as Associate Professor of Pharmacology on 21.11.2009 and relieved on 30.06.2010. He was full time regular and not attached with any other college. He took 1-3 classes per week. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 45,000/- pm in cash though his demand for payment by cheque was considered. He was not issued Form - 16. No attendance register was signed by him. No documentary evidence to show that he was working at the college from 21.11.2009 to 30.06.2010. the declaration form bears his signature though it was not filled by him.

He further stated that he was working at Reddy's Lab at Hyderabad from 09.08.2006 and was paid regularly 50,000/- P.M. which was credited to his account no. 00211610011940. And the last payment was Rs. 80,000/- in the month of April 2012. This information was not available in writing but informed verbally to Admn. Office Sh.

Rambhadra during September, 2009. He stayed at Hyderabad during this period and used to go to the college at Chennai and was taking classes for 2 days in a week and was carrying out his duties allotted as Associate Professor as scheduled by the Dept of Pharmacology. I was taking classes for MBBS students as allotted to him and was taking 8-10 classes per month which is the average requirement from an associate professor (over 8 days) that is 1-2 days per week.

The Ethics Committee observed as under:

Dr. K. Binny had done his MD Pharmacology from Government Medical College, Trivandrum in 2004. After that he had worked as Tutor for period of 3 years in same College. He joined Dr. Somervell CSI Memorial Medical College, Karakonam as Asst. Professor, Pharmacology for a period of 1 year 3 months. He joined Dr. Reddy's Laboratory on 09.08.2006 and was drawing salary Rs. 50,000/month, last payment was Rs. 80,000/= in April 2012 (as Manager). While he was an employee of Dr. Reddy's Laboratory, Hyderabad, he also worked as Asstt. Professor, Pharmacology at Cooperative Medical College, Kochi, from Jan 2006 to July 2008, from August 2006 to Sept. 2009, he was simultaneously working as Asst. Professor at Dr. Somervell Memorial CSI Hospital and Medical College, Karakonam, Thiruvananthapuram. During Aug. 2006 to July 2008 he was working at 3 places two Medical Colleges one at Cooperative Medical College, Kochi, other at Dr. Somervell Memorial CSI Hospital and Medical College, Karakonam, Thiruvananthapuram and at Reddy's Laboratory, Hyderabad. He attended two MCI inspections (1) on 29.3.2010 at Melmaruvathur, Adiparasakthi Institute Medical Sciences and Research (2) other is on 21.02.11 at Sree Narayana Institute of Medical Sciences, Chalakka, Ernakulam. Both places his experience details in teacher profile do not match. The statement given by him to Addl. Supdt. of Police, CBI/ACB/Chennai does not tally with the documents like - Letter from Senior Vice President Dated 15.02.2012 Dr. Reddy's laboratory mentions that he has been working there since Aug. 2006. He admits that he used to come to MAPIMS, Chennai at weekends to take UG classes and was drawing salary Rs. 45,000/= /month in cash. He was not signing any register for attendance. He was not staying in the quarter provided by the Medical College, MAPIMS while the form given to him at MCI on 21 Aug. 2012, he said that he was working regularly at MAPIMS from Nov. 2009 to June 2010 and attended the college all days from Nov. 2009 to July 2010.

After going through his documents like

1. Statement to CBI officer
2. Teacher profile submitted to MCI inspector of two Medical colleges
3. Form filled at MCI on 21 Aug. 2012

There is no uniformity in the statement and documents. He has violated MCI norms.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. K. Binny, have come to the unanimous decision that Dr. K. Binny has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician

should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. K. Binny constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **five (05) years**.

Sl. No. 24

Dr. K. Padmanabhan (F.No. 29)

Statement submitted by CBI

"Statement of Dr. K. Padmanabhan, S/o Shri Subramaniam Kumar, Age : 38 years, presently working as ENT Consultant in Payyannur, ENT Surgeon, Cooperative Hospital, South Bazaar, Payyannur, Kerala. Perm Add: c/o Amrita Offset Printers, New Theatre Building, Thampanoor, Trivandrum, Kerala.

I am as above. I am attached to the above hospital since 2005.

I completed MBBS from the Trivandrum Medical College in the year Feb. 1997. After that I joined Kasturba Medical college in the year 1998 and completed my PG in the year 2001. I was working in the Yenapoya medical college from September, 2001 to September, 2003. Thereafter I worked in the Amrita Institute of Medical Sciences during the period November, 2003 to February, 2005. I was working as a Consultant since then.

On being asked I state that I was contacted by Shri Ramabhadran, Administrative Officer of Melmaruvathur Adiparasakthi Institute of Medical Science and Research, Melmaruvathur in September, 2009 and offered the post of Asst. Professor in the College. I had not offered myself for the post. It is possible that he might have contacted me after getting my personal details from any other faculty member who knew me.

I joined Melmaruvathur Adiparasakthi Hospital on 02.10.2010. on being asked, I state that as per the verbally agreed upon terms of the management of the college, I was to attend 2-3 days in a month in the Hospital attached to the college. I had also taken classes for the students. I could not attend to the Hospital work on a regular basis. For this reason, I was not signing the attendance Register also.

I was offered a consolidated salary of Rs. 30,000/- approximately at the time of joining the hospital which was paid through cash. Towards the end of my tenure, I was getting Rs. 35,000/-. I left the service in the Hospital in June 2010, since I was asked to be full time which I could not. I had a talk with the management. I gave a resignation letter some time in June, 2010.

I am shown the cash voucher dated 07.04.2010 for Rs. 35,000/-, in which I identify my signature.

During February/March, 2010, I was working in the Melmaruvathur Adhiparasakthi Hospital. However, I was not present during the inspection by MCI held in February, 2010. I was present in the inspection held in March, 2010 as I was specifically called upon to do so.

I am shown my Declaration form given to the MCI dated 16.02.2010. This has been signed by me and I confirm that the contents of the same are correct. However, the entries in the said form are not in my handwriting. This appears to have been filled up by the Office Staff. Though I was not a regular faculty member, I have declared that it was so, as the college did not itself require me full time.

Regarding the payment of Income Tax I am yet to pay my Returns for the period I was working there since I was not issued the Form-16 by the Melmaruvathur authorities.

I am shown the Appointment Order, Joining report and Quarters allotment orders all dated 02.01.2010. I confirm that these are papers related to my employment."

Statement submitted to Medical Council of India by the alleged doctor

Dr. K. Padmanabhan stated that he joined MAPIMS as Assistant Professor of ENT on 02.01.2010 and relieved on 30.06.2010. He was full time regular to the college and was stayed in college campus. Not working in any other college. He took 2-3 clinical classes and demonstration per week. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 65,000/- during the said period though cash although he has requested to pay by cheque. He did not submit Form - 16. Declaration was not filled by him but signed by him. At the time of inspection he was there and later he took leave and had private practice in a co-operative hospital in Kerala. On an average he earning about 10-20 thousand per month by private practice.

The Ethics Committee observed as under:

Dr. K. Padmanabhan, joined as full time Asst. Prof. ENT at MAPIMS Jan 2010. In the statement given to CBI officer Addl. Supdt. of Police, Chennai, he mentioned that he attended MAPIMS 2-3 days in a month. He did not attend the hospital on regular basis. While declaration form given to MCI inspector dated 16.02.2010 shows the nature of job was full time teacher. He admits that the contents of the form dated 16.02.2010 are right. While the form filled at MCI on 21 August 2012, he again gave false information that he was attending MAPIMS regularly. He has violated MCI norms and given contradictory statements.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. K. Padmanabhan, have come to the unanimous decision that Dr. K. Padmanabhan has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession, assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. K. Padmanabhan constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

Sl. No. 25

Dr. A.L.V. Rajasekhara Rao (Sl. No. 32)

Statement submitted by CBI

"Statement of Dr. ALV Rajasekhara Rao S/o Shri A V Ramana Rao, practicing privately at Raja Ortho-care Centre, Door no. 10-13-561, Reddy & Reddy colony, Tirupathi 517501, Phone # 0877- 2227202, Age 33 years, Resident of Door no. 10-13-561, 1st floor, Reddy & Reddy colony, Tirupathi 517501, Mobile # 9966235490.

On being asked I state I did my MBBS from S V Medical college, Tirupathi and passed out in the year 2001 and after completing my house surgeoncy, was registered vide no. 46459 in October 2001. I completed my PG in Orthopaedics from Nizam's Institute of Medical Sciences, Hyderabad in the year 2004. While studying for PG, I also worked as a Jr. Resident in the same hospital. After completing MS, I worked at Birrd Hospital, Tirupathi for 6 months. Later, I worked at Singareni Coal mines Main Hospital, Kothegudam, AP for 3 years. Later, I joined a Fellowship in joint replacement at Laud Clinic, Dadar, Mumbai. Later I joined Fellowship in advance Trauma Surgery in Massachusetts General Hospital, Boston University, USA which I completed in October 2009. Then I was planning to settle down. I applied for jobs in various places and later set up my own private practice in Tirupathi. Meanwhile, I was working as a freelance specialist in various hospitals in Tirupathi.

Sometime in February, 2010, I was told by Dr Annapurna Guduru that she and her husband were joining the Melmaruvathur Adiparasakthi Institute of Medical Science and Research and asked me if I was interested. in working there. She told me that there was a vacancy in the Orthopaedics deptt. and asked me to approach the college authorities. On 22.02.2010, I went to the college and approached the concerned person in the administrative office, who went

through my certificates, verified them and allowed me to join. They told me it was a full time job. Regarding the salary, they told me that it would be less than Rs. 20,000/- and they would consider a better salary after my joining the college. Since I did not go to the college preparing to stay, I came back the next day after telling them that I would come back after a few days. I had joined the college on 22.02.10 before returning back to Tirupathi.

A few weeks later they called up over phone and informed me that an inspection by MCI would take place anytime and that since I had already joined I would not get an opportunity again and informed that I should join immediately. I came back to the college on 23.03.2010 since by then I did not get any other job. I was not allotted any quarters by the college. Since my joining there, I was staying in the guest house of the college. On 29.03.2010, I attended the inspection by MCI. After this, I stayed for a day in the college. Thereafter, I decided to come back to Tirupathi, since the distance was far and the salary meagre, it was not worthwhile working in Melmaruvathur. I did not give any resignation letter or inform them formally regarding my departure. I left after informing the person in the administration deptt. that I would come back once I am allotted a quarters and received a better salary offer.

I am shown the cash voucher dated 07.04.2010 for Rs. 28,000/-, which is unsigned. I have not received this salary and what he stated therein in the said voucher is incorrect.

I am shown my Declaration form given to the MCI dated 23.03.20.0. This has been filled-up by me in respect of only the name and date of birth and also signed by me and I confirm that the contents of the same are correct.

I am shown the Appointment Order and Joining report dated 22.02.2010. I confirm that these are papers are related to my employment. I also confirm that I had signed the joining report dated 22.02.2010. However, it is not true that I was allotted a quarters as stated in the Quarters allotment order."

Statement submitted to Medical Council of India by the alleged doctor

Dr. A.L.V. Rajasekhara Rao stated that he joined MAPIMS as Sr. Resident of Orthopaedics on 22.02.2010 and relieved on 31.07.2010. He is full time regular and attended the college on all working days. Not working in any other college. He did not take classes. He was in the college on 22/23.03.2010 and also 28/29.03.2010. He stated that he has received Rs. 28,000/- PM in cash despite of his request to be paid by cheque. He did not submit Form - 16. Declaration was not filled by him but signed by him. He has not signed any attendance register.

The Ethics Committee observed as under:

Dr. A.L.V. Rajasekhara Rao - it is evident from the records & statement that he was only employed for MCI inspection purpose. It cannot be ascertained that simultaneously he was employed elsewhere.

The Ethics Committee after detailed deliberation and perusal of all the relevant documents as well as the oral and written statement submitted by Dr. A.L.V. Rajasekhara Rao, have come to the unanimous decision that Dr. A.L.V. Rajasekhara Rao has violated the Professional Conduct, Etiquette and Ethics Regulations, 2002 so far as the following provisions of the regulations are concerned:-

Section 1.1.1.

A Physician shall uphold the dignity and honour of his profession.

Section 1.1.2.

The prime object of the medical profession is to render service to humanity; reward or financial gain is a subordinate consideration. Who- so-ever chooses his profession,

assumes the obligation to conduct himself in accordance with its ideals. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety; conducting himself with propriety in his profession and in all the actions of his life.

Section 8.1 - PUNISHMENT AND DISCIPLINARY ACTION

"It must be clearly understood that the instances of offences and of Professional misconduct which are given above do not constitute and are not intended to constitute a complete list of the infamous acts which calls for disciplinary action, and that by issuing this notice the Medical Council of India and or State Medical Councils are in no way precluded from considering and dealing with any other form of professional misconduct on the part of a registered practitioner. Circumstances may and do arise from time to time in relation to which there may occur questions of professional misconduct which do not come within any of these categories. Every care should be taken that the code is not violated in letter or spirit. In such instances as in all others, the Medical Council of India and/or State Medical Councils has to consider and decide upon the facts brought before the Medical Council of India and/or State Medical Councils."

The Ethics Committee is of the opinion that the Act of Commission in the part of Dr. A.L.V. Rajasekhara Rao constitutes PROFESSIONAL MISCONDUCT, which renders him liable for disciplinary action.

Under the above mentioned circumstances, the Ethics Committee unanimously recommended that a punishment of removal of his name from the concerned State Medical Council's register as well as the Medical Council of India register for a period of **three (03) years**.

4. **Appeal by Dr. Kunal Shah Against Dr. Ketan Desai - Reg.**

The matter was deferred by the Ethics Committee.

5. **Complaint against Dr. Rakesh Varma, HOD, Cardiology, Safdarjung Hospital, New Delhi- Review of recommendations of Ethics Committee of Medical Council of India. (F.No. 396/2009)**

The matter was deferred by the Ethics Committee.

(Dr. P.Prasannaraj)
Additional Secretary

(PROF. SNEH BHARGAVA)
CHAIRPERSON

(Dr. Anil Dhal)
Member

Dr. R. B. Panwar
Member

Dr. Sanjay Gupte
Member

Dr. Vinay Sakhuja
Member

Dr. Kumudini Sharma
Member

Sh. Amit Bansal
Member

Approved On 22nd September, 2012