

**PROCEEDING OF THE MEETING OF THE PUNJAB MEDICAL COUNCIL
UNDER THE CHAIRMANSHIP OF DR. MANMOHAN SINGH, PRESIDENT
HELD ON 24.2.2007 AT 11.00 AM**

The following members of the council attended the meeting: -

1. Dr. Hardipinder Singh, Member
2. Dr. Anurag Goswami, Member
3. Dr. Randhir Kumar, Member
4. Dr. Vinod Sood, Member
5. Dr. S.P.S. Grover, Member
6. Dr. P.S. Bakhshi, Member

Dr. Balbir Singh Shaha could not attend the meeting due to convocation at Dayanand Medical College, Ludhiana. Registrar Dr. A.S. Thind, introduced the members of the council to the President. The agenda was discussed, item wise as follows :

Item No. 1

Court case of Dr. Girish Tyagi Vs. Union of India & others in connection with the election of Medical Council of India under section 3 (1) (c) of Indian Medical Council Act, 1956.

Dr. Girish Tyagi has filed a CWP No. 23557 of 2005 titled Dr. Girish Tyagi Versus Union of India and others in the Hon'ble Delhi High Court for the election of the member, Medical Council of India under section 3 (1) (c) of Indian Medical Council Act, 1956. Government of India Ministry of Health & Family Welfare vide their letter dated 10-10-2006 has inform to send the name of one member from each state to be elected. The Director Medical Education has been appointed as Returning Officer. No communication regarding issue of notification had been received by the council. Rs. 1.25 Lacs are available in the name of Returning Officer for the conduct of election. The council vide its letter dated 28-11-2006 has requested the Government of India for the release of additional money for the election.

The case was listed for hearing on 13-2-2007. On 13-2-2007 the Hon'ble Court had issue bailable warrants in the sum of Rs. 5000/- complaining the presence of Registrar/ Secretaries of Health/ Directors Medical Education. Registrar was authorised to engage an advocate to defend the case on behalf of the council in the Delhi High Court. The Registrar appeared in above said case in the Hon'ble High Court on 20-2-2007. The Hon'ble Court on 20-2-2007 has directed all the institutions to send the name of elected member to the MCI by 30-3-2007. the Hon'ble Court has further directed to the Government of India/ Medical Council of India to provide sufficient funds to the R.O's for the conduct of election. The Court has further directed that the affidavit to be filed in the court on 31-3-2007 that the election has been completed. In case the money is not provided by the Government of India/ Medical Council of India the process will not be held up. It will be the responsibilities of the respective councils to arrange for the funds and got reimbursed from Government of India/ Medical Council of India, as the case may be.

The orders dated 20-2-2007 of the Hon'ble Court are still awaited. However the Returning officer was appraised about the Hon'ble Court orders dated 20-2-2007. The Returning Officer has already issued the schedule on 21-2-2007 and same has appeared in press on 22-2-2007.

The case was discussed in detail. The council considered the orders of the Hon'ble Court and resolve to provide financial assistance to the Returning Officer. The council will provide money over and above Rs. 1.25 lacs to the Returning Officer as and when the Returning Officer submit the proposal for the same. Registrar is authorised to write for the provision of the money from Government of India/ Medical Council of India. Returning Officer is further authorised to defend the case in the Hon'ble Delhi High Court and to engage advocate at Delhi.

Item No. 2**Court case of Dr. Gurmeet Singh in connection with the Right to Information Act (Adv. Monika Goyal)**

Mr. Harnek Singh has filed a complaint against Dr. Gurmeet Singh and Dr. Atul Mishra which was sent by the Medical Council of India for taking appropriate action. After taking due procedure and on the recommendation of the Disciplinary Committee the council considered the case in its meeting dated 11-9-2005. The orders of the council were issued vide council letter dated 13-6-2006. The State Information Commissioner passed the orders dated 24-10-2006 to submit the medical basis for their conclusion within a period of one month. The copy of the orders was received in this office on 14-11-2006 and the information was supplied to the commission on vide this office letter dated 23-11-2006. The commission on 5-12-2006 ordered to file an affidavit to show cause why not to penalize, Under Section 20 of the Act, for failing to furnish the information. The commission passed the orders on 6-2-2007 whereby a penalty of Rs. 5000/- has been imposed. Further the commission has observed that the Punjab Medical Council has dealt the case in perfunctory manner.

The council considered the orders of the commission and unanimously resolved that the commission has not taken into consideration the papers submitted by the Registrar which was the medical basis. The members of the Disciplinary Committee are well qualified, highly learned and master of their field have consider the documents submitted by the complainant and defendant and have rightly made the decision. The commission has failed to understand that the medical record/ literature are the medical basis for reaching the conclusion in the case.

The council unanimously resolved and authorized the President and the Registrar to take suitable and appropriate action.

Item No. 3**Court case of Deepak Arora in connection with the Advertisement case next date of hearing is 2-4-2007 (Adv. J.S. Ahluwalia)**

The Registrar and the dealing official is authorised to contact Adv. J.S. Ahluwalia to file written reply in the Hon'ble Punjab and Haryana High Court at the earliest.

Item No. 4**Court case of Dr. Pardeep Ohri in connection with the PNDDT Act. (Adv. B.S. Walia)**

Against the decision of the council Dr. Pardeep Ohri filed an appeal to the Government of Punjab. A legal notice was serve to the council. In reply to the legal notice the council has reiterated its previous orders.

The file was submitted to Advocate J.S. Ahluwalia to file a caveat in the Punjab and Haryana High Court. The caveat has not been filed by Adv. J.S. Ahluwalia. However Advocate has informed the council that the file pertaining to the case has been stolen from his car. The copy of the FIR has been submitted with the council.

Against the orders of the council Dr. Pardeep Ohri has filed an appeal in the Hon'ble Punjab and Haryana High Court. Advocate J.S. Ahluwalia has not watch interest of the council. Adv. B.S. Walia was engaged to pursue the case in the Hon'ble Punjab and Haryana High Court.

The council unanimously approved the appointment of Adv. B.S. Walia as a standing council for the Punjab Medical Council and approve the action taken by the Registrar in this matter.

Item No. 5**Advertisement case of Vardaan Hospital, Jalandhar.**

In the council meeting dated 30-9-2006 it was ordered to write to Dr. Narendra Malhotra & Dr. Jaideep Malhotra to submit the photocopy of the registration certificate. Both the doctors vide their letter dated 5-6-2006 & 29-6-2006 has submitted that they have no share in the centre and are not involve in the daily working of the centre. They have further submitted that they are not involve in any short of advertisement for the centre or by the centre. They visits the centre for four day every 6 to 10 weeks for assistance. Dr. Lakhwinder and Dr. Sonia Kamboj do the screening and procedure. Mr. Varish Kumar is the Managing Director of the institute. Both the doctors submit their medical registration certificate No. 27596 & 27477 issued by Medical Council Uttar Pradesh.

Both the doctors were asked to get themselves registered with the council. Both the doctors have got themselves registered with the Punjab Medical Council. They have also submitted the letter pad of the centre showing the Managing Director Mr. Vareesh Kumar has already stop righting doctor in front of his name.

The council unanimously decided to place the case before the council in next meeting for further consideration. The report submitted by the committee be placed on record for consideration in the next council meeting.

Item No. 6

Advertisement case of Dr. Sumit Sofat

Dr. Sumit Sofat & Dr. Sumita Sofat had submitted an affidavit that they will not insert any objectionable advertisement in the press. However it has been observed that the advertisement of this hospital is regularly appearing in the Punjab Kesri in the form of a news item. A news item generally appears once in a time but this advertisement tin the form of news item is appearing regularly in the Punjab Kesri. It appears that the doctor is giving this objectionable advertisement in the form of news item in the press and it appears that this advertisement is some sort of paid advertisement.

The doctor had already submitted an affidavit not to issue objectionable advertisement in the press. The case was discussed in detail and it was decided to issue a notice to the concerned doctor to explain why action should not be taken against him for violation of the Code of Ethics. The Registrar is further directed to present the case alongwith the previous case in the next council meeting.

Item No. 7

Complaint against Dr. Ravi Kumar as alleged by Ms. Daljit Kaur.

Ms. Daljit Kaur, PCS Judicial Magistrate Ist Class Jalandhar has directed Medical Council of India to look into the matter and take appropriate action against Dr. Ravi Kumar at Sukhwinder Singh of wrong issue of medical certificate by Dr. Ravi Kumar.

The council considered the letter of Judicial Magistrate Ist Class and Medical Council of India vide their letter dated 3-2-2007. The doctor be asked to submit his statement alongwith the relevant record that by the action should not be initiated against him as per rule. Also enquire from SSP and Civil Surgeon concerned of the district to know whether they have taken or initiated any action against the doctor. The Medical Council of India be informed accordingly.

Item No. 8

Honorarium in connection with the inspection of opening of Medical/ Para Medical institutes.

The council unanimously resolved to adopt the inspection fee/ traveling allowance paid by the Baba Farid University of Health Sciences, Faridkot to its inspector. The copy be procured from the university.

Item No. 9**Election of the post of Vice -President.**

It was unanimously resolved to defer the item for the next meeting. However all the council members were unanimous for the nomination of Dr. Hardipinder Singh Mann for the post of Vice-President.

Item No. 10**Constitution of various Committees.**

It was unanimously resolved that in addition to Disciplinary and Ethical Committee the following committees will also be constituted:

- a Registration Committee
- b CME Committee
- c Legal Committee
- d Finance & Account Committee

It was further resolved the President is empowered to constitute the various committee from the amongst the members of the council alongwith additional technical/ expert member wherever required.

Item No. 11**Quarterly return/ advise/ sample audit by Chartered Accountant @ Rs. 1000/- per quarter.**

The council unanimously approved the proposal of the office.

Item No. 12**Purchase of Two window AC for the office of the PMC.**

The council unanimously approved the proposal of the office.

Item No. 13**Miscellaneous items if any, with the permission of the chair.****a) Registration of doctor under PNDDT Act**

The matter was brought to the notice of the council by Dr. Hardipinder Singh Mann that while issuing the registration for diagnostic centre only experience is required however the authorities are not registering the diagnostic centre on the basis of the experience. It was also informed that clear policy regarding registration has not been framed by the Director Health Services. Rules have not been framed. Even the general public is ignorant about the requirement of the diagnostic centres and the qualification of a doctor who is permitted to do the diagnostic investigations at the diagnostic centre.

The council resolves that the matter be taken up with the Principal Secretary Health & Family Welfare and Director Health Services, Punjab. The Registrar is authorised to fix meeting with the Principal Secretary Health & Family Welfare.

b) Registration

Dr. P.S. Bakhshi informed that there are many physicians who are not registered with the Punjab Medical Council. It was resolved to authorise Dr. P.S. Bakhshi to contact the doctors for registration with the council using the services of the IMA Punjab.

Sd/-
President,
Punjab Medical Council,
Mohali.

Endst.No.PMC/2007/ 16748

Dated :26-2-2008

Copy forwarded for information to Principal Secretary, Medical Education & Research, Punjab, Chandigarh.

Sd/-
Registrar,
Punjab Medical Council,
Mohali

Endst.No.PMC/2007/ 16749-16755

Dated : 26-2-2007

Copy forwarded for information to:

1. Dr. Balbir Singh Shaha, Member, 593-1, Model Town, Ludhiana.
2. Dr. Hardipinder Singh, Member, 599-R, Model Town, Jalandhar.
3. Dr. Anurag Goswami, Member, Ashirwad Hospital, 112-A, Model Town Extension, Ludhiana.
4. Dr. Randhir Kumar, Member, 339, New Jawahar Nagar, Jalandhar City.
5. Dr. Vinod Sood, Member, C/o Surindra Diagnostic Lab, Opp. Bank of Punjab, G.T. Road, Khanna, Distt. Ludhiana.
6. Dr. S.P.S. Grover, Member, 26-Link Road, Lajpat Nagar, Jalandhar City.
7. Dr. P.S. Bakhshi, Member, Bawa Hospital, 517, New Jawahar Nagar, Jalandhar City.

Sd/-
Registrar,
Punjab Medical Council,
Mohali