

**PROCEEDING OF THE DISCIPLINARY COMMITTEE MEETING & ETHICAL
COMMITTEE OF THE PUNJAB MEDICAL COUNCIL UNDER THE
CHAIRMANSHIP OF DR. MANMOHAN SINGH, PRESIDENT HELD ON 23-3-2008,
11:00 AM IN THE COUNCIL OFFICE.**

The following members of the Punjab Medical Council attended the meeting:-

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|----|------------------------|--------------------------|
| 1. | Dr. Hardipiinder Singh | - Vice President |
| 2. | Dr. Anurag Goswami | - Chairman Disc. Comm. |
| 3. | Dr. P.S. Bakhshi | - Chairman Ethical Comm. |
| 4. | Dr. Balbir Singh Shaha | - Member |
| 5. | Dr. Vinod Sood | - Member |

Dr. Randhir Kumar and Dr. S.P.S. Grover could not attend the meeting due to personal reasons. The following agenda was discussed, item wise as follows:

DISCIPLINARY COMMITTEE CASES

ITEM NO. 1

Complaint against Dr. Bharat Bhushan as alleged by Mr. Sita Ram Sharma.

This case was discussed in the detail. As per record submitted by the complainant and the doctor the patient was suffering from

- Primary Pulmonary Hypertension
- Congestive Heart Failure
- Severe Tricuspid Regurgitation
- Right Heart Failure
- Pericardial Effusion

All the treatment given to this patient was reviewed by the Medical Board, Hisar. The Board was constituted on the direction of the Deputy Commissioner, Hisar vide letter no. 655/DC/CIA dated 5-07-2005. The following were the members of the Board.

1. Dr. S.K. Nawal, Civil Surgeon, Hisar
2. Dr. P.S. Dhawan, MD, SMO, GH Hisar
3. Dr. Sunil Kumar, MD, MO GH Hisar
4. Dr. Davinder Sandhu, Anaesthetist, MO GH Hisar

As per the report submitted, the board has not found any negligence on the part of the treating doctor and has opined that the death was due to the progression of the old disease.

The findings had also been reported in Echocardiogram, which was done on 12-01-2004, almost 11 months 5 days before the patient was admitted in the hospital in the disputed case. It has been pointed out in the Civil Surgeon report that the patient had Deep Vein Thrombosis for which he had been having treatment from Ganga Ram Hospital.

The council considered the medical record submitted by the complainant & doctor, the enquiry report and the relevant literature regarding the diseases from which the patient was suffering. Primary Pulmonary Hypertension is life threatening and progressive fatal disease with poor prognosis.

The council is of the opinion that the patient was suffering from very serious disorders which have poor prognoses, which can lead to mortality. Dr. Dinesh Singh is an Ayurvedic doctor the council cannot take any action against the doctor since he is not registered with this council.

None of the medication given, as a part of the treatment, as per record submitted, can be held responsible for the fatal outcome, thus there is no negligence proved against the

treating physician in the present case. Keeping in view the serious nature of the disease, which has a high degree of mortality, it is very likely that the death was due to the diseased process.

The committee is of the opinion that no negligence has been found on the part of the treating doctor. It was unanimously decided to recommend that the case be filed.”

ITEM NO. 2

PNDT case of Dr. Parmod Kumar Gupta S/o Sh. Brij Lal R/o Ghagha Village & Tehsil Patran Distt. Patiala.

The doctor was served charge sheet vide this office letter dated 4-10-2007. The doctor has filed an appeal in the court of Sh. A.K. Singla, Additional Session Judge, Faridkot titled Dr. Parmod Gupta vs. State of Punjab and others. The Hon’ble Court on 8-01-2008 has acquitted of the charges. The relevant para of the court’s orders are:

“Accordingly, the appeal is accepted and the judgment/ order of the trial Court is set aside and the accused/ appellant is acquitted of the charges framed against him. Fine, if imposed, be refunded to him. Bail bonds furnished by the accused are discharged. Trial Court record be returned. The appeal file be consigned to the record room.”

In view of the Hon’ble Court orders, no action is required against the doctor. It was unanimously decided to recommend that the case be filed

ITEM NO. 3

PNDT case of Dr. Harbans Singh, M/s Harbans Ultrasound and CT Scan Centre, Dhuri Road, Sangrur.

The council has observed that there are instances that either the doctors are being harassed or there are different sets of guidelines in different areas.

At times, the complaints are filed on flimsy grounds. It needs to be rectified. The council decided to have a meeting with the State Advisory Board/ State Appropriate Authority to discuss the matter and to have same set up of guidelines for whole of the State. Until then all the cases pertaining to PNDT be kept pending and put up in the next Disciplinary Committee meeting.

ITEM NO. 4

PNDT case of Dr. Sat Pal Singla S/o Sh. Piara Lal, Singla Nursing Home, Maur Mandi, Distt. Bhatinda.

The same decision as in case of Item No. 3

ITEM NO. 5

PNDT case of Dr. Vijay Kumar S/o Sh. Sita Ram, Vijay Nursing Home, Near Geeta Bhawan, Maur Mandi, Distt. Bhatinda.

The same decision as in case of Item No. 3

ITEM NO. 6

PNDT case of Dr. Ravi Kanta d/o Sh. Ram Kishan, Ravi Janana Hospital, Hisar.

The doctor was served charge sheet vide this office letter dated 30-01-2008. The case was in the court of Sh. Alka Malik, Chief Judicial Magistrate titled State vs. Ravi Janana Hospital etc. The Hon’ble Court on 9-01-2008 has acquitted the doctor of the charges. The relevant para of the court’s orders are:

“Consequent to the above discussion, wherein, case against is not all proved, accused No. 2, Dr. Ravi Kanta being responsible person of accused No. 1 Ravi Janana Hospital are hereby ordered to be acquitted of the charges made against her. Her bonds also stands discharged. File consigned to the record room after the compliance.”

In view of the Hon’ble Court orders, no action is required against the doctor. It was unanimously decided to recommend that the case be filed.

ITEM NO. 7

PNDT case of Dr. M.P. Kamboj S/o Sh. Tek Chand, Kamboj Ultrasound and Diagnostic Pvt. Ltd., Hisar (18211 dated 25-7-77) & Dr. (Mrs.) Renu Kamboj, Kamboj Ultra Sound and Diagnostic Pvt. Ltd., Hisar.

The doctors were served charge sheet vide this office letter dated 30-01-2008. The doctors filed an appeal in the court of Sh. S.S. Lamba, Session Judge, Hisar. The Hon'ble Court on 7-02-2008 has stayed the operation of the orders of the lower court. The case is fixed for hearing on 17-03-2008.

The status report of the case be asked. The case be put up in the next meeting.

ITEM NO. 8

PNDT case of Dr. Ishwar Dass Shelly, Shelly Nursing Home (Shelly Ultrasound Centre) Near Aam Khas Bagh, Sirhind.

The same decision as in case of Item No. 3

ITEM NO. 9

Complaint against Dr. Ajit Pal Singh, SMO Bathinda as alleged by Mr. Ved Parkash Gupta, General Secretary, Punjab Human Rights Committee, Bathinda.

Dr. Ajit Pal Singh has submitted that the Punjab Public Service Commission (P.P.S.C.) has rejected the enquiry report and action taken by the State Government. The P.P.S.C has returned the file with the remarks that the fresh enquiry be instituted.

The council decided the State Government be approached to know the status of the enquiry from the office of the Secretary, Department of Health & Family Welfare/ Director Health services, Punjab.

The case is deferred for the next council meeting.

ITEM NO. 10

Complaint Against Dr. D.V. Paul S/O Lt. W. Paul, Paul's Clinic & Nursing Home, Near Railway Station, Barhi Road, Katni M.P. As Alleged By Mr. Salim Khan S/O Late Sh. Badruddin R/O Vivekanand Ward, Katni M.P.

The council considered the complaint and the statement submitted by the doctor.

The council decided to ask the doctor to submit the photocopy of the degree and copy of the registration certificate.

ITEM NO. 11

Complaint Against Dr. H.S. Sohal Professor & Head, Department Of Orthopaedics, Govt. Medical College, Amritsar As Alleged By Mr. Ravinder Sultanwind, President, All India Youth Association Amritsar.

The council considered the statement of the doctor. In the last para of the statement, the doctor has mentioned two inquiries conducted by the S.D.M. and the Principal.

The doctor has submitted that he was not on duty on that day. The doctor be asked to submit the proof of not being on duty at that place on that day.

The doctor be also asked to submit the copies of the reports of the enquiries conducted by the S.D.M. and the Principal.

ITEM NO. 12

Complaint Against Dr. Subhash Khanna, Khanna Nursing Home, C-4F/245, Janakpuri, New Delhi As Alleged By Ms. Nita.

The doctor has submitted his comments. The council considered the complaint the statement of the doctor.

The patient was treated as an OPD patient. Orthopaedic doctor has treated the patient. There is no evidence of medical negligence. The council unanimously decided to recommend the filing of the complaint.

ITEM NO. 13

Complaint against Dr. Narotam Dewan of Ludhiana.

As per Punjab Government orders Dr. Narotam Dewan was granted personal hearing. The doctor attended the office and submitted the statement and other documents in his defence. The documents were taken on record. The doctor submitted that:

- The advertisements, which had appeared in the press, had been voluntary given by the press.
- In the Act, no competent authority has been mentioned to hold the Camps.
- My father is a Freedom Fighter. There is environment in the family and I am announcing the charitable camps.
- Many patients have been treated free of cost. Orphan child has been treated.
- Many patients have been benefited from the treatment. Even some of the patients have submitted affidavits in favor of the doctor.
- The doctor also submitted a copy of the agreement/ withdrawal of the complaint. Which was taken on record?
- A large no. of medical institutes are holding camps regularly.
- DMC is also giving advertisement for holding camps and giving 40% concession.
- Kuka Diagnostic Centre has announced in the press.
- Dr. Manoj Jain have not complained against Dr. Narotam Dewan. The signature are either wrong or fabricated.
- On the wishes of Dewan Jagdish Chand, my father, the camps have been organised.
- Action and conduct of complainant are only to damage my reputation.
- Inquiry may be withdrawn.

It was unanimously decided that the doctors/ institution whose names have been figured as a passing reference in the reply of the doctor be asked to submit their comments about the advertisements/ camps organised by them. It was also decided to frame some guidelines for holding the camps in the near future.

ITEM NO. 14

Complaint against Dr. Nitin Aggarwal of Ludhiana.

The case was considered in detail. The doctor is M.Ch. but is not registered with the council. The doctor is registered with the council for M.B.B.S. degree only.

The doctor has submitted that he had applied for the registration two year back and have not received the registration certificate. As per record, the doctor is registered with the council and the certificate has been issued to the doctor.

The doctor has not got his M.S. & M.Ch degree registered with the Punjab Medical Council. The council decided the doctor must get himself registered with the council for additional qualification. The case be taken up in the next council meeting.

ITEM NO. 15

Complaint against Dr. Sanjiv Sabharwal and Dr. Sandeep Chabra.

The Principal, Govt. Medical College, Patiala was asked to constitute a committee of the experts to look in to the matter. The Principal constituted a committee of the following doctors.

- Dr. Anil Vij, Professor, Deptt. of Medicine
- Dr. A.S. Sidhu, Professor, Deptt. of Orthopaedics.
- Dr. Harcharan Singh, Asstt. Professor, Deptt. of Cardiology.

The committee has opined as follows:

1. During the stay of patient in hospital, the patient was regularly attended by orthopaedician, Medical specialist, Cardiologist, endocrinologist and Nephrologist and was given regular proper treatment.
2. From the record, the committee has not been able to find any negligence.

The council has accepted the report of the committee. Since there is no negligence on the part of the treating doctors, no action is required. The council unanimously decided to recommend the filing of the case.

ITEM NO. 16

PNDT case of Dr. Raj Kumar Garg s/o Sh. Lal Chand, M/s Kumar Hospital and Ultra Sound Scan Centre, Kotkapura.

The same decision as in case of Item No. 3

ITEM NO. 17

PNDT case of Dr. Dr. Harjit Singh Khangura s/o Chanan Singh, City Faridkot.

The same decision as in case of Item No. 3

ETHICAL COMMITTEE CASES:

ITEM NO. 1

Complaint against Mr. Vareesh Kumar and doctors of Vardaan Medical Centre, Jalandhar.

The doctors has submitted the statement but have not submitted whether they had been involved in the conduct of the procedure or not. They have been asked to submit the same. No response has been received. The council decided to defer the case to the next council meeting.

ITEM NO. 2

Research Plagiarism By Dr. Santokh Singh, Professor & Head Department Of Medicine, Govt. Medical College, Amritsar.

Dr. Santokh Singh and Dr. Gurpal Singh were asked to submit their statements on the complaint. The doctors have submitted their statements. The council has considered the complaint and the statement submitted by the doctors.

The complaint is anonymous. The council has decided not to take cognizance of the anonymous complaints. The papers are their own work. There is no plagiarism on the part of the doctors.

The council unanimously decided to recommend the filing of the complaint.

COUNCIL MEETING:

ITEM NO. 1

Disciplinary Committee and the Ethical Committee

The council unanimously approves the decisions taken by the Disciplinary Committee and the Ethical Committee meetings.

ITEM NO. 2

Office Building.

The Council was informed about the meeting with the Minister and the Secretary Medical Education and Research. The PowerPoint presentation submitted by the Forest Department was shown to the council members.

The council unanimously decided that the council is ready to:

- a. Associate with the construction of the building.
- b. The council will make its contribution as per space allotted/ required toward space and construction
- c. The council is ready to pay the service charges if they are reasonable.

ITEM NO. 3

Appeal/ case regarding Income Tax exemption.

It was informed that the council had filed an appeal against the decision of the Income Tax Authorities. It was informed that the remedy lies in an appeal in the High Court against the orders.

The case was considered and it was unanimously decided to file the case in the High Court.

ITEM NO. 4

Approval of Punjab Medical Council Audit for the year 2007-08 from M/s Rajesh Aggarwal and Associates.

The copy of the Audit Report for the Year 2007-08 was placed on the table. The case considered the Audit Report and unanimously approved the Audit Report.

ITEM NO. 5

Purchase of Inverter with two batteries

It was informed that with the onset of the Summer season there are long power cuts. The office is of the opinion that two invertors be installed so that the doctors coming to the office for registration or other work do not suffer.

The case was considered and the council decided and allowed to install two invertors in the Council Office.

ITEM NO. 6

Re-Registration

The recommendation of re-registration of the Registered Medical Practitioner after a period of five years is pending with the State Government. The Government be requested to issue the notification.

ITEM NO. 7

Awards

It was unanimously resolved to give Awards to the Renowned personalities in each field of medicine.

- The Award ceremony will be organised by the Punjab Medical Council in P.G.I. Auditorium.
- The Council members were requested to submit the list of the renowned personalities so that the awards are shortlisted. Henceforth the bestowing the awards be a regular feature.
- The awards will be subject/ specialty wise.
- The awards will be in the form of citation/ plaque.

ITEM NO. 8

Miscellaneous if any, with the permission of the chair.

Resolution No. 1

Protection of doctors-Cases registered against the doctors

It was pointed out in the council meeting that Acts have been enacted in certain State of India, which protects the doctors from the improper/ uncalled for behavior done by the relatives/ attendants of the patients after the death of the patients. In certain cases, the patients do not want to pay the fee of the doctor and they indulge in such type of activities. Certain states have come up with acts to protect the doctor and property. The offence had been declared co-cognizable in Madhya Pradesh, Andhra Pradesh, Himachal Pradesh and Maharashtra. It is pertinent to mention that other states are also coming up with such type of acts.

There is immediate need of such act in our state. It was felt that the council is under moral obligation to protect the genuine Registered Medical Practitioners. The council unanimously decides to press upon the State Government to come up with the similar type of Act/ Ordinance so that the doctor community in the State of Punjab is not harassed. The Council strongly recommends the enactment of similar kind be enacted in the State of Punjab.

Resolution No. 2

Ultra-sonography Machines:

It was felt that ultra-sonography machine are not only required to be operated upon by the qualified Radiologist. Even the Certain Specialist like Cardiologists, Gynaecologist, Surgeons, Gastroenterologist, etc are well trained in the use of such machines in their teaching and training during their post graduation.

There should not be any impediment in the purchase and use of such machines by the specialists. It was informed that other specialists are not allowed to purchase the machines until or unless they have postgraduate qualification in Radiology.

There should not be any impediment in the use of ultrasound machines. The Council resolves that the other specialists who are well trained in the use of such machines may not be debarred/ stopped to purchase such machines. The machines will be beneficial in the diagnosis/ treatment of the patients. Some methodology be adopted for buying and use of ultra sound machines by specialists & Super-specialist for use in their practice.

This case should be taken up with the Government.

Resolution No. 3

Opening of Medical Laboratories in State of Punjab

The laboratories are being run by the unqualified manpower. Certain states have the Acts to regulate the mushrooming of such laboratories. It was informed that the Supreme Court have given the Guidelines/ directions in this matter.

The laboratories must be registered with appropriate authority. The laboratories should employee or run by qualified staff. Dr. B.S. Shah and Dr. Vinod Sood will collect the Hon'ble Supreme Court judgements and copies of the acts of other States and will submit the draft Act/ Rules.

The Council unanimously resolves that the State Government be requested to enact the Act as in other States to regulate the Laboratories.

Resolution No. 3

Appointment of Daily Wages/ Contract employees in the office of Punjab Medical Council

The council has already had authorized the President, Punjab Medical Council to appoint employees on daily wages/ contract as and when they are required. Council unanimously approves the appointments made so far on daily wages or contract.

The council further authorized the President, Punjab Medical Council to make such appointments, if any, as and when required by the council, in future.

The meeting ended with the vote of thanks to the Chair

Sd/-
President,
Punjab Medical Council,
Mohali.

Endst. No.PMC/2008/3001

Dated : 23-4-2008

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

Sd/-
Registrar,

Punjab Medical Council,
Mohali

Endst. No.PMC/2008/3002 to 3008

Dated : 23-4-2008

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