


19th June, 2023

Minutes of the Delhi Medical Council meeting held on 19th June, 2023 in Conference Room, Ground Floor, B-Wing, Block-1, DMRC IT Park, Shastri Park, New Delhi-110053, is placed opposite for your kind perusal.



President, DMC



**(Dr. Girish Tyagi)
Secretary, DMC**

Minutes of the Council meeting of the Delhi Medical Council held on 19th June, 2023 in Conference Room, Ground Floor, B-Wing, Block-1, DMRC IT Park, Shastri Park, New Delhi-110053.

A meeting of the Delhi Medical Council was convened 19th June, 2023 for 2.30 p.m. in Conference Room, Ground Floor, B-Wing, Block-1, DMRC IT Park, Shastri Park, New Delhi-110053.

The meeting was adjourned at 2.30 p.m. due to lack of quorum. The meeting was reconvened at 3.00 p.m.

The following were present:-

1. Dr. Arun Gupta	President
2. Dr. Naresh Chawla	Vice-President
3. Dr. Narendra Saini	Member
4. Dr. Maneesh Singhal	Member
5. Dr. Rajeev Sood	Member
6. Dr. Saudan Singh	Member
7. Dr. Sushil Kumar	Member
8. Dr. Harish Gupta	Member
9. Dr. Ashwini Dalmiya	Member
10. Dr. Ashwani Goyal	Member
11. Dr. Subhash Aggarwal	Member

The following member could not attend the meeting:-

1. Dr. Raghav Aggarwal	Member
2. Dr. P.N. Pandey	Member
3. Dr. N.N. Mathur	Member
4. Dr. Manish Narang	Member
5. Dr. Manish Kumath	Member
6. Dr. Niket Verma	Member
7. Dr. Mridu Dudeja	Member

8. Dr. Vijay Dhankar	Member
9. Dr. Prem Kumar Aggarwal	Member
10. Dr. Rakesh Kumar Gupta	Member
11. Dr. Anil Kumar Bhalla	Member
12. Dr. Pankaj Solanki	Member
13. Dr. Aditya Aggarwal	Member
14. Dr. Nutan Mundeja	Member

The following agenda was discussed:-

1. Minutes of the meeting held on 11th May, 2023.

The minutes of the Council meeting held on 11th May, 2023 were circulated to all the members present, for information.

2. Action taken report of minutes of the meeting held 11th May, 2023.

Action taken reports, which were circulated to all the members present, were approved. The same are appended herewith as **Annexure 'A'**.

3. To discuss cases of medical negligence and unethical conduct.

- (i) The Order of the Executive Committee in complaint No. 3463 of Shri Rohit Verma r/o C-140, Gali no. 5, Bhajanpura, Delhi-110053, alleging medical negligence on the part of doctor of BLK Hospital, in the treatment of complainant, was confirmed by the Delhi Medical Council.
- (ii) The Order of the Executive Committee in complaint No.3484 of Smt Abida Begum, r/o-A-44, Navjeevan Camp, Govindpuri, New Delhi, alleging medical negligence on the part of doctor of Dr. Rajendra Prasad Centre for Ophthalmic Sciences, All India Institute of Medical Sciences, New Delhi-110029, in the treatment administered to complainant, was confirmed by the Delhi Medical Council.
- (iii) The Order of the Executive Committee in complaint No.3201 of Shri Uttam Kumar(Advocate), 4/2313, Gali No.5, Bihari Colony, Shahadara, Delhi-110032, alleging medical negligence in the treatment administered to the complainant's father late Rakesh Kumar at Rajiv Gandhi Super Speciality Hospital, Tahir Pur, Dilshad Garden, Delhi, resulting in his death on 19.11.2020, was confirmed by the Delhi Medical Council.
- (iv) The Order of the Executive Committee in complaint No.3375-a representation from Police Station, Palam Village, New Delhi, seeking medical opinion in respect of death of Shri Manoj Kumar s/o Shri Ramesh Kumar r/o- RZ-A2/26, Duga Park, Sagarpur, New DELHI,

allegedly due to medical negligence in the treatment administered to Shri Manoj Kumar at Bhagat Chandra Hospital, D-2/48-49, Janakpuri, New Delhi-110058, resulting in his death at Bhagat Chandra Hospital on 23.09.2013, was confirmed by the Delhi Medical Council.

- (v) The Order of the Executive Committee in complaint No.3370-a representation from Police Station, New Friends Colony, New Delhi, seeking medical opinion in respect of death of Smt Babita, allegedly due to medical negligence in the treatment administered to Smt Babita at Holy Family Hospital, Okhla Rod, Okhla, New Delhi, Delhi 110025, resulting in her death on 14.03.2021, was confirmed by the Delhi Medical Council.
- (vi) The Order of the Executive Committee in complaint No.3632 of Shri Siddhant Jakhar r/o Sector-46, Gurgaon, Haryana -122003, alleging medical negligence on the part of doctors of Safdarjung Hospital, New Delhi-110029, in the treatment of complainant, was confirmed by the Delhi Medical Council.
- (vii) The Order of the Disciplinary Committee in complaint No.3679-The Delhi Medical Council has taken suo moto notice of Dr. Ajay Rana wrongly claiming himself to be a Dermatologist on social media even though he is registered with Delhi Medical Council with only MBBS qualification, was confirmed by the Delhi Medical Council.
- (viii) The Order of the Disciplinary Committee in complaint No.3697 of Shri Girish Devnani, forwarded by National Medical Commission against Dr. Rohit Yadav, was confirmed by the Delhi Medical Council.
- (ix) The Order of the Disciplinary Committee in complaint No.2869-a representation from Police Station, Malviya Nagar, New Delhi, seeking medical opinion in respect of death of Shri. Rohit allegedly due to medical negligence in the treatment administered to him at Akash Hospital, 90/43, Malviya Nagar, New Delhi-110017 resulting in his death on 10.06.2019, was taken up for confirmation before the Delhi Medical Council.

Whilst confirming the Order of the Disciplinary Committee, the Council observed that the following observations, appearing at the following point of the Order of the Disciplinary Committee, is unwarranted, as the Disciplinary Committee in its Order has already noted that it was error in judgement; hence, be expunged.

2) Second Paragraph :-**“with the assistance of more experience anaesthetist.”**

2) Third Paragraph :-**“and, thus, did not initiate timely remedial measures to salvage the situation of fall in SPO2 and heart rate, which unfortunately led to the demise of the patient.”**

2) Last Paragraph :- **“We are of the considered opinion that the subsequent observation that ‘death due to shock resulting from vagal stimulation cannot be ruled out’, is misplaced, as post mortem cannot diagnose the vagal stimulation because that occurs in a living body.”**

3) **“It is observed that since Shri Rohit was an adult, he could have consented to the surgery himself.”**

4) **“The gadgets for airway management like fibre optic bronchoscope and video laryngoscope should be readily available in the O.T., which were not there, so that any complication of the nature which has happened in this case and was foreseeable, could have been managed properly. Further, such anaesthetist procedure should ideally be conducted by a more experienced and skilled anaesthetist or at-least in their presence.”**

The Council further confirmed that Dr. Malavika Sharma shall undergo 15 hours of Continuing Medical Education (C.M.E.) on the subject related to ‘Airway Management’ within a period of three months from the date of the Order and submit a compliance report to this effect to the Delhi Medical Council.

This observation is to be incorporated in the final Order to be issued. The Order of the Disciplinary Committee stands modified to this extent and the modified Order is confirmed.

- (x) The Order of the Disciplinary Committee in complaint No.2369 of Shri Sahil Malik r/o F-218, Gali No. 27, Old Mustfabad, Delhi-110094, alleging medical negligence on the part of doctors of GTB Hospital, Dilshad Garden, Delhi-110095 in the treatment of complainant’s wife Smt. Sahana Malik, was confirmed by the Delhi Medical Council.

The Council further confirmed the punishment of warning awarded by the Disciplinary Committee to Dr. Daizy Garg (Delhi Medical Council Registration No.DMC/R/12161) with a direction that she should undergo 15 hours of Continuing Medical Education (C.M.E.) on the subject related to ‘Obstetrics Ultrasound (TIFA/Level II Scan/Anomaly

Scan)' within a period of three months from the date of the Order and submit a compliance report to this effect to the Delhi Medical Council. The Council also confirmed the punishment of warning awarded by the Disciplinary Committee Dr. Gopesh Mehrotra (Delhi Medical Council Registration No.7019) and Dr. Lalendra Upreti(Delhi Medical Council Registration No.4008)

The Council further observed that the Order directing the issuance of warning shall come into effect after 60 days from the date of the Order.

This observation is to be incorporated in the final Order to be issued. The Order of the Disciplinary Committee stands modified to this extent and the modified Order is confirmed.

- (xi) The Order of the Disciplinary Committee in complaint No.3655- a representation from Dy. Commissioner of Police, Central District, Delhi, seeking medical opinion in respect of death of Smt Shivali w/o Shir Anmol r/o- House No. U-176, Arvind Nagar, New Usmanpur, New Delhi, allegedly due to medical negligence on the part of doctors of Veer Nursing Home, A-3/1217, Main-Pusta ,4 ½ Pusta Som Bazar, South Gamri, Delhi- 110053, resulting in her death on 09.08.2022, was taken up for confirmation before the Delhi Medical Council.

Whilst confirming the Order of the Disciplinary Committee, the Council observed that the following observations, appearing in observation (8) in the Order of the Disciplinary Committee, is unwarranted; hence, be expunged.

“Through their actions, they have brought the medical profession in disrepute and is highly deplorable.”

The Council further observed that in the facts and circumstances of this case, the punishment of removal of name of Dr. Amrita Soni (Delhi Medical Council Registration No.33867) and Dr. Arun Kumar (Delhi Medical Council Registration No.35659) from the State Medical Register of the Delhi Medical Council for a period of 180 days, awarded by the Disciplinary Committee, was a bit too harsh and that interests of justice will be served if, the name of Dr. Amrita Soni (Delhi Medical Council Registration No.33867) and Dr. Arun Kumar (Delhi Medical Council Registration No.35659) is removed from the State Medical Register of the Delhi Medical Council for a period of 90 days. The Council, therefore, directed that the name of Dr. Amrita Soni (Delhi Medical Council Registration No.33867) and Dr. Arun Kumar (Delhi Medical Council

Registration No.35659) be removed from the State Medical Register of the Delhi Medical Council for a period of 90 days; however, since, Dr. Arun Kumar is currently not registered with the Delhi Medical Council (his registration expired on 30th January, 2023) but registered with the erstwhile Medical Council of India under registration No. 31287 dated 15th June, 2007; a copy of this Order be sent to the National Medical Commission with a request to take cognizance of this Order and take necessary action against Arun Kumar; further, as and when, Dr. Arun Kumar renews his registration with the Delhi Medical Council, he (Dr. Arun Kumar) shall undergo suspension of registration for a period of 90 days from the State Medical Register of the Delhi Medical Council. Stricture to be recorded in the State Medical Register of the Delhi Medical Council.

The Council further observed that the Order directing the removal of name from the State Medical Register of Delhi Medical Council shall come into effect after 60 days from the date of the Order.

This observation is to be incorporated in the final Order to be issued. The Order of the Disciplinary Committee stands modified to this extent and the modified Order is confirmed.

4. To discuss digitalization of the records of the Delhi Medical Council with regard to outsourcing of records.

The Committee of the following members is constituted:-

1. Dr Ashwani Dalmiya,
2. Dr Vijay Dhankar
3. Dr. Manish Narang

The committee will study the feasibility of digitation of records and the cost incurred on outsourcing and submits the detailed report to the Council.

5. To discuss about the notification of regulations; “Registration of Medical Practitioners and License to Practice Medicine Regulations, 2023” dated 10th May, 2023 and issue of Foreign Medical Graduates internship.

The Secretary explained in detail about the new regulation published by the National Medical Commission on “Registration of Medical Practitioners and License to Practice Medicine Regulations, 2023” dated 10th May, 2023 and issues related to Foreign Medical Graduates internship.

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1. Registration of Medical Practitioners and License to Practice Medicine Regulations, 2023” dated 10th May, 2023

- a. Any person (IMR/FMG) after qualifying NExt has to apply to EMRB web portal to generate Unique Identification (UID) number.
- b. As per new regulation For the purpose of obtaining licence, a person may apply through a web portal of the Ethics & Medical Registration Board containing such details as specified in the electronic format and following which Unique ID will be generated and RMP to select the concerned state medical council/councils wherever he wants to practice.
- c. As per new regulation Place of Working (Name of the Hospital/institute) along with other details to be displayed in respect of medical practitioner and made available for Public on the website of National Medical Commission.
- d. For application of Additional Qualification recognized under NMC Act, 2019, RMP shall apply to the concerned state medical council.
- e. Registration issued to RMP shall be valid for a period of **Five Years** and application for renewal of registration may be made before three months of expiration of the validity of license and if no application within three months of expiration of the validity of license the entry of the name of the medical practitioner in the State Register shall be converted as **inactive** and the person shall not be entitled to practice medicine. The entry of the status –

‘inactive’ made in the State Register against a medical practitioner, shall automatically reflect in the National Register.

- f. As per Transitory provisions, all the existing medical practitioner enrolled in the Indian Medical Register or the State Medical Register, not having the registration number as per these Regulation shall update in the web portal of the Ethics & Medical Registration Board within a period of three months of publishing of these Regulation and obtain the Registration Number as a onetime measure and the license so generated shall be valid for period of five years from the date of issuance. For the purpose of updating of license of such medical practitioner, no fee shall be charged by EMRB, NMC.

2. A total of 587 seats were allotted to FMGs graduates out of which 208 seats are left vacant as many candidates are not able to come up from other states due to one or the other reason to pursue the Internship in Delhi and in order to fill up the vacant seats, applications are again invited in offline mode to know the availability of the doctor who is in urgent need and genuinely wishes to start the Internship in Delhi.

The remaining vacant internship seats to be allotted to the candidates who have submitted the offline Performa in personnel in the office and any previous form submitted through online mode (Google Form) to be treated as null and void due to unresponsiveness.

6. To discuss about the Minutes of the Anti Quackery Committee.

The Secretary informed that there are no minutes of the Anti-Quackery Committee of the Delhi Medical Council on which discussion is required, as no meeting of the Anti Quackery Committee of the Delhi Medical Council had been convened.

7. To discuss about the Minutes of the Finance Committee.

The Secretary informed that there are no minutes of the Finance Committee of the Delhi Medical Council on which discussion is required, as no meeting of the Finance Committee of the Delhi Medical Council had been convened.

8. Any other item with permission of Chair.

- (i) Complaint No. 3573- It is noted that a complaint No. 3573 (a complaint of Shri Satish Chander Pasricha, r/o- 1/207, 1st Floor, Subhash Nagar, New Delhi-110027, alleging medical negligence on the part of Dr. Anil Laul of Human Care Medical Charitable Trust (Manipal Hospital), Sector 06, Dwarka, New Delhi-110075, in the treatment administered to complainant), was taken up for hearing before the Executive Committee of the Delhi Medical Council in its meeting held on 08th June, 2023 wherein *“the Executive Committee noted that inspite of notices, neither Dr. Anil Laul nor Medical Superintendent Human Care Medical Charitable Trust (Manipal Hospital) filed their written statement and medical records pertaining to this matter. Further, when the matter was call for hearing at 3 pm, only the complainant presented himself before the Executive Committee. The Executive Committee noted that absence of Dr. Anil Laul and the Medical Superintendent of Human Care Medical Charitable Trust (Manipal Hospital) and also their failure to submit written statement and medical records even today.*

The complainant made his verbal submission to the Executive Committee. Once the complainant had been heard, Dr. Anil Laul and Dr. Vishaka Chadha, Asst. Medical Superintendent Manipal Hospital presented before the Executive Committee at 3.30 p.m.

On being asked as to the reason for not joining the proceedings in time, Dr. Anil Laul and Dr. Vishaka Chadha, Asst. Medical Superintendent Manipal Hospital gave the excuse that they were stuck in traffic and, hence, were delayed. On being asked to explain as to why till today, inspite of having being served the notice dated 10th May, 2022 and 18th October, 2022, no written statement and medical records have been filed; no explanation was forthcoming from either Dr. Anil Laul or Dr. Vishaka Chadha, Asst. Medical Superintendent Manipal Hospital.

The Executive Committee members were appalled at the recalcitrant attitude of Dr. Anil Laul and Dr. Vishaka Chadha, Asst. Medical Superintendent Manipal Hospital, as is reflected in their failing to file their written statement or submit the medical records pertaining to this matter, inspite of repeated notices (sent on 10th May, 2022 and 18th October, 2022), so as to render assistance in this matter. This recalcitrance towards an authority which is exercising power of

Civil Courts and whose proceedings are judicial in a nature, tantamounts to misconduct. In view of the above, the Executive Committee directed that the matter be referred to the Disciplinary Committee for hearing and till the pendency of the enquiry, the name of Dr. Anil Laul and Dr. Partha Sarathi Goswami Medical Superintendent of Manipal Hospital be suspended. The conduct of the Medical Superintendent of Manipal Hospital in failing to comply with the directions of the Delhi Medical Council be also brought the Directorate General of Health Services for appropriate action against Manipal Hospital.”

In light of the above, the Council confirmed the punishment of suspension of name of Dr. Anil Laul(Delhi Medical Council Registration No.13807) and Dr. Partha Sarathi Goswami, Medical Superintendent of Manipal Hospital from the State Medical Register of the Delhi Medical Council, till the pendency of the enquiry. However, since as per records available in the Delhi Medical Council, Dr. Partha Sarathi Goswami is not registered with the Delhi Medical Council; a copy of this decision be sent to the National Medical Commission and West Bengal Medical Council where Dr. Partha Sarathi Goswami is registered under registration No. 52380 dated 07th December, 1995, for necessary action against Dr. Partha Sarathi Goswami. The Council further observed the serious lapse of employing Dr. Partha Sarathi Goswami by the administrative authorities of the Manipal Hospital, is a violation of Section 15(6) of the Delhi Medical Council Act, 1997 which mandates that “*any person servicing or practicing modern scientific system of medicine in NCT of Delhi shall be registered with the Delhi Medical Council*”; hence, the Directorate General of Health of Services, Govt. of NCT of Delhi be requested to look into the same and take necessary action against Manipal Hospital under the Delhi Nursing Home Registration Act. Further, a copy of this decision be also sent to the Health & Family Welfare Department, Govt. of NCT of Delhi and other authorities.

Meeting ended with vote of thanks to the Chair.


(Dr. Girish Tyagi)
Secretary