

The meeting was conducted between 8:50 pm to 9:40 pm on 12th July
It was attended by

Dr Rajendra Chaturvedi
Dr Devraj Raichur
Dr Ashish Khatod
Dr Rajeev Joshi

A. Dr Rajeev Joshi informed the participants about the progress in the Kerala High Court case regarding violence.

Dr Srikumar Vasudevan informed that the IMV KSB had discussed the issues with their advocates.

They advised to file writ petition taking references from PIL filed by Dr Rajeev Joshi. I informed him that they should file an intervention application in the present PIL filed by Association of Private Hospitals, Kerala in which the high court has requested comments from stakeholders. In the intervention application they can request modification in the Act. Dr Srikumar discussed with the advocates again and they agreed. He has requested to send him an initial draft of the intervention application which will be re-drafted by the advocates of IMA KSB. I have agreed and will do that in a couple of days and send it across to him.

B. Dr Rajeev Joshi informed that he received a call from Dr. Sumit Periwal from Sikkim. Dr Periwal has circulated an online petition which has been signed by 15000 doctors. In this connection he sought appointment from the Law minister. The Law Secretary has invited him for a meeting on 25th of July 2022. He plans to discuss a 20 point agenda, stay in Delhi for 2-3 days and try and meet the Law Minister also.

He had called for

1. Asking advice as to what should be presented to the law secretary. I have sent him a copy of healthcare protection guidelines requested by me to Bombay High Court which can be suitably modified to enact the Central Act, in addition to the 20 point agenda he has prepared.

2. Asking for financial support for travel to Delhi. I had informed him that we are having a meeting on the 12th and after discussion in the meeting we can discuss financial assistance. Unfortunately only 4 members participated in the meeting so no decision could be taken. However we discussed that I will inform him as under
a. "The association is in the stage of formation and the bank account is yet to be opened. We will make payment for the air ticket from Sikkim to Delhi and back, after the association bank account is opened" My opinion is that we should support such efforts as that is what the association is for.

b. Dr. Sumit Periwal should connect us with doctors interested in medicolegal issues from all north east states, as we have only Dr Sekharjit Cinam from Imphal in the group. Unfortunately none of us has friends in the North East, and we need to make a few friends there.

Comments of the members of the executive committee are requested in this regard.

C. Dr Rajendra Chaturvedi informed that he is on the job of drafting a letter of support to Dr Yadav with respect to appointment of IAS as DGME. He has talked to Dr Gupta from AIIMS and Dr Shamsundar, who were not aware of the supreme court judgment in this regard. Dr Devraj Raichur had referred to such a judgment and he will try to find it and send it to Dr Chaturvedi. In the meantime I am attaching Judgment in the case of N C Prajapati of the High Court of Judicature at Allahabad. Dr Mukesh Yadav is also requested to search for the Supreme Court Judgement in this regard and interact with Dr Chaturvedi on 9611678688.

D. Dr Devraj Raichur had raised an issue regarding Ramdeo Baba during discussion on whatsapp group. Dr Chaturvedi informed that IMA had previously taken action on Ramdeo Baba and he had apologised. There was discussion about writing to local IMAs and then IMA leadership taking on the BABA. Dr Joshi requested Dr Chaturvedi to find the complaint and letter of apology and send to the group. Dr Devraj Raichur may use such evidence and prepare legal notice to be sent to BABA. Depending on response we will decide what action is required to be taken. Let us not wait for other associations to take legal action. It is the agenda of our association, and the agenda of IMA and other associations is more of academic and cultural interaction of its members. We should lead the legal action and become a legal taskforce of the medical fraternity. Dr Chaturvedi said that we should take up one issue at a time and Dr Devraj Raichur said that there should not be too much load on Dr Rajeev Joshi. Dr Rajeev Joshi said that he will take on workload as and when required, but he expects each member to take up one issue and take it to its conclusion. If we wait for the results of one issue, it may take a lot of time as legal processes are lengthy. We may lose a matter or two, but we should start processing by using our collective strength. Therefore each member should come forward to lead one project / activity / initiative and take it forward with help of all members.

E. Dr Ashish Khatod discussed problems faced by hospitals in Washim District of Maharashtra state. more than 70 hospitals are there and none have received renewal of registration. This was because the local corporation is insisting on compliance with revised provisions of Bombay Nursing Home Act. He contacted 20 doctors, but all said that we do not know why the registration is not being given. Dr Chaturvedi said that the requirements of nursing staff in the BNH are not in accordance with the requirements of Indian Nursing Council Act. Dr Raichur said that State Act can prevail over central Act as health is state subject. Dr Khatod said that he will study the Indian Nursing Council Act and point out differences between them. Dr Rajeev Joshi said that the requirements regarding construction of hospitals can not be complied with by hospitals registered before the BNHA amendments were passed. Civil work can not be changed easily. No act can be applicable retrospectively. Similar situation had arisen in Pune in 2018 when he had prepared a presentation by asking hospitals to fill google form. The statistics was presented to the health minister and he ordered to give licence to all hospitals in Pune. Now it looks like the State Government is trying to make the new rules applicable in relatively backward areas of the state, and once they are enforced, then they may restrict licences to small nursing homes in other parts of the state. It is feared that

the government is preferring corporate hospitals to small nursing homes and such an attitude needs to be opposed. He requested Dr Khatod to write an article on this whole issue and we will publish it in LOKMAT which is a popular newspaper in that area.

The participants were disappointed at the attendance of members for the meeting.

The minutes therefore will be shared only with the participants and members of the Executive Committee.

with warm regards,

Dr. Rajeev Joshi
founder / proposer
Medicos Legal Aid Association