



# MEDICO-LEGAL SOCIETY OF INDIA

1416, Sadashiv Peth, Pune 411030 Regd No 1319/2022 dt 24/08/2022 email [medicolegalsocietyofindia@gmail.com](mailto:medicolegalsocietyofindia@gmail.com)

Dear All

On this auspicious occasion of Dusshera, I am happy to release form for membership of Medico-Legal Society of INDIA.

Please click on the link below to find bank details of the association as well as link for memorandum and rules for the association.

[https://docs.google.com/forms/d/e/1FAIpQLScFEKnrsPmbXB0rQQEzgxa-9-JU1Mmxl-OnEYi\\_gw\\_GFxD6ZFg/viewform](https://docs.google.com/forms/d/e/1FAIpQLScFEKnrsPmbXB0rQQEzgxa-9-JU1Mmxl-OnEYi_gw_GFxD6ZFg/viewform)

After payment of Rs. 12500/= for life membership of the association **please submit payment details using the form along with your personal information**. It will take 5 mins to complete the application form.

On receipt of payment in bank account of MLSI confirmation message/email will be sent to the member, and the member will be added to google group and whatsapp group of the association. Letter of membership will be sent by email in due course.

With best wishes for VijayaDashmi and festive season ahead.

**Online Meeting of Medico-Legal Society of INDIA was conducted on 4th Oct 2022 between 8:50 pm to 10 pm.** Following members attended the meeting

Dr. Mukesh Yadav  
Dr. Nitin Dhande  
Dr. Ashish Khatod  
Dr. Sangeeta Pikale  
Dr. Amogh Kumbhar  
Dr. Ashok Shukla  
Dr. Ashutosh Jape  
Dr. Amol Awachar  
Dr. Hitesh Dr.  
Dr. Ashish Mittal  
Dr. Devaraj Raichur  
Dr. Jayesh Kakar  
Dr. Pratibha Kane  
Dr. Syed Aslam Shaikh  
Dr. Anoop Hajela  
Dr. Swati Dole  
Adv. Sneha Bhonsle  
Dr. Rajeev Joshi

Apologies for not being able to note down names of a couple of members.

1. Dr. Rajeev Joshi : Report of the meeting with Akhil Bharatiya Grahak Panchayat, Pune They have agreed to give a letter of support for both cases discussed and we have submitted required DRAFT letters to them. They will give the letters after amendments as thought proper by the association.

2. Dr Sneha Bhosale informed regarding matters regarding medical professionals in SC and Dr Rajeev Joshi provided additional details

a. Delhi Doctors forum vs Union of India

[http://dataonweb.com/MLSI/uploads/11110\\_2022\\_1\\_8\\_37390\\_Order\\_18-Aug-2022%20%281%29.pdf](http://dataonweb.com/MLSI/uploads/11110_2022_1_8_37390_Order_18-Aug-2022%20%281%29.pdf)

Petitioner has requested the court to pass guidelines for a. security of all hospitals  
b. compensation for healthcare personnel who die during attacks by relatives of patients. Supreme Court has expressed inability to provide security to private hospitals at national level and granted leave to amend the petition. We may be intervene in this matter and request the court to direct the Government to give better "Protection of Law" if not security. Copy of this petition was circulated by me in last week with request for comments from members of the group. None has been received.

b. Delhi Medical Association vs Union of India

[http://dataonweb.com/MLSI/uploads/14554\\_2021\\_3\\_3\\_37932\\_Order\\_05-Sep-2022%20%281%29%20%281%29.pdf](http://dataonweb.com/MLSI/uploads/14554_2021_3_3_37932_Order_05-Sep-2022%20%281%29%20%281%29.pdf)

This is pertaining to violence and paper book needs to be procured before making any application. There may be some cost for getting the document from registry. If any one has contact in DDF, please try and get copy of the petition filed by DDF in Supreme Court.

c. Nurses association vs Quality council

[http://dataonweb.com/MLSI/uploads/31835\\_2021\\_15\\_5\\_38533\\_Order\\_26-Sep-2022.pdf](http://dataonweb.com/MLSI/uploads/31835_2021_15_5_38533_Order_26-Sep-2022.pdf)

Petitioner has asked the court to pass guidelines to improve doctor to nurse and patient to nurse ratio. In the current era where adequate nurses are just not available for various reasons, and hospitals are finding it difficult to comply with provisions of state Acts for clinical establishments / nursing home; it would not be prudent to increase the ration as requested. Therefore it may be necessary to intervene in this petition and place before the court current state of affairs with request not to pass any order without hearing us

3. Dr. Sangeeta Pikale : Explained the issues faced by her and suggested that all members MUST submit their transaction details in the form provided so that the transaction IDs can be linked to the names of members who seek membership.

4. Dr. Yadav's daughter, Sakshi has painstakingly created a logo for the association, which was approved after few suggestions as under. along with letterhead of MedicoLegal Society of INDIA

a. Bar of left pan red

b. Bar of right pan white

c. Red color slightly brighter

d. Yellow color slightly darker

c and d left to your artistic visualization. Please finalize and send ASAP so that we can start sending the membership letters to the members.

5. Dr. Das could not attend the meeting due to Durga Poojo. He will submit details for Organization of Patient Safety, Patient Rights and Patient Duties webinar (documents on link below)

[http://dataonweb.com/MLSI/uploads/Patient\\_Charter\\_for\\_comments.pdf](http://dataonweb.com/MLSI/uploads/Patient_Charter_for_comments.pdf)

[http://dataonweb.com/MLSI/uploads/Pt\\_Rights.pdf](http://dataonweb.com/MLSI/uploads/Pt_Rights.pdf)

6. Dr. Ashutosh Jape :discussed Issues regarding Medical officers from Pune Municipal Corporation (documents on link below) and how Dr Dileep Deodhar a 70 year old doctor from Pune was harassed.

[http://dataonweb.com/MLSI/uploads/Complaint\\_VJ.pdf](http://dataonweb.com/MLSI/uploads/Complaint_VJ.pdf)

[http://dataonweb.com/MLSI/uploads/Documents\\_VJ.pdf](http://dataonweb.com/MLSI/uploads/Documents_VJ.pdf)

Dr Kazmi raised the issue whether the concerned officer being a medical officer of government can she be complained against by private practitioners. Dr Mukesh Yadav explained that if we have necessary documents, then there is no harm in filing a complaint. It was also discussed whether such action would amount to defamation and unanimous opinion was since truth was on our side, there is no question of defamation. Dr Bhat suggested that the complaint be filed in PMO and State govt grievance cell and response awaited for a week or two. Dr Pikale suggested that Dr Jape can be given a letter on the letterhead of the association for initiating such a complaint. Dr Kumbhar Suggested that instead of only a letter we should hold a press conference so that there will be some pressure. Dr Joshi asked Dr Jape and Dr Pratibha Kane from Pune whether they would be willing to participate in such a press conference. Both said they would be happy to do so taking into consideration harassment of senior doctor from Pune. In this regard the following plan was suggested..

a. Dr Deodhar should write a letter to Medico Legal society of INDIA for assistance in this regard.

b. Dr Jape will prepare a draft of a letter to be submitted to PMO, State Government Grievance cell and to Courts in Pune and Pune District and High Court.

c. The draft of the letter will be reviewed by members ASAP, if required by calling an additional meeting on next Tuesday

d. The letter will be printed on letterhead, and sent to all authorities.

e. Press conference will be conducted one week after sending the letter as above.

7. Dr. Nitin Dhande gave information regarding **Medicare MedicoLegal services**. Dr Ashisk Khatod is associated with the company. It was discussed that similar to the association of doctors, the said company can be given institutional membership of Medico-Legal Society of INDIA after getting all the details of commercials of the organization and how they want to interact with MLSLI. It may be that they would like to take help from some of our members and our association may want to take their help in future.

8. Report on the members who have joined the association in the last week after opening the account was submitted by Dr Rajeev Joshi which is attached herewith for record. 15 members have paid their membership fees which comprise 7 office bearers and 8 state representatives. The form created for the membership will be

made available on all groups so that prospective members will get bank details from the form and submit transaction details through the form.

9. Dr Mukesh Yadav described his views regarding the violence matter of DMA regarding which discussion was done during the last meeting. The same has been circulated in details along with these minutes. Dr Rajeev Joshi said that he will discuss with Adv Sneha Kalita in this week and take the matter forward.

The meeting was concluded at 10 pm after discussing the possibility of meeting again on 11th October OR certainly on 18th October as per developments in the matters.

E-Mail 26.09.2022

Dear All,

I have gone in detail through the PIL filed by Delhi Medical Association and Assam Medical Association versus union of INDIA through advocate Sneha Kalita, Adv on Record, Supreme Court of INDIA Dr Suresh Vasistha had kindly connected me to her and we had a telephonic discussion on a conference call.

She explained that DMA / Assam / IMA has not provided any documents in for form of complaints / suggestions given to UOI. She has prevented rejection by making request to amend prayer clause of petition as Supreme Court was of the view that they can not direct government to give protection to all hospitals across INDIA.

I have sent copy of CRIM PIL to her so that we understand each others submissions to the judiciary, after which she sent the copy of PIL filed by her. She is going to ask the registry whether she will be allowed to add medicolegal society of INDIA as a party to the petition. If we are allowed to be added as party, we may be able to add various other angles to the petition which are missing from the said PIL.

Alternatively we may have to file intervention application / interim application as may be advised in the said PIL before it is rejected outright by Hon'ble Supreme Court. I am therefore requesting you all to go through the copy of the PIL and enter your comments in front of contents mentioned in the PIL so that we can decide future course of action. We can also discuss the comments received during our online meeting on 4th October 2022. However earlier we decide our plan of action, better.

with warm regards,

Dr. Rajeev Joshi

## Document sent by Dr Mukesh Yadav regarding violence issue

Preventive Measures

Education and Awareness Drive /Campaign

Research

What directions are sought?

Enforcement of Charter of Pt. Rights

Enforcement of Ethical Regulations

AETCOM Module

Education and Awareness

Research

**Pt. Parmanand Katara Judgment, Enforcement, Police Chouki in each Hospital**

Security of Patients

Pooled Security by Group of Hospitals

Fine and Imprisonment

No uniform Central Act to address preventive, punitive and compensative measures to address aforesaid issues.

The Epidemic Diseases Act, 1897

The Epidemic Diseases (Amendment) Act, 2020 which came into force on September,2020 preventive measures & set up authorities in place to protect and have safety & social security mechanism to protect & prevent s

Pilot Project

Security Audit of Hospitals

Use of Technology / WhatsApp Group of Key persons to immediately reach site including Police

Compensation

CCTV Camera Installation

Online FIR / Dial 100 /112

Group Insurance / Indemnity Insurance

an effective social security mechanism

Term Insurance by Individual Doctor

New Paper /Letter to be published by MLSI

that the WHO published a report titled "Framework Guidelines for addressing Workplace Violence in Health sector" in the year 2002

Consequences of Violence: Strike, Disruption of Health Services, Distrust between Dr.-Pt community

Pass System / Entry Restriction

Security Deployment

Assam High Court CCTV Installation

Poster Display in strategic locations in Hospitals to create awareness / education media can be involved in multiple languages

Fast Track trial / Investigation /Non Bailable

to ensure safety to develop a software /application to work as a distress alert call or / button ( as SOS signal )

### Case Law

Sarita Singh vs. State & Ors. (Writ Petition (S/B) No.284 of 2017)

Mohammad Arif Jameel vs. Union of India, (2020 SCC OnLine Kar 442) the Hon'ble High that of Karnataka

Dr. Rajeev Digambar Joshi Vs. The Chief secretary, State of Maharashtra & Ors. [PIL (ST) No. 2332 of 2020], the Hon'ble Bombay High

The Hon'ble Gauhati High Court in suo moto 4/2021 vide its interim order dated 14.06.2021