

Minutes of meeting of Medico Legal Society of INDIA : 05 December 2023

Online meeting of MLSI was organized on Tuesday 10th Oct 2023, it was attended by

Dr. Mukesh Yadav

Dr. Nitin Dhande

Dr. Devraj Raichur

Dr. Lalit Kumar

Dr. Rajeev Joshi

Dr. Ashish Khatod

Dr. Munish Kapoor

Dr. Pratibha Kane

Dr. Cyriac Job

Dr. Amol Awachar

Dr. Suresh Vasishtha

Dr. Vipin Checker

Dr. Kinjal Modi

Apologies for missing the names of attendees who joined the meeting late, stayed for a while and left in between. Following points were discussed during the meeting :

- 1. Regarding a meeting called by Maharashtra health department and IA in PIL for violence against medical professionals**, Dr. Joshi informed about incident which happened on 28th and urgent actions taken by him without informing MC due to the need of the hour which are as follows. After getting knowledge of the meeting through a notice of meeting shared by Dr. Nitin Dhande in WhatsApp group, he talked with his advocate. Both decided to mention in the High Court at 10:30 am next day that in spite of the order of Hon'ble Court, the petitioner and his advocates as also interveners were not invited for the meeting. On the next day, i.e. day of hearing, and meeting; Advocate Deshpande talked with the Advocate General. Advocate General said that he could have done something had he been informed earlier, but we had received the notice only the day before. The mentioning could be done only at 11.25 am. Dr. Rajeev Joshi himself informed the court about facts, and the court advised to approach the chairman of the meeting and if he is not allowed to attend, come back to court. He went to the venue of the meeting by 12 noon. After explaining the whole scenario he was allowed to attend and to talk. He informed the attendees that the last meeting was about 2.5 years ago. During the meeting he talked about the necessity of amendments in the 2010 Act and the stand of MLSI on the issue of violence against medical professionals that it is responsible for transfer of patients from small hospitals to government hospitals as well as shortage of workforce in government health departments all over the country etc. He left the meeting after his inputs were recorded.
- 2. Regarding IA filed in suo motu PIL of death of patients in Nanded government hospital**, Dr. Rajeev Joshi informed that the next hearing is on 7 December 2023 and he will attend physically if it is listed in first 15 otherwise he will attend virtually. IA has been submitted to the registry on 4th December 2023.
- 3. Regarding Controversial advertising by patanjali**, Dr. Rajeev Joshi requested all attendees to collect data about effects, side effects, and efficacy of patanjali's products. He further added that in spite of admitting before the SC, patanjali continued to publish controversial advertisements. Dr. Neeraj Nagpal shared one such advertisement. In furtherance of this he asked attendees about their opinion on possible legal action which can be taken on this. To which Dr. Devraj Raichur suggested that as it is written in the advertisement that "research data is available on our website" we should

study that data and after that we should discuss a plan of action. Dr. Lalit Kumar agreed. Dr. Pratibha Kane said that there was a news article in which it is written that one group of lawyers has written a letter to President and Prime Minister saying that the two judges who gave warning of not publishing such advertisement in future to patanjali, and fine of rupees one crore will be imposed if published are prejudicial and going beyond their jurisdiction. She further added that Patanjali is such a powerful entity, it can pay lawyers, can influence the media, can pressurize judges, and can get support from the Government. We are too small to fight with it so we should stay away from getting involved against it. Dr. Joshi agreed and said that as at present we don't have any concrete data against it except that they are advertising which is being challenged by IMA and Dr K V Babu. We should stay away till we get concrete data. Instead we should support Dr. Babu, however his fight is limited to illegal advertising and does not include the effects, side effects and efficacy of drugs. Dr. Suresh Vasishtha suggested to question the authenticity of research done by patanjali on which Dr. Raichur said that for which we have to study research data present on patanjali's website. Where as Dr. Munish Kapoor suggested that instead of challenging scientifically Patanjali should be challenged legally for which IMA should send a letter to president and PMO saying that Patanjali is trying to influence the SC by writing such type letters. Finally Dr. Rajeev Joshi suggested that we should analyze research data available on patanjali's website as per our speciality and should discuss it in the next meeting.

4. **Regarding harmful trans fats**, Dr. Munish Kapoor informed that WHO advised to completely ban use of trans fats in food except few almost all developed and developing countries complied with this advice. He doesn't know the status in India. He further suggested that we should write a request letter to PMO for imposing complete ban on trans fats. Dr. Rajeev Joshi requested him to collect reliable data and draft such a letter. meanwhile Dr. Devaraj Raichur searched about this topic on the internet and found that WHO suggested replacing trans fats from food by December 2023. Dr Rajeev Joshi requested Dr. Raichur to share a link through a chat box. Dr. Devaraj Raichur shared it accordingly.
5. **Regarding drafting PIL for constitution of medical tribunal**, Dr. Nitin Dhande informed that he is reading the documents shared with him.
6. **Regarding IA in suo Motu PIL by Karnataka HC**, Dr. Devaraj Raichur informed that the amicus curiae appointed by HC till now has not filed PIL. Dr. Rajeev Joshi requested Dr. Devaraj Raichur to contact that amicus curiae and work on drafting PIL. Dr. Raichur said that he will try to contact Dr. Vinod Kulkarni who can help us in this. Dr. Joshi said that the draft of IA at Bombay HC can be used for drafting this PIL.
7. **Regarding website related information**, Dr. Ashish Khatod informed that he talked with his web developer friend who told that he is busy in Maha rojgar Melava of the state government which is on 11 December and will start working on our website after 11 December. Dr. Joshi requested him to get a quotation first
8. Meeting ended at 10 pm with resolution to meet on Tuesday 19th Dec 2023

Dr. Ashish Khatod

Dr. Rajeev Joshi