

Monday, Aug 10, 2020

To

**Dr Shivkumar S Utture,
The President,
Maharashtra Medical Council (MMC),
189-A, Anand Complex, Sane Guruji Marg,
Arthur Rd. Naka, Chinchpokali (w),
Mumbai 400011.**

Sub: MMC's decision to restore licences of two of the three accused doctors registered with MMC in Dr Payal Tadvi case of suicide despite the pending enquiry at MMC and court verdict; and MMC abdicating the responsibility of upholding the principles of medical ethics.

Ref: The incidence of Dr Payal Tadvi's suicide at the Topiwala National College and BYL Nair Medical College, Mumbai.

Dear Dr Utture,

We, the undersigned, express our profound disquiet and outrage at the MMC restoring the medical licences of two of the three accused doctors, Dr Ankita Khandelwal, Dr Bhakti Mehere and Dr Hema Ahuja, who are accused of abetting the suicide of Dr Payal Tadvi in Topiwala National Medical College and BYL Nair Hospital, Mumbai on May 22, 2019. We, the undersigned organisations, have been involved into looking deeper into the case and related issues of discriminations in medical institutes – medical colleges, and teaching hospitals in both public and private sector. We stand together for justice for Payal Tadvi and all other cases of discriminations in these medical institutions. We strongly condemn the crime and towards this had issued a statement and supported others seeking justice to Dr Payal Tadvi and her family. We had demanded comprehensive and satisfactory enquiry into this incident and institutional mechanisms to prevent these; and strengthen policies and institutional environment towards completely eliminating discriminatory practices in these institutions.

It is more than a year since the incident took place and it is still not concluded and justice pending to Dr Payal Tadvi and her family despite the fact it was to be expedited given the gravity of the case itself and its adverse impact on the morale of the peer community, especially those belonging to marginal communities, in medical institutions. We are dismayed at this procedural injustice caused by this preventable delay to the family of Dr Payal Tadvi. More specifically, the situation is concerning on account of the fact that the trial is yet to begin, and that even charges have not been framed against the three accused doctors. Similar procedural injustice has occurred due to pending enquiry against the three by the MMC. Shivkumar Utture, MMC president said, [as reported in the Indian Express on July 18, 2020](#), "... An inquiry against the three is in progress, notices were issued to them and replies received. Due to the lockdown because of the [Covid-19 pandemic](#), members of the council who reside across the state have not

been able to meet. Once a meeting is convened, the inquiry will commence and a decision will be taken as per the rules.”. In this context, MMC’s decision to revoke its earlier order suspending licences of the two of the three accused doctors registered with MMC is totally irrational, and inexplicable. We note that earlier the MMC suspended licences of the accused doctors on the basis of the bail condition imposed by High Court. Now, it withdraws the suspension upon the High Court’s directive that suspending licences falls under the jurisdiction of the MMC and therefore it decided to revoke the suspension. We urge the MMC to note that the bail given to the accused by the court doesn’t mean that the court has exonerated the accused.

We note that Sections 10 and 22 of the MMC Act 1965 empower MMC to respond to such misconduct by practitioners registered with it, and especially upon receiving an official complaint by the affected party, in this case Dr Payal Tadvi’s family. The MMC ought to uphold the integrity of the medical profession by expressing its zero tolerance to discriminatory behaviours in any form by any of its registered members. When registered members violate these professional and medical ethics norms, the MMC must take an appropriate action to uphold the highest standards of medical ethics. Given the very serious charges, a time bound enquiry on part of the MMC and the suspension of the licenses pending enquiry and completion of the court case were warranted.

The MMC must recognize that revoking of the licenses amounts to condoning such harassment, ragging and caste-based discrimination of young doctors belonging to the most marginalized communities in medical institutions. It will further encourage caste and class discrimination and the harassment of students from vulnerable sections in medical institutions.

We, therefore, demand that the MMC:

- a. Restores suspension of the licenses of the accused doctors registered with it pending completion of the enquiry and the trial court’s verdict.
- b. Urgently undertakes the inquiry into the complaint filed by Dr Payal Tadvi’s mother, Mrs Abeda Tadvi, for gross misconduct of the three accused which resulted in suicide by Dr Payal Tadvi, and it must be completed without further delay, in a time bound and conclusive manner.

Dr Sunita Bandewar (fmesmumbai@gmail.com; sunita.bandewar@gmail.com) and

Dr Sanjay Nagral (sanjay.nagral@gmail.com)

Forum for Medical Ethics Society (FMES), Mumbai

Sandhya Gokhale (sandhya.gokhale2008@gmail.com)

Maharashtra Peoples’ Union for Civil Liberties (PUCL)

Dr Chayanika Shah (chayanikashah@gmail.com)

Forum Against Oppression of Women (FAOW), Mumbai

Dr. Nidhin Cyril Joseph (nidhincyril@gmail.com)

Medico Friend Circle (MFC)

Copy to:

1. Dr Rakesh Kumau Vats, IAS, Secretary General, Medical Council of India, New Delhi.
2. Dr Dilip Govindrao Mhaiskar, Vice Chancellor, Maharashtra University of Health Sciences
3. Dr Mohan Joshi, Dean, Topiwala National Medical College & B. Y. L. Nair Charitable Hospital, Mumbai.
4. Dr Tatyrao P Lahane, Director, DMER, Government of Maharashtra, Mumbai
5. Shri Bhagat Singh Koshyari, Honorable Governor of Maharashtra and Chancellor, Maharashtra University of Health Sciences
6. Shri Amit V Deshmukh, Honourable Minister of Medical Education, Government of Maharashtra.
7. Shri Rajesh Tope, Honourable Minister of Health, Government of Maharashtra
8. Shri Dhananjay P. Munde, Honourable Minister of Social Justice and Special Assistance, Government of Maharashtra
9. Adv K C Padvi, Honourable Minister of Tribal Affairs, Government of Maharashtra

Endorsements

1. Abha Bhaiya, New Delhi
2. Dr Ajita Rao ,Dalit Feminist Delhi.
3. Anand Patwardhan, Documentary Filmmaker, Mumbai
4. Amar Jesani, Indian Journal of Medical Ethics, Mumbai
5. Amita Pitre, Vidhayak Trust, Mumbai
6. Archana More, Advocate, Pune
7. Aruna Burte, Individual, Pune, Maharashtra
8. Arundhati Dhuru, NAPM
9. Bindhulakshmi Pattadath, Associate Professor, Advanced Centre for Women's Studies, Tata Institute of Social Sciences, Mumbai
10. Dr. Bittu K R, Scientist, WSS, Sonipat
11. Brienelle DSouza, Tata Institute of Social Sciences, Mumbai
12. Carmel Christy K J, Assistant Professor, University of Delhi
13. Dr C. D. Sebastian, Professor, IIT Bombay, Mumbai
14. Chhaya Datar, Individual
15. Deepa V, Health activist, Delhi
16. Deepika Joshi, JSA, Chhattisgarh
17. Deeptha Achar, Professor, Department of English, Faculty of Arts, MS University of Baroda.
18. Dimple Oberoi Vahali
19. Gabriele Dietrich
20. Geeta Thatra, Bebaak Collective, Mumbai.

21. Geetali V M, Miloon Saryajani, Pune
22. Imrana Qadeer, retired Professor, CSMCH, JNU, Delhi
23. Jagdish Patel, Director, Peoples Training And Research Centre, Vadodara
24. Javed Anand, Mumbai
25. Jaya Sagade, Director, Women's Studies Center, ILS Law College, Pune. MH.
26. Lara Jesani, Advocate, Mumbai; People's Union for Civil Liberties
27. Kalyani Menon Sen, Independent researcher
28. Kamayani Bali Mahabal, Jan Swasthya Abhiyan Mumbai
29. Dr Karen Gabriel, Associate Professor, Department of English; Director, Center for Gender, Culture and Social Processes, St Stephen's College, Delhi University, Delhi
30. Karuna D. W., Chennai.
31. Ketki Ranade, Faculty, TISS Bombay
32. Dr. Manisha Gupte, MASUM, Pune.
33. Manjula Pradeep, DHRDNet, Gujarat
34. Mary E John, Delhi
35. Meena Seshu
36. Meera Sanghamitra, National Alliance of People's Movements (NAPM), Hyderabad.
37. Meenakshi D'Cruz, IJME, Mumbai
38. Megha S., Mental Health Professional, Bombay
39. Milind Chavan, Secretary, Democracy Festival Committee, Pune
40. Dr Mira Shiva, Public Health Physician, Delhi
41. Prof Dr Mohan Rao, Former professor at the Centre of Social Medicine and Community Health, JNU. New Delhi.
42. Mridul, Freelance Tech. Professional, Bombay
43. Nachiket Udupa, concerned individual, Delhi
44. Nagmani Rao, Pune
45. Dr. Narendra Gupta, Rajasthan
46. Navneet Wadkar, PhD scholar, Center for Social Medicine and Community Health (CSMCH), Jawaharlal Nehru University (JNU), Delhi
47. Dr Nisha Biswas, Scientist, CSIR, Kolkata
48. Dr Padma Deosthali, Independent Researcher, Mumbai
49. Padma Velaskar, Professor (Retd), Tata Institute of Social Sciences, Mumbai
50. Pamela Philipose, Journalist, New Delhi
51. Peehu Pardeshi, Mumbai
52. Putul Sathe, Mumbai

- 53.Prabir KC, Doctor/ Independent, Kolkata, West Bengal
- 54.Poornima Chikarmane, Pune
- 55.Preeti Mehra, Journalist, New Delhi
- 56.Radha Holla, Concerned citizen from Noida, Uttar Pradesh
- 57.Radhika Desai, Hyderabad
- 58.Ravi Duggal, Independent Health Researcher and Activist, Mumbai
- 59.Ritu Dewan, Vice President, Indian Society of Labour Economics; Visiting Professor, Institute for Human Development
- 60.Renu Khanna, SAHAJ, Vadodara
- 61.Rohini Hensman, writer and researcher, Bombay
- 62.Sadhana Dadhich, Pune
- 63.Sadhana Natu, Professor, Pune
- 64.Samira Nadkarni, Bombay
- 65.Sandhya LC, Individual, Delhi
- 66.Sandhya Phadke, Pune
- 67.Sangeeta Gandhe, Pune
- 68.Sarojini NB, JSA, Delhi
- 69.Seema Kulkarni, Pune
- 70.Sharmila, Member of Faculty, IIT Bombay
- 71.Shelley Saha, Independent Researchers, Pune
- 72.Shewli Kumar, Tata Institute of Social Sciences, Mumbai
- 73.Shishir K Jha, Professor, IIT Bombay, Mumbai
- 74.Siby George, Professor, IIT Bombay, Mumbai
- 75.Smriti Nevatia, Freelance text editor and film professional, Bombay
- 76.Tambe, Professor and Head, Department of Sociology, Centre for Advanced Studies, Savitribai Phule Pune University
- 77.S.Srinivasan, LOCOST, Baroda
- 78.R. Srivatsan, Independent Researcher, Hyderabad
- 79.Dr Sejal Tambat, Yumetta Foundation, Mumbai
- 80.Prof Dr Vibhuti Patel, Retired teacher, Mumbai
- 81.Adv Ujwala Kadrekar
- 82.Tejal Jaitly, Independent Public Health consultant, Mumbai
- 83.Tultul Biswas, Bhopal
- 84.Ujjwala Mhatre, Mumbai
- 85.Uma Chakravarti, Historian and filmmaker, Delhi
- 86.Vanita Mukherjee
- 87.Vani Subramanian, Film maker, Delhi

88. Vidya Kulkarni, Journalist, Pune

89. Vijendra, Mumbai

90. Vineeta Bal, Scientist, Pune.

91. Veena Shatrugna, Former Deputy Director, National Institute of Nutrition, Hyderabad.

Endorsements from Organisations and networks

1. Jan Swasthya Abhiyan, Mumbai

2. Justice Coalition of Religious, West India

3. LABIA - A Queer Feminist LBT Collective, Mumbai

4. Parcham, Mumbai

5. Saheli Women's Resources Centre, Delhi