



## NEWSLETTER

July, 2004

No. 38

Lucknow



**Dr. A.K. Singh**  
Secretary

Dear Colleagues,

The July 2004, news letter is in front of you. Our association is progressing and our membership is constantly increasing. Lately, our website is having problems, since the previous manager of our website has left and we are forced to launch it a fresh. As soon as that is done, I shall report back to you.

As number of scientific activities are lined up in the near future. Information regarding these conferences is included in the newsletter.

The association has recommended to the MCI a curriculum and syllabus for training. As a result of this institutions imparting training in plastic surgery have switched over to 3 years M.Ch. training program. DNB program has been initiated in few hospitals.

The audited accounts shall be circulated to you in a short while. The last date for submission of accounts is 31st October, 2004. Our General Body meeting shall only be held in November end. Hence, the accounts shall be circulated early and you are requested to send your acceptance/any objections to the treasurer directly.

An important judgement has come from the Supreme Court. I thank Dr. Suresh Gupta for supplying the judgement. A senior plastic surgeon was performing a rhinoplasty (in 1994) on a patient under general anaesthesia. The patient developed cardiac arrest and despite all efforts could not be resuscitated. The lower court, high court and the media, had put criminal charges.

The postmortem done by special medical board of two doctors opined "*asphyxia resulting from blockage of respiratory passage by aspirated blood consequently upon surgically incised margin of nasal septum. This indicates that adequate care was not taken to prevent seepage of blood down the respiratory passage which resulted in asphyxia*".

The magistrate passed an order on 28-11-1998 stating "*because of the negligence of the doctors while conducting minor operation for removing nasal deformity, gave incision at wrong part due to that blood seeped into the respiratory passage and because of that patient immediately collapsed and died. The doctor was charged under section 304A IPC for criminal negligence*".

During the lengthy court processes, the anaesthesiologist who was made the co-accused, passed away. I would like to quote the relevant provisions of IPC-

**"304A. Causing death by negligence** - *Whoever causes the death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend two years, or with fine, or with both.*"

**"80. Accident in doing a lawful act.**- *Noting is an offence which is done by accident or misfortune, and without any criminal intention or knowledge in the doing of a lawful act in a lawful manner by lawful means and with proper care and caution.*"

**"88. Act not intended to cause death, done by consent in good faith for person's benefit.**- *Nothing which is not intended to cause death, is an offence by reason of any harm which it may cause, or be intended by the doer to cause, or be known by the doer to cause, or be known by the doer to be likely to cause, to any person for whose benefit it is done in good faith, and who has given a consent, whether express or implied, to suffer that harm, or to take the risk of that harm.*"

On the basis of the above facts and discussions the learned bench of Supreme Court Hon'ble judges opined. "*For every mishap or death during medical treatment, the medical man cannot be proceeded against for punishment. Criminal prosecutions of doctors without adequate medical opinion pointing to their guilt would be doing great disservice to the community at large, because if the courts were to impose criminal liability on hospitals and doctors for everything that goes wrong, the doctors would be more worried about their own safety than giving all best treatment to their patients, This would lead to shaking the mutual confidence between the doctor and patients. Every mishap or misfortune in the hospital or clinic of a doctor is not a gross act of negligence to try him for an offence of culpable negligence*".

"*After examining all medical papers accompanying the complaint, we find that no case of recklessness or gross negligence has been made out against the doctor to compel him to face the trial for offence under section 304A of the IPC. As a result of the discussion aforesaid on the factual and legal aspect, we allow this appeal and by setting aside the impugned orders of the Magistrate and of the High Court, quash the criminal proceedings pending against the present doctor who is accused and appellant before us*".

The reason why I have quoted this in details is on two counts. **(1)** Doctors should know the relevant judicial clauses which directly effect them. **(2)** There shall be a

backlash by the media and others. We have to be cautious about it. The media is already claiming that as a result of this judgement doctors shall be negligent and under the umbrella of the judgement shall go scot free. (3) The word 'gross' is quite subjective and may be still be used to impose section 304A.

Looking forward to meeting you in Jaipur.

With Regards,  
Dr. A.K. Singh

### Notice for General Body Meeting

The general body meeting of APSI shall be held on 26th November 2004 at 6:00 pm. in Hall A, at the venue of conference in Jaipur.

The following shall be the agenda:-

1. Opening remarks by the president
2. Reading the notice of the meeting
3. Condolences to deceased members.
4. Confirmation of the minutes of the last general body meeting (already circulated in newsletter Vol. 36 of December 2003) held on 12-09-03 at 6:00 pm at Sterling Resorts, Ooty
5. Secretary's report
6. Matters arising out of executive meeting held on 23rd November, 2004
7. Editors report and accounts for 2003-04.
8. Election of APSI National Representative for Asia Pacific Region of IPRAS.
9. Treasurer's report and accounts for 2003-04.
10. Trustee's report for the year 2003-04
11. New memberships
12. Introduction of new members
13. Results of award, Peet prize, Kamath prize, McNeil award
14. Elections to the following posts:
  - a) President - One (for 2005)
  - b) Vice President - One (for 2005)
  - c) Executive members - Two (for 2005-07)
15. Preparations for our Asia Pacific conference in Mumbai
16. Any other matter with permission of chair
17. Remarks by the incoming president
18. Outline of activities and APSICON-2005
19. Thanks to the chair

### Achievements of Members

- \* **Dr. S.A. Subramani** - Awarded Hari Om Ashram Award of Association of Surgeons of India for his work on rare cranio-facial clefts
- \* **Dr. M. Thatte** - President Indian Cleft Lip and Palate Association.
- \* **Dr. R. Sabapathy** - President Indian Society for Reconstructive Microsurgery. Invited as faculty member to Manchester Teaching course in hand surgery at BSSH, January 2004.
- \* **Dr. V. Bhattacharya** - Delivered Sam C. Bose oration at Madurai.
- \* **Dr. J. Murthy** - Awarded J.B. Mullikan foundation scholarship in vascular malformation, at Boston, USA.
- \* **Dr. R.B. Ahuja** - President National Academy of Burn India. Elected South East Asia representation at International society for burn injuries at Yokahma.

### Change of Address

- Dr. Ashim Banerjee** - 4A/10, Ashu Biswas Road, Kolkatta-700 025  
**Dr. C.N. Malla** - 1030, 24-B, Chandigarh-160 023

**Dr. S.C. Sanghvi** - Karishma Laser & Cosmetic Pvt. Ltd. 1154, Prime Arcade Building, Shop No. 6&7, Ground Floor, Saifee Lane, Pune

**Dr. S.K. Saidul Islam** - Vardan Mansion, 37/2, Dr. Suresh Sarkar Road, Kokatta-700 014

**Dr. Shankar Chatterjee** - 93, NSC Bose Road, Kokatta-700 040

**Dr. Anup Dhir** - 38/101, Nehru Place, New Delhi-110 019

**Dr. I.A. Khan** - A/120, New Anand Nagar, Baruch-392 001

**Dr. James Pandian** - Dean, Madras Medical College, Chennai-600 001

**Dr. Asit Shah** - Dr.Hema's Cosmetic & Laser Centre, Medicare, 4th Floor, Ellis Bridge, Ahmedabad-380 006

**Dr. Ravi Mahajan** - 314, Ranjit Avenue, A Block, Amritsar-143 001

**Dr. Krishna Kumar** - Baby Memorial Hospital, Indira Gandhi Road, Calicut, Kerala-673004

### New Members

#### FULL LIFE (FL)

FL T035 L2004 - **Prashant Tyagi**, 462, Sector-14, Sonapat, Haryana-131001

FL J042 L2004 - **Rakesh Jindal**, 233 Old Housing Board, Karnal, Haryana-132001

FL Y005 L2004 - **Mohd. Yaseen**, C-3, Medical College Colony, AMU, Aligarh-202002

FL T036 L2004 - **Rahul Tandon**, 1115-C, Kalyani Devi, Allahabad-211003

FL D043 L2004 - **Varun Vishwanath Dixit**, 15/4, Akshay Bandra, Reclamation, Mumbai

FL A070 L2004 - **A. Kavita Agarwal**, A-2/206, Rajhans Apartment, Charwada Road, Vapi Road, Gujarat-396195

FL B067 F2002 L2004 - **Deepak J. Bhatti**, Reader, Department of Plastic Surgery, CMC, Ludhiana-141008

FL R054 L2004 - **Naveena Rao**, Rajiv Gandhi Super Speciality Hospital, Hyderabad Road-584102

FL P073 L2004 - **Manish A. Patel**, 6, Sumangal Plaa (Behind HDFC), Boys Town Road, Nasik-432002

FL S178 L2004 - **Sandeep J. Sebastian**, Rocky Springs, Nt. Das Basco, Pemberly Estate, Wellington, Barracks, Nilgins Tn. 643231

FL B074 L2004 - **Elvino Barreto**, H.No. 158, Velsow, P.O. Chnsaulim, Goa-403712

FL G054 L2004 - **Mohit Goyal**, 29/2, E.C. Road, Dehradun, UA-248001

FL M066 L2004 - **Raj Kumar Mishra**, 208, Arif Ashiana Complex, Chowk, Lucknow-226003

#### FULL (F)

F G056 L2004 - **Gambhir Swaroop Singh**, 12 A / 17, W.E.A., Karol Bagh, New Delhi

F M069 L2004, **Mehtha Sudhir Kumar**, S/o Er C L Mehta, N R Govt. Girls Sr SecSchool, PO. Kotkapura, Faridkot, Punjab

#### ASSOCIATE LIFE (AL)

AL M065 AL2004 - **Pramod Hari Mahajan**, 2nd Floor, MG Road, Nashik-422001

AL B075 LA2004 - **Asitin Anant Bandekar**, Mritunjaya Nursing Home, Machi Camp Road, MCC A-Block, Larangere, Karnataka

AL P074 LA2004 - **Ramesh Rodubidri**, Balarama House, Nadsal Village, Fadubidri, Udiki, Karnataka-574111

AL M067 LA2004 - **Sanjay Mahendra**, H.No. 105, Rose park, Near Gular Devi Hospital, Jallendar City-144001

AL K091 LA2004 - **Nasrendra Kumar Kaushik**, C/o Dr. D.K. Bhardwaz, H.No. 17, Pocket C-13, Sector-3, Rohini, Delhi-85

#### ASSOCIATE (A)

A G053 A2004 - **Suresh Goyal**, Department of Plastic Surgery, IMS, BHU, Varanasi-221005

A A071 L2004 - **Aggarwal Divya**, D-4, Rail Vihar, Ambala Cantt., Ambala, Punjab

A M068 L2004 - **Methil Bijoy Vishwandharan**, 'Raghav' 214-218, R.S.C. 1B, Gorai- 1, Borivili, Mumbai, Maharashtra

A G055 L2004 - **Ginwalla Rustom Farhad**, 'Rutton Manor' Garden Road,, Apollo Reclamation, Mumbai, Maharashtra

### APSICON - 2004

39th National Conference of the Association of Plastic Surgeons of India, Jaipur 23rd -29th November, '04. Dedicated to Late Prof. C. Balakrishnan.

**Workshop** : 23rd November, '04 Orthognathic Surgery, Aesthetic Surgery

**CME** : 24th November, '04 - Recent Advances in Plastic Surgery

**Conference** : 25th - 27th November, '04

#### Orations:

Gillies Memorial: Dr. Sada Shiv Murthy

Godrej Oration: Dr. Edgar Biemer

MM Mukerjee: Dr. N. Pandya

Sushruta Oration: Dr. Dimitri Panfilov

RN Sharma Symposium: Lasers in Plastic Surgery  
Convener- Dr. Ashok Gupta

Panel: Resurfacing of Extensive Facial Defects

Moderator- Dr. C.P. Sawhney

CBK Oration: Dr. Ashok Govila

#### Conference Secretariat:

703, Maharani Apartments, B-208, Rajendra Marg,

Bapu Nagar, Jaipur, Rajasthan

Ph.: 0141-270 3940, Telefax: 0141-270 1710

Conf. Helpline: 0141-2948990

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### Forthcoming Eents

- \* International symposium on hand surgery and advances in hand therapy - 19-21 August, 2004, Jakarta, Indonesia. handsymp@pharma-pro.com
- \* 3rd International Conference on surgical techniques in Cleft Lip and Palate Surgery - Chang Gung Memorial Hospital, Taipai, Taiwan - 6-9th September 2004. nd230@adm.cgmh.org.tw
- \* Operative Workshop on Cleft Lip Rhinoplasty - 30th Sept.-2nd Oct., 2004. Dr. Karoon Agarwal, Prof. & Head, Department of Plastic Surgery, JIPMER, Pondicherry. karoonaparna@eth.net
- \* Burns update 2004 - 3rd October 2004. Dr. Ravi Mahajan, Amandeep Hospital, Amritsar.
- \* Instructional Course on Skin Grafting - 5-6th October, 2004. Dr. A.K. Singh, Prof. & Head P.G. Department of Plastic Surgery (PG-DPS), K.G. Medical University, Lucknow. plasticsurgery@indiatimes.com
- \* Aesthetic laser update 2004 - 17th October, 2004. Dr. Puneet Pasricha, Pasricha Hospital, Adarsh Nagar, Mahant Marg, Jalandhar. puneetp@satyam.net.in
- \* UICC world conference for CA organizations - 17-19 November, 2004, Dublin, Ireland. www.wco.uicc.org/pages/registration/registration.htm
- \* Annual Conference of Indian Society for Hand Surgery (ISSHCON-2004) 19-21st November 2004. Gangtok, Sikkim. Dr. Bhaskarananda Kumar Charak Express Clinic, Kasturba Medical College, Manipal 576104 manipalortho@yahoo.com
- \* International Society for Aesthetic Plastic Surgery (ISAPS) post graduate instruction course 28-30th Nov. 2004, Jaipur. A rich international faculty is participating. aesthakakg@bom5.vsnl.net.in, drlokesh@bol.net.in

- \* Plastic Surgery Master Classes- 27 & 28 November 2004. Tristan de Chaloain, Auckland Surgical Centre, 9, St. Marks Road, Remura, Auckland
- \* 4th Annual Indian Society of Cleft Lip Palate and Craniofacial Anomalies Association Meeting - 15-17th January, 2005. Dr. Srinivas Reddy, Unique Hospital, 2-2-12/3/C DD Colony, Hyderabad. www.isclpa2005.org, info@isclpa2005.org
- \* Annual Meeting of South Zone Plastic Surgeons and Tamil Nadu and Pondicherry Association of Plastic Surgeons - 29-30 January, 2005. Dr. G. Balakrishnan. President TNAAPS 83 Major Ramanathan Road, Chetput, Chennai-600031. gp@eth.net
- \* National Academy of Burns Meeting (NABICON-2005) 4-6th February 2005. Dr. Sameek Bhattacharya, Department of Plastic Surgery, Maulana Azad Medical College, New Delhi. It will preceded by a nurses training program on 3rd February..
- \* Health Care India 2005 - 9-12 February 2005. Pragati Maidan, New Delhi. www.civionline.org
- \* 9th Congress Asia Pacific Section of IPRAS - 19-21st March, 2005. Dr. M. Thatte. www.apc-ipras2005.com It is our own conference and we should take benefit by attending in large numbers.

### Obituary (we lost the following)

**Dr. R.J. Manekshaw:** was born on 14th February 1920. After his graduation and postgraduation, he went abroad for further training. In 1958, he started plastic surgery at Bombay Hospital. He was an avid reader and had good personnel rapport of with most of the eminent plastic surgeon of the globe. He organised/co-organised a no. of academic meetings including the 1st Asia Pacific association of surgons at New Delhi. 1st international conference surgery in the tropics at Bombay (now Mumbai). 9th international conference of IPRAS at New Delhi. He was president of APSI.

People remember him as a through gentle man, soft spoken, co-operative, jovial and good natured. He left for his heavily abode on 6th July 2004

**Dr. Rajendra Prasad:** was working as Assistant Professor at Tata Memorial Hospital. He had done his MBBS from Hubli, MS from Solapur and M.Ch. from Chandigarh. We remember him as a quiet, sober individual, deep in thoughts and research. He has done considerable work in anatomy lab, and gave a new concept of myofascial flaps.

**Dr. Sant Prakash Bhagia:** Dr. Bhagia, an alumni of K.G. Medical College (now University) did his MBBS, MS and M.Ch. in 1978, 1983 and 1987 respectively. He established a well equipped clinic at Agra and had a flourishing practice. He had done considerable work on fasciocutaneous flaps.

We will remember him as an affectionate individual, lively and witty. After a prolonged illness he succumbed to Hodgkin's disease in July 2004.

### Hikes in Membership Charge

It was decided in the Ooty meeting during APSICON 2003 that the rates of membership shall be increase w.e.f. 01-01-2005. The new rates shall be:

Annual Associate	- 500/- per year
Annual Full Life	- 700/-
Full Life	- 7000/-
Admission	- 700/-
Overseas	- \$500/-