DMC/DC/F.14/Comp.2214/2/2021/ 19th September, 2022

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a suo moto notice of an anonymous representation/representation dated 30.08.2017, received from the Public Grievance Monitoring System, Govt. of NCT of Delhi regarding professional misconduct on the part of doctors of All India Institute of Medical Sciences.

The Order of the Disciplinary Committee dated 19th July, 2022 is reproduced herein-below :-

The Disciplinary Committee of the Delhi Medical Council examined a suo moto notice of an anonymous representation/representation dated 30.08.2017, received from the Public Grievance Monitoring System, Govt. of NCT of Delhi regarding professional misconduct on the part of doctors of All India Institute of Medical Sciences.

The Disciplinary Committee perused the representation, joint written statement of Dr. Reeta Mahey (Associate Professor & Head, Deptt. of Obst. & Gyane), Dr. Alka Kriplani (Professor & Head, Department of Obst. & Gynae), written statement of Dr. Shrabani Saugandhik (Scientist Embryologist, IVF Unit, Dept. of Obst. & Gynae), Dr. Neeta Singh(Professor, Dept of Obst. & Gynae) forwarded by the Director of All India Institute of Medical Sciences and other documents on record.

The Disciplinary Committee observed that considering the sensitivity of the matter and to protect the identity of the patients involved, the names of the said patients are not to be published, instead the donor to be referred as Ms. ‘X’ and recipients to be referred as Ms. ‘A’ and Ms. ‘B’.

The following were heard in person :-

1) Dr. Neeta Singh Professor, All India Institute of Medical Sciences

2) Dr. Shrabani Scientist, All India Institute of Medical Sciences

3) Dr. Reeta Mahey Additional Professor, All India Institute of Medical Sciences

4) Dr. Kshitija Singh Senior Resident, Department of Hospital Administration, All India Institute of Medical Sciences

5) Ms. Sudha Sup MSSO (Counsellor), All India Institute of Medical Sciences

The Disciplinary Committee noted that Dr. Alka Kriplani failed to appear before the Disciplinary Committee, inspite of notice. The Disciplinary Committee further noted that the Director, All India Institute of Medical Sciences neither appeared nor send his authorized representative nor ensured the presence of Dr. Bhavna, Senior Resident, Gynae before the Disciplinary Committee, inspite of notice.

It is noted that as per the complaint it is alleged that a patient named as ‘X’ was undergoing through IVF procedure and was scheduled for egg collection on 12th August, 2017 to be done by Professor Alka Kriplani, Dr. Reena Mahey and Dr. Shrabani (Embryologist). On the said day, the team of the aforesaid doctors took out 30 human eggs from the patient named as ‘X’ (Registration ID No.5681/16) and Embryologist Dr. Shrabani had taken her 14 human eggs and distributed 07 each to other patients of Dr. Neeta Singh without taking any consent of the patient ‘X’ as well as her operating Dr. Reeta Mahey. Dr. Neeta Singh by stealing those 14 eggs had done embryo transfer on her two patients on 17th August, 2017. This is not just one incident, there are number of occasions where the doctors are removing extra eggs from the ovaries of the patients undergoing fertility treatment and then use them to the treatment to a number of the other women. This is completely unethical in terms of medical professional and a clear cut case of traffic in human eggs where the doctors stole human eggs. There is lot of a pressure on couple to do everything in their power to have children of their own rather than adopting and with that hope of having a child of their own they are undergoing the IVF treatments in prestigious Institute like AIIMS where they are cheated by the gang of top doctors. It is to mention one more thing and that is related to ART BILL, which IVF Centre has to follow and it is so unfortunate to mention that IVF Centre is not following any guidelines given by ICMR since the day of its establishment i.e. 2007. Dr. Neeta Singh and Dr. Shrabani are the face behind the unfortunate incident which took place on 12th August, 2017. Both of them stole the eggs without the consent of the patient and inserted them into two other patients namely Ms. ‘A’ and Ms. ‘B’. Dr. Singh is totally into these types of illegal and unethical activities. She does not feel ashamed, however, she misuses the name and power of her husband who is an IAS officer. She (the complainant) would like to further mention about her and her activities are under :-

1. Dr. Singh was appointed as Assistant Professor in Department of Reproductive Biology without conducting any advertisement and examination.
2. She was then transferred to gynae. department under the then HoD Dr. Sunita Mittal on completion of her probation period which is against the Recruitment Rules. As the RR states that a doctor who is appointed/selected for one department can never change her department. Her appointment and then her transfer both are questionable.
3. On the first day of her joining in gynae. department, she had been allotted her personal cabin in office, however, faculty senior to her till the time had not been given any personal room. Who is competent and who allotted only her personal room when others senior were in waiting.
4. She had been allotted government accommodation in Type-E7 at Ansari Nagar, AIIMS Campus two years back. The amount in lakhs has been paid from the government treasury in the renovation to the said accommodation. Even after the expenditure of such a huge amount, she has not yet moved in to the said accommodation and also made in the AIIMS authorities to expend thrice in the renovation of her official cabin.
5. She has intentionally created and registered a society in the name of IVF Research Society where she put pressure on the pharmaceutical companies to donate the money which she later uses for organizing conference and submits fake bills in the name of the said society.

Dr. Alka Kriplani, Head of Department, Obst. & Gynae. is very well aware of the above facts. She (Dr. Alka Kriplani) rather than taking any action on this situation, went on a foreign trip. What is the motive behind this, if a head of the department knowing the gravity of the situation, does not react and try to conceal the fats, clearly shows that she is favouring Dr. Neeta Singh on egg stealer. In view of the above, it is requested that orders may please be passed to set an enquiry against Dr. Neeta Singh and Dr. Shrabani (left hand of Dr. Neeta Singh) and responsibility too should be fixed in case of trafficking in human eggs. It is further requested to the Delhi Medical Council to do the needful in the following matters.

1. The patient should get compensation.
2. Show Cause Notice to the HoD, IVF & Gynae. Department, AIIMS for not taking any action even after knowing the gravity of this case.
3. Order to register a case against the alleged persons and enquiry should not be internal, as there are chances that Dr. Neeta Singh can influence it.
4. IVF Centre should be closed till the completion of enquiry, so that other patients not fact the similar situation which the patient ‘X’ is facing these days.

Hoping a fair enquiry would be done under the supervision of the Delhi Medical Council. She further requests the Delhi Medical Council to pass an Order for initiation of enquiry at the earliest.

Dr. Shrabani Saugandhika, Scientist Embryologist, IVF Unit, Dept. of Obst. & Gynae. AIIMS, New Delhi in her written statement averred that first she would like to inform the Delhi Medical Council that after completion of her PhD in Embryo Biotech, she qualified AIIMS exam and interview and got appointed as Scientist Embryologist. And since her joining (on 14th February, 2017), she has been devoting her service in the field of clinical embryology to AIIMS ART Center. She has contributed her knowledge and expertise to ART Centre as a whole and not any consultant in particular. And this is quite evident from the monthly ART lab results which show that Dr. Reeta Mahey had maximum no. of UPD positive results in that period and Dr. Neeta Singh was on medical leave during that period till July. So, how can she be remarked, to be left hand of Dr. Neeta Singh. Secondly, regarding unethical practice of human oocytes let her make one thing clear that IVF technique is not a procedure that can be worked out between consultant and embryologist. Rather, it is a team effort, as multiple procedures are involved like ovarian induction. Oocyte (clinician), Counselling and consent taking (Counsellor), preparing the patients (nurses and technicians), semen processing (technician) and embryology (embryologist). Thus, for OPU of ‘X’ patient and oocyte sharing to two recipient of Dr. Neeta Singh and also till their embryo transfer; how the total process can be worked in secrecy by only two-consultant and embryologist? This is how the event went. On the day of OPU of the patient ‘X’, Dr. Neeta Singh with the team of SRs (Dr. Bhawna, Dr. Anju and Dr. Garima) and DM student (Dr. Monica) after consulting with Dr. Reeta Mahey (over phone) assured her that permission has been taken from Dr. Reeta Mahey and so occytes can be shared for her two recipient patients. She again clarified it from SR Dr. Bhawna and DM student Dr. Monica. She would like to bring to the notice of the Delhi Medical Council that she neither had any conversation with the recipients of Dr. Neeta Singh nor with their respective husbands. The SRs called the recipient’s husband for semen sample and it was processed by Shri Ashok the lab assistant and the three patients were taken care of till ET by the nurse. So, when the whole team assisted the total event how can she alone be accused of following Dr. Neeta Singh and madam’s instruction? Every day, following the day of fertilization till embryo transfer was done, she has been informing about the day to day embryo development status of all three-‘X’ and two recipients of Dr. Neeta Singh and have also maintained it in record/register. Moreover, on the day of ET of ‘X’, also she had discussed with Dr. Reeta Mahey w.r.t. detail embryo development status and regarding ET transfer and freezing of embryos of ‘X’ (as she had developed OHSS). So, how can she says that she took away her patients oocytes without her consent? Dr. Reeta Mahey was well aware about the oocyte sharing of her patient with the recipients of Dr. Neeta Singh from the day of fertilization till the day of ET because she (Dr. Reena Mahey) was informed daily about the progress of the embryos until the day of ET. And even on the day of ET, she looked into the register and then decided to transfer one blastocyst and one morula and freeze the rest three embryos (one blastocyst and two morulae) for subsequent cycle. So, how can she say that oocytes sharing of her patient were done without her knowledge when the whole process is well documented in the lab register? At any point, from the day of fertilization till the day of ET, she did not mention anything inspite of the details being informed to her then how can she report suddenly one day later to ET? As per the ICMR guidelines, taking consent of the donor and recipient is the responsibility of the clinicians (the treating consultant and SR) and the counsellor. For the lapse done on the part of SR, counsellor and the treating doctor how can she be blamed? This shows that it is clearly an ill intention of harassing her and victimizing her. She is being greatly harassed and kept out of IVF lab which is deeply affecting her physical and mental well-being. She believes truth has great power and in her defence, she has mentioned the truth. So, she humbly requests the Delhi Medical Council to judge impartially and impart just to her.

Dr. Reeta Mahey, Associate Professor (ART), Deptt. of Obstetrics & Gynaecology, AIIMS, New Delhi in her written statement averred that this patient Ms. ‘X’ was unit 1 patient. The patient was a known case of PCOS and had been recruited for IVF. She was monitoring the patient during controlled ovarian stimulation and oocyte retrieval was planned for 12-08-2017. On 12th August, 2017, Prof. Alka Krplani did oocyte retrieval of this patient. Dr. Neeta Singh called her and asked “Reeta, total 30 eggs have been retrieved from unit 1 patient, Ms. ‘X’. Can she take 8 eggs for her patient? Dr. Neeta Singh wanted to take eggs for her two patients. These two patients had been recruited for the donor-recipient cycle and oocyte retrieval of the donor had happened on 02nd August, 2017 but no eggs were retrieved. But even then she continued the estrogen priming to her patients. She was not aware of this, as usually it is never done. If no eggs have been retrieved, all the treatment is stopped and couple is counselled regarding need of next cycle. When Dr. Neeta Singh asked her to give eggs for her patients, she refused her and told that it is unethical on their part to share the patient eggs without informing the patient and she told her to talk to Prof. Kriplani, Unit 1 incharge and who had performed the procedure, as she cannot take decision for this. After this, she did not receive any communication from Dr. Neeta Singh or any staff from IVF regarding this case, so she thought nothing has happened. On 17th August, 2017, Ms. Shrabani, the embryologist told her that 5 blast oocystes have developed. She was shocked to listen that out of 30 only 5 embroyses reached the blastocyst stage. On her reaction, Ms. Sharabani told her “no Madam, we fertilized only 16 eggs with her husband’s semen. Rest 14 eggs have been given to two other patients of unit II (Dr. Neeta Singh (7 each)’. She was really disturbed on this, so she informed the whole incidence to Prof. Alka Kriplani. She also asked her whether Dr. Neeta Singh had discussed with her regarding egg sharing and whether she has taken her permission before taking eggs from unit 1 patient without taking consent of the patient. Ms. Sharabani was the embryologist handing this case. But she took 14 eggs for other patients without any permission of the consultant incharge of the case and consent of the couple. To her surprise, Dr. Neeta Singh had been priming her patient’s with estrogen for last 10-12 days since the day no eggs were retrieved from her donors. With what intention this was continued? It was already planned to take out some other patients eggs. How she came to know that 30 eggs have been retrieved from other unit patient? Usually, no consultant is aware of and has no interest in how many eggs are being received from other unit patient. With what intention the husbands of these patients were called. How, she decided to take 14 eggs from other unit patient? Even, she told her that she cannot take this decision, she should discuss the matter with Unit head and Head of the department, as this was her interest to take eggs from her patient. She was not interested in all this. Also she was sitting in IVF only where Prof. Kriplani was doing oocyte retrieval of this, even then bypassed her and told Ms. Sharabani to take 14 eggs without informing her and Prof. Kriplani. As this egg sharing had never happened previously in their IVF unit, this decision should have been taken after proper discussion with Senior faculty, Unit head and Head of the department. Also no single faculty has right to go for egg sharing without initial proper discussion with the patient and her husband.

She further stated that donation of eggs is not allowed nor was authorized; hence, question of seeking consent of the donor does not arise.

Dr. Neeta Singh, Professor, Deptt. of Obstetrics & Gynaecology, AIIMS, New Delhi in her written statement averred that she has been asked to submit her statement of defense and also serve a copy to the complainant, but the copy of the complaint served on her is without any name and address of the complainant. The copy of a letter from Dr. D.K. Sharma, Medical Superintendent, AIIMS, New Delhi dated 11.10.2017 sent to the Delhi Medical Council and a copy of which is also sent to her via the HoD, Obstetrics and Gynecology, AIIMS, New Delhi mentions that "It is also pertinent to inform that the complainant in the instant case Dr. Amrita Singh, Ex. Senior Resident is a fake/fictitious name and there is no Dr. Amrita Singh, Ex. Senior Resident in the records of AIIMS. Therefore, as such, the complainant is a pseudonymous/anonymous complainant and ought to be dealt accordingly”. She also reiterates the same. She would like to draw the kind attention of the Delhi Medical Council to Central Vigilance Commission circular no. 07/11/2014dated 25th November 2014 which prescribes that no action should be taken on any anonymous or pseudonymous complaints. The same instructions were again reiterated vide Central Vigilance Commission circular no. 03/03/16 dated 7 March 2016. She would also like to point out here that the complaint does not have any enclosed documents or evidences to substantiate the allegation, rendering it a baseless complaint, and, therefore, such baseless complaint ought to be treated as such. Furthermore, this anonymous/pseudonymous complaint is not only baseless, but is actually malicious, with intention to damage the reputation of the prestigious IVF center setup at AIIMS over last ten years by the team of dedicated persons. The malicious intent of the complainant is evident from the paragraph mentioned 4) on page 3 of the complainant: “IVF center should be closed ... days”.

She further averred that that there has been serious misrepresentation of facts by the anonymous complainant tarnishing the image of AIIMS, department and herself and demoralizing the entire team who is working so hard day and night to run the IVF facility selflessly. IVF facility at AIIMS is one of the unique facilities in the country providing all the services from diagnosis to treatment for infertile couple (conception to delivery) under one roof since 2007 at a highly subsidized cost. It is pertinent to mention here that there are only 3-4 public hospitals in such a vast country to provide these services at highly subsidized cost to the poor and needy couples. These services are mainly centered in the private hospitals. They have laid down detailed protocols for the management of each patient. Each patient is given a unique ID number; the details of the IVF cycle of each patient is recorded and stored in both soft and hard copies. The team has treated more than 10,000 couples’ produced more than 1000 babies through various techniques of IUI, IVF, ICSI, Blastocyst culture, Vitrification, fertility preservation for young cancer patients who otherwise would have never been able to afford the treatment and deprived of the pleasure of parenthood. The center regularly does internal and external validation of the services. She took initiative to invite a team from Bristol Centre of Reproductive Medicine, UK in 2012 for external validation of their processes and results. Dr. Andrew Gordon and Dr. Uma Gordon, the team of clinician and embryologist stayed for a week with us and submitted their report, which was more than satisfactory and encouraging. They also carry out monthly audits of their results to be able to discuss and further improve their results. They regularly have quality assurance and quality check meetings in order to minimize any human error, if at all, in such a large volume of work. They have not only been providing excellence in treating some of the most difficult cases but they have also taken lead in training future generations of super specialist in the field of reproductive medicine by starting first DM programme in a government institution in 2016. Thus, this pseudonymous complaint is to malign the image of such a facility providing services to all sections of society by giving false representation of facts. In fact, the matter of investigation should be to find out the motives of the person asking for closure of the facility. As there are again baseless allegations raised about her appointment at AIIMS, New Delhi, she will be happy to share her academic profile here. She graduated (MBBS) with distinction in 1987, and received her MD.(Obstetrics & Gynecology) in 1990 from prestigious King Georges’ Medical University, Lucknow. Later on, he pursued her higher training in infertility and assisted reproductive techniques from George Washington University (USA), Guys & St. Thomas Hospital London (UK) and Leuback University Germany through various fellowships. She was working as Associate Professor at Indira Gandhi Institute of Medical Sciences, Patna (1995-2003) before joining AIlMS. She joined AIIMS, New Delhi through an open advertisement after rigorous scrutiny on the recommendation of the Selection Committee and approval of Governing Body vide letter no.F.11-I/2002-Estt.1 dated 4/06/2003as Assistant Professor of Reproductive Biology. When she joined AIIMS, Department of Obstetrics & Gynecology was facing serious audit objections, repeated parliamentary questions for failing to start IVF services, although the equipment for the same had been purchased and were lying idle and patients were being referred to private hospitals. It was a major embarrassment for the Government, AIIMS and the department. As there was an urgent need to start the IVF facility and the existing faculty from the department of Obstetrics & gynecology was unable to start the services, she was given the task for establishing the IVF Facility at AIIMS. The proposal was put forth before the governing body and the standing Finance Committee. The Governing Body and then President AIIMS not only approved the proposal but also directed the Director to take all the measures to start these services at the earliest. Her services were transferred from Reproductive Biology to ART Center(Department of Obstetrics & Gynecology) for starting the IVF services at the earliest. She was given the responsibility as the member secretary and the nodal officer for project implementation for starting IVF services at AIIMS. She worked very hard and was instrumental in starting the ART Center at AIlMS in 2007 and was responsible for the first IVF baby of AIIMS born in 2008. Since then they have not looked back. Their results are comparable with the best nationally and internationally. After the ART Centre took off successfully, two new faculty posts were sanctioned by the government and her services were absorbed on the said post of ART Center (Obstetrics & Gynecology) in 2009. After clearing the series of the Selection committees like any other faculty member of AIIMS, she was promoted to the Associate, Additional and finally to Professor in 2013. During the last 15 years, she has published more than 120 indexed publications in various national and international journals, was awarded AIIMS excellence in research award by the Hon’ble Health Minister in 2016. This clearly reflects a case of professional and personal jealousy to tarnish the image of a person who has contributed so much for the AIIMS and the society. There are certain allegations made about a particular case in the complaint, she will address the case, as Mrs. X for the sake of the patient confidentiality: Dr. Reeta Mahey (Associate Professor) was the treating consultant (IVF Cycle) patient Mrs. X.

On 12/08/17, Mrs. X underwent oocyte retrieval and 30 oocytes were retrieved which is much more than they ever get. At the same time, she was treating two most challenging cases of repeated implantation failure whom she will call patient “A” & B". These two patients who were undergoing IVF cycles through egg donation from the anonymous donors given by ART banks, as their own ovarian reserve, were very poor. First case patient “A” was a patient age 40 years undergoing her fifth IVF cycle. She had undergone 1st and & 2nd IVF cycles at AIIMS in 2013 with her own oocytes in which 3-4 oocytes were retrieved but failed to implant. She had her next two cycles (3rd and 4th) at private centers in 2015, which also failed. She came for her 5th cycle at AIIMS, with very poor ovarian reserve and requested for a last attempt with egg donation. The second patient (patient B) age 34 years was undergoing her third IVF cycle. Her first cycle in 2011 with her own oocytes was done at AIIMS, with only 4 oocytes retrieved, cytoplasm granular, poor quality oocytes which failed to fertilize even after Intra-cytoplasmic sperm injection (ICSI). She underwent another cycle at AIIMS in 2016 where cycle had to be cancelled due to very poor response. She requested for IVF cycle with egg donation as her last attempt. As per the ICMR guidelines, they recruit donors through independent ART banks, after initial screening the cycles are matched between the donors and the recipients. The egg retrieval was done for both the patients on 3/08/17 but the donors failed to yield any oocytes as due to either a premature LH surge or due to the poor efficacy of drug or the egg donors donated elsewhere for more compensation. The drug manufacturer was called and written notice was sent to change the entire batch of drugs. They called the donor agency and informed them about the same and asked to arrange for the compensatory donor, their team members were calling the agency person almost daily for sending another donor for the patients but almost 10 days had passed and they were nowhere, as these patients were very depressed and they were making all the efforts to rescue their cycle. Meanwhile on 12th August, 2017from Dr. Reeta Mahey’s patient “X”, 30 oocytes were retrieved. It is an unusual occurrence and there was a serious risk of patient going into ovarian hyper stimulation syndrome, so everyone including herself present got to know of it. She learned that it was Dr. Reeta Mahey’s patient. She discussed with the team members (residents and embryologist) present there and they thought of exploring the possibility of sharing her extra oocytes with patients A and B. Dr. Reeta Mahey was contacted and a call was made on her mobile phone from IVF center to discuss this possibility. Dr. Reeta Mahey consented for the same for sharing 4-5 oocytes each for the patients A and B. It was understood that Dr. Reeta Mahey has obtained the consents from her patient. The same was conveyed to the embryologist (Dr. Shrabani) and the lab technicians. Dr. Bhavna (SR) and the nursing staff informed the recipient couples and asked them to come to the center. They jointly discussed the option of oocyte sharing with the couples A and B. Both the couples were in agreement for the procedure. Following this discussion, counsellor, senior resident (Bhavna) and she took consents of the couple A and B. The husbands were instructed by the lab technician and obtained their samples, which was later processed and washed before handing over to embryologist. It is evident from these facts that every member of the team (nursing staff, lab technicians, residents, counsellor, embryologist, and consultant) was involved in managing the cases and, hence, was aware about the oocyte sharing. She would further like to inform that the consents are taken by the counsellor and the respective senior residents of the unit, in her cases, the consents of the recipient couples was taken by the counsellor and the senior resident of her unit Dr. Bhavna. The entire lab procedures are well documented in the laboratory register. The daily progress of the embryos is checked by the treating consultants and is recorded in the lab register. The treating Consultant also discusses with the embryologist to plan the best time for embryo transfer, which is the routine protocol. Dr. Reeta Mahey also followed the same protocol. From the day of oocyte retrieval, until the day of transfer, there were five days when Dr. Reeta Mahey and her team were following her patient Mrs. X progress. The patient was being closely monitored, as the patient was on a very high risk of severe hyper stimulation syndrome and at any step Dr. Reeta Mahey did not mention anything to her or any member of IVF team I staff about her ignorance of extra oocytes being shared and her not obtaining the consent of her patient Mrs. X. On the day of embryo transfer on *(*17/08/17),she discussed with embryologist Dr. Shrabani about the number of embryos to be transferred and surplus to be frozen after final check from embryology register. She did not mention anything even then to her lembryologist/residents/nursing staff or the HoD establishing the fact-that she was well aware about the whole case and she had discussed the same and had taken consent from her patient. Because she did not object/inform/discuss anything with her, she also performed the embryo transfer of her patients on 17th August, 2017. On 18th August, 2017, she came to the Center and met her in the morning, performed one egg retrieval and an embryo transfer of another patient and, then, left at 12.00 noon for the airport, as she was going to Chennai for attending a meeting. After reaching Chennai at 04.00 p.m., Dr. Shrabani called her and informed her that Dr. Reeta Mahey has sent a complaint against her (embryologist). She was responsible for taking consents of her patient, which she did with her team (senior resident, counsellor) and it was understood that Dr. Reeta Mahey has talked to her patient for the same. As she was regularly monitoring this patient, she was frequently talking and informing the progress of her patient X to her husband due to very high risk of ovarian hyper stimulation syndrome, everyone thought that she has taken consent of her patient. Furthermore, if she had any objections to the whole sequence, she could have informed/stopped/discussed the matter with the team/herself/ or the HOD, as she had 5 days from the oocyte retrieval. In IVF, a very intricate team work is required to run the programme as not only clinician there are lab technicians, lab attendants, embryologist, counsellor and the residents are involved at every stage of the procedure. Why this anonymous complaint against her only? This clearly shows the malicious motive and conspiracy of the complainant who is not mentioning anything about Dr. Reeta Mahey? The Delhi Medical Council can infer from the details that extra oocytes were shared in the extraordinary circumstances, where both the cases had multiple cycles of IVF failed in past and it was done in the best interest to help the patients without compromising the outcome of the donor patient with the consent of the treating consultant Dr. Reeta Mahey. It is the duty of the treating doctor to discuss/inform/take consent of her patient. If she (treating doctor) or any member of her team (residents, counselor) had informed her that she (treating doctor) has not taken consent of her patient, she would not have proceeded with the embryo transfers in her cases. The IVF Facility strictly adheres to the ICMR guidelines. They do not do oocytes sharing routinely, although, it is allowed and legal as per the guideline. This is the first case of oocytes sharing done at IVF Facility of AIIMS. At the end, she would like to conclude by stating that the respected members of the Delhi Medical Council will consider the anonymity of the baseless complaint and also consider the ill motives of the complainant to defame the name of AIIMS and such a distinguished senior faculty member of the institute.

She further stated that Dr. Bhavna, Senior Resident, who was part of her team, must have taken consent from the recipients of the eggs and not from the concerned donor.

Ms. Sudha, Sup MSSO (Counsellor), All India Institute of Medical Sciences stated that in all the cases of IVF, she only verifies the identity of the patient. She is not authorized to take consent of the patient for the IVF procedure.

In view of the above, the Disciplinary Committee makes the following observations :-

1. It is noted that on 12th August, 2017, a total of 30 eggs were retrieved from the patient Ms. ‘X’ who was the patient of Dr. Reeta Mahey for the purposes of IVF procedure. Out of these 30 eggs, 14 eggs were taken by Dr. Neeta Singh from the embryologist Dr. Shrabani, which were implanted in her two patients Ms. ‘A’ and Ms.‘B’ on 17th August, 2017 for the IVF purposes.
2. It is observed that sharing of a patient’s eggs/occytes is not only illegal, as sharing/donation of such nature is prohibited as per the ICMR Guidelines, but also unethical, moreover, when no written consent of the donor as well as recipient as per the I.C.M.R. Guidelines, have been made available to the Delhi Medical Council. The conduct of Dr. Neeta Singh indulging in illegal and unethical act, is highly objectionable and unbecoming of a medical professional, albeit, she, however, claims that the same was done because both her patients had multiple cycles of failed IVF in past and this was done in the best interest, to help the recipient without comprising the outcome of the donor patient.
3. It is observed that the embryologist Dr. Shrabani in whose custody the embryos were, was also at fault in sharing them with Dr. Neeta Singh, for the purpose of the IVF procedure.
4. It is further noted that All India Institute of Medical Sciences in its Internal Enquiry Report dated 30th August, 2017, into this incident has also highlighted the lapses committed by the concerned personnel.

In light of observations made herein-above, the Disciplinary Committee recommends that a warning be issued to Dr. Neeta Singh (Delhi Medical Council Registration No.49238) and directs that she should refrain from such unethical practices, in future and to strictly adhere to I.C.M.R. Guidelines issued in regard to IVF procedure.

Matter stands disposed.

Sd/: Sd/: Sd/:

(Dr. Satish Tyagi) (Dr. Anil Kumar Yadav) (Dr. M. Gouri Devi)

Delhi Medical Association, Eminent Publicman Expert Member,

Member, Member, Disciplinary Committee

Disciplinary Committee Disciplinary Committee

Sd/:

(Dr. Pankaj Talwar)

Expert Member

Disciplinary Committee

The Order of the Disciplinary Committee dated 19th July, 2022 was taken up for confirmation before the Delhi Medical Council in its meeting held on 10th August, 2022 wherein “*whilst confirming the decision of the Disciplinary Committee, the Council observed that in light of the gravity of the lapse committed by Dr. Neeta Singh, the punishment of warning awarded by the Disciplinary Committee to Dr. Neeta Singh, will not serve the interest of justice; hence, the Council directs that punishment awarded to Dr. Neeta Singh be enhanced and the name of Dr. Neeta Singh (Delhi Medical Council Registration No.49238) be removed from State Medical Register of the Delhi Medical Council for a period of 30 days.*

*The Council further observed that the Order directing the removal of name from the State Medical Register of Delhi Medical Council shall come into effect after 60 days from the date of the Order.*

*This observation is to be incorporated in the final Order to be issued. The Order of the Disciplinary Committee stands modified to this extent and the modified Order is confirmed.”*

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Dr. Neeta Singh, Through Director, All India Institute of Medical Sciences, Ansari Nagar, New Delhi-110029.
2. Dr. Shrabani, Through Director, All India Institute of Medical Sciences, Ansari Nagar, New Delhi-110029.
3. Dr. Reeta Mahey, Through Director, All India Institute of Medical Sciences, Ansari Nagar, New Delhi-110029.
4. Dr. Alka Kriplani, 1110-B, Tower-II, DLF Aralias, DLF Golf Course, Golf Course Road, Sector-42, Gurugram (Gurgaon)-122002, Haryana.
5. Director, All India Institute of Medical Sciences, Ansari Nagar, New Delhi-110029.
6. National Medical Commission, Pocket-14, Phase-1, Sector-8, Dwarka, New Delhi-110077-w.r.t. erstwhile Medical Council of India’s letter No.MCI-211(2)(Gen.)/2017-Ethics./141790 dated 27.09.2017-**for information & necessary action**.
7. Public Grievance Monitoring Systems, Govt. of NCT of Delhi, Office of the Chief Minister, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi-110022-w.r.t. Grievance No.2017073801-**for information**.
8. Registrar, Uttar Pradesh Medical Council, 5, Sarvapally Mall Avenue Road, Lucknow-226001, Uttar Pradesh **(Dr. Neeta Singh is also registered with Uttar Pradesh Medical Council under registration No.30932 dated 24-06-1987)- for information & necessary action.**

(Dr. Girish Tyagi)

Secretary