

As per the directive of the Special General body [GB] meeting of the Kerala Orthopaedic Association [KOA] held on 30/6/2019 at Hotel Ashoka Inn Thrissur, a Subcommittee was formed to enquire into allegations of anti association activities of the President Dr. P Gopinathan

The Special GB appointed the following persons to the committee

1. Dr Cherian Kovoov (KOA LM 268), Chairman
2. Dr Manuel Joseph (KOA LM 48)
3. Dr Koshy George T (KOA LM 252)

The following were the allegations against the President Dr. P Gopinathan the subcommittee was tasked to enquire about

1. Act of sending emails to all KOA members asking them not to attend the Official Special GB of KOA which was scheduled to be held at Trivandrum on 09/06/2019 in spite of the fact that his challenge to the same was repelled by the Court.
2. Act of sending emails to all KOA members stating that the Official Special GB of KOA which was scheduled to be held at Thrissur on 30/06/2019 was illegal and unauthorised.
3. Act of calling for a Special GB of KOA at Kochi on 30/06/2019 without the approval of the Executive Committee and also when a KOA approved additional CME was happening at Thrissur on the same day.
4. Act of not attending the Executive Committee meetings and CMEs of KOA and trying to disrupt the daily activities of the association.
5. Act of unnecessarily challenging the authority of the properly installed Secretary in Charge.
6. Act of filing affidavits in various courts of Kerala and furnishing in evidence a byelaw as that of the association which has neither been minuted, approved nor ratified by the GB of KOA.
7. Act of sending legal notice for defamation amounting to Three Crores each against Executive members of KOA without any reason, basis or justification, and as an intimidative tactic.
8. Instigating members to act against the interest of the Association.
9. Creating discord and disharmony in the Association.
10. Indulging in acts and conduct highly unbecoming on the part of a person holding the responsible position of President.

An email was sent through proper channel to Dr. P Gopinathan, along with a hard copy by post, regarding the above mentioned allegations and he was given two weeks to reply to the above allegations.

On 14/7/2019 an email was sent by Dr P Gopinathan to the Subcommittee chairman Dr Cheriyan Kovoov. The following is the reply received

*“The election commission including me was given the bye-laws of KOA including electoral guidelines, signed by the PRESIDENT, SECRETARY AND TREASURER OF KOA on all pages along with a certificate by KOA secretary certifying that this document is the current bye-law of KOA. I believe that the election commission including myself have executed it in full (100%). If any member was hurt by the decision taken by the election commission on the basis of certified documents certified by the secretary of KOA provided to us, I am sorry. In future also I shall abide by and execute all rules and regulations contained in the Bye-laws of KOA to 100%.”*

The Subcommittee felt that this apology was unsatisfactory as he has not replied to each of the allegations separately except for allegation no 6 for which he has blamed the previous President, Secretary and Treasurer. The subcommittee felt that this was not acceptable and another email was sent to the President Dr P Gopinathan by the chairman of the subcommittee Dr Cheriyan Kovoov on 19/7/2019 stating that his reply was not satisfactory and he has to reply to each of these allegations and he was given time till 20/7/2019 5.00 pm to reply. No reply has come. He was also asked to produce the certificate from the previous secretary regarding the byelaw which he has not done.

The subcommittee evaluated all the evidence made available to it including the documents provided for perusal by the association, the observations of various members in the general body, the reply received from Dr. P Gopinathan and the opinions of members (including some past presidents and senior members) who contacted the subcommittee members individually.

On the basis of all these, the subcommittee would like to make the following observations:

1. The allegations raised against Dr. P Gopinathan are of very serious nature.
2. Manipulation of the byelaw is a very serious offense.
3. The reply received from Dr. P Gopinathan is unsatisfactory. In fact he was justifying what he has done.
4. The silence of Dr. P Gopinathan regarding all allegations except number 6 forces the subcommittee to come to the conclusion that he has no plausible explanation for his actions which the general body has concluded as having been against the interests of the association.

5. In his reply, Dr. P Gopinathan has not mentioned anything regarding the mail sent to him by Dr. Tajan PJ cautioning him that the byelaw was not the right one. He was concealing the fact that Dr Tajan PJ had sent such a mail to him saying that the byelaw was wrong. Disregarding the mail from Dr. Tajan PJ, a past secretary of KOA and an experienced member of the executive committee, is regarded by the subcommittee as an action with malafide intention.

6. The claim of Dr. Gopinathan in his reply that the manipulated byelaw had been certified as current by the previous secretary could not be verified by the subcommittee, but if proven, needs to be investigated further to reveal the cause and extent of the manipulation.

The subcommittee feels that status quo should be maintained in the association with Dr PJ Jacob as the President in charge until the matter is finally closed in a General body meeting of the association.

DR MANUEL JOSEPH

Member

DR C CHERIYAN KOVOOR

Chairman

DR KOSHY GEORGE

Member