DMC/DC/F.14/Comp.2940/2/2024/ 04th June, 2024

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a representation from police station, Vivek Vihar, Delhi, seeking medical opinion on a complaint of Shri Ratnesh r/o-233, Indra Colony, Gali No.04, Sahibabad, Ghaziabad, UP-201005, alleging medical negligence in the treatment of complainant’s wife Smt. Shobha at ESIC Hospital, Jhilmil, Delhi-110095.

The Order of the Disciplinary Committee dated 02nd May, 2024 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a representation from police station, Vivek Vihar, Delhi, seeking medical opinion on a complaint of Shri Ratnesh r/o-233, Indra Colony, Gali No.04, Sahibabad, Ghaziabad, UP-201005 (referred hereinafter as the complainant), alleging medical negligence in the treatment of complainant’s wife Smt. Shobha (referred hereinafter as the patient) at ESIC Hospital, Jhilmil, Delhi-110095 (referred hereinafter as the said hospital).

The Disciplinary Committee perused the complaint, written statement of Dr. Priyanka Garg, Dr. Ruchika Chauhan, copy of medical records of ESIC Hospital, Jhilmil and copy of medical records of ESI Hospital, Sahibabad and other documents on record.

The following were heard in person:-

1. Shri Ratnesh Complainant
2. Dr. Priyanka Garg M.B.B.S., M. D., ESIC Hospital, Jhilmil
3. Dr. Ruchika Chauhan M.B.B.S., M. S., ESIC Hospital, Jhilmil
4. Ms. Roselin Nurse, ESIC Hospital, Jhilmil
5. Dr. Romi Khurana Medical Superintendent, ESIC Hospital,

Jhilmil

The complainant Shri Ratnesh Kumar stated that his wife Smt. Shobha had became pregnant in month of November, 2018. Her expected date of delivery was 06th August, 2019. On 06th August, 2019 around 08.00 p.m. she started experiencing labour pain, hence she was taken to ESIC Hospital, Sahibabad. Due to lack of facility, she was referred to ESIC Hospital, Jhilmil, Delhi. She was admitted in ESIC Hospital, Jhilmil around 09.15 p.m. on 06th August, 2019. She continued to experience labour pains through the night and was under observation and treatment of Dr. Priyanka Garg. Around 6.00 a.m. on 07th August, 2019, Dr. Priyanka Garg insisted that she be discharged from the hospital as she was not in labour pain, even though the patient was in acute labour pain, she was forcibly discharged her at 6.00 a.m. on 07th August, 2019. Subsequently around 07.00 p.m. on 07th August, 2019, his wife again started experiencing severe labour pain, hence was again taken to ESIC Hospital, Sahibabad, from where she was again referred to ESIC Hospital, Jhilmil, Delhi. His wife was then taken to ESIC Hospital, Jhilmil, Delhi at around 08.30 p.m. on 07th August, 2019. She was examined around 09.30 p.m. Thereafter, he was informed that his wife baby had suffered Intra Uterine Death. It is alleged that his wife baby suffered Intra Uterine Death due to medical negligence and because she was forcibly discharged in the morning of 06th August, 2019. He requests that strict action be taken on his complaint in accordance with law.

Dr. Priyanka Garg, Senior Resident, Obst. & Gynae., ESI Hospital, Jhilmil avvered that she was on duty on 06th August, 2019 from 04.00 p.m. to 07th August, 2019, 09.00 a.m. The patient named Smt. Shobha was referred from ESIC, Sahibabad with complaint of pain abdomen since 3 to 4 days not associated with leaking/ bleeding per vaginum, she was not sure of her last menstrual period, her expected date of delivery was calculated by her earlier scan of 10 weeks which was corresponding to her recent ultrasound of 02nd August, 2019 showing normal parameters. On examination, her vitals (Blood Pressure and Pulse Rate) were normal, on per abdomen examination; her uterus was term size, relaxed with no palpable contraction. Presentation was cephalic and fetal heart rate was regular. On per vaginum examination, her cervix os was closed with no show. She advised her injection Buscopan and the patient was relieved of pain and the patient was kept in Gynae casualty overnight. At around 06.00 a.m., the patient was comfortable and wanted to go home, she was examined and her uterus was relaxed with no palpable contraction and fetal heart rate was normal and on internal examinations cervical os was closed with no show, and was not in labour pain. The patient insisted on going home and gave in writing alongwith her signature and was explained about the warning signs of labour pains/ leaking P/V/ decreased fetal movements and to report immediately to the hospital.

Dr. Ruchika Chauhan, Senior Resident, Obst. & Gynae., ESI Hospital, Jhilmil averred that she attended the patient Smt. Shobha w/o.Shri Ratnesh on 07th August, 2019 at 09.30 p.m. She was on emergency duty on 07th August, 2019. The patient was referred from ESI Sahibabad with history of leakage per vaginum since 05. 00 p.m. in evening on 07th August, 2019 and pain abdomen. She gave history of sudden passage of greenish coloured fluid at 05.00 p.m. for which she went to ESI Hospital, Sahibabad and was referred to ESI Hospital, Jhilmil. On examination, she noted her vitals and did her per abdomen and per vaginum examination. On per abdomen examination fetal heart was not localised on stethoscope or Doppler. On per vaginum examination hand was felt through os with no pulsations and membranes were absent and liquor was meconium. After examination, she explained everything to the relatives of the patient and also the current status and took their Informed Consent and admitted the patient. She started her on I.V. antibiotic and injection Oxytocin to augment the labour as the patient was already in acute labour. She delivered a baby weighing 2.4 kg. The baby was female still born. Baby was shown to the relatives and handed over to relatives. On 08th August, 2019, her report was collected and Hb- 8.5 g/dl and TLC-24,100 was noted. The patient was managed according to hospital protocols. The patient was stable.

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

1. It is noted that the patient Smt. Shobha 22 years old female reported to ESI Hospital, Sahibabad at 08.40 p.m. on 06th August, 2019 with complaints of pain lower abdomen since three days, leaking per vagina since morning. She was noted to be primigravida at 36 weeks. The details of ultrasound dated 02nd August, 2019 were recorded as single live intra uterin fetus, AFI-9.18 cm, EDD-28.08.2019, cephalic presentation. She was referred to ESI Jhilmil for safe confinement and further management. Subsequently the patient reported to ESI Jhilmil where she was examined by Dr. Priyanka Garg, Senior Resident Obst. and Gynae who recorded that she was primigravida at 39+4 weeks, had complaint of pain abdomen since 3 to 4 days. Her per abdomen findings were term size, cephalic, fetal heart sound present, relaxed. Per vaginum findings recorded, os closed with no show. She was advised injection Buscopan and was kept in the Gynaecology casualty for observation overnight. As per the 06.00 a.m. notes of next morning her per abdomen findings were term size, cephalic, fetal heart sound present, relaxed; per vagina- os closed, no show.

It is noted that the patient had expressed a desire to go home and put her signature on the OPD prescription/ record. The the warning signs of labour pains, leaking per vagina, decrease fetal movements and to report in such an eventuality, immediately to the hospital.

The patient thereafter again reported to the ESI Hospital Sahibabad at 07.15 p.m. on 07th Aug, 2019 with complaint of abdomen pain (intermittently, per vagina leaking since evening). The patient was again referred to ESI Hospital, Jhilmil for urgent obstetrician opinion and for safe confinement. The patient thereafter, was admitted in ESI Hospital, Jhilmil on 07th August, 2019 at 09.30 p.m. and was diagnosed as case of primigravida with 39 weeks 5 days gestation with cord prolapse with IUD with Meconium Stained Liquor. It was noted that the patient had complaints of pain abdomen and leakage per vagina since 05.00 p.m. evening. Thereafter, the patient underwent fullterm vaginal delivery under consent on 08th August, 2019 and delivered a 2.4 kg female still born baby at 12.32 a.m. on 08th August, 2019. The patient later on was discharged from ESI Hospital, Jhilmil on 13th August, 2019.

1. The patient was booked in antenatal period. As per the records available she was falling in low risk category pregnancy. Ultrasonography had reported adequate liquor, although weight of foetus was on lower side, slight mismatch. Cord accidents in the form of cord prolapse generally leads to IUD, if immediate action is not taken. Had cord prolapse happened in hospital then still there was a chance to save baby, although low. Patient had gone home willingly after putting her signature.

In light of the observations made herein-above, it is the decision of the Disciplinary Committee that no medical negligence can be attributed on the part of ESIC Hospital, in the treatment administered to the complainant’s wife Smt. Shobha.

Complaint stands disposed

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Alok Bhandari) (Dr. Vijay Zutshi)

Chairman, Delhi Medical Association, Expert Member,

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 02nd May, 2024 was confirmed by the Delhi Medical Council in its meeting held on 08th May, 2024.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi) Secretary

Copy to :-

1. Shri Ratnesh r/o-233, Indra Colony, Gali No.04, Sahibabad, Ghaziabad, UP-201005.

1. Dr. Priyanka Garg, Through Medical Superintendent, Indira Gandhi ESIC Hospital, Jhilmil, Delhi-110095.
2. Dr. Ruchika Chauhan, Through Medical Superintendent, Indira Gandhi ESIC Hospital, Jhilmil, Delhi-110095.
3. Ms. Roselin, Through Medical Superintendent, Indira Gandhi ESIC Hospital, Jhilmil, Delhi-110095.
4. Medical Superintendent, Indira Gandhi ESIC Hospital, Jhilmil, Delhi-110095.
5. SHO, Police Station Vivek Vihar, District-Shahdara, New Delhi-(w.r.t.: No.LC-R-140 R/SHO/Vivek Vihar dated 14/09/2019, Delhi)-**for information & necessary action.**

(Dr. Girish Tyagi)

Secretary