DMC/DC/F.14/Comp.1800/2/2020/ 01st May, 2023

**O R D E R**

**The Delhi Medical Council through its Disciplinary Committee examined a matter wherein** it is noted that vide Order No.DMC/DC/F.14/Comp.1800/ 2/2016/ 263554 to 263565 dated 18th July, 2017, in complaint No. 1800, besides awarding warning to Dr. Sanjay Kumar Singh (Delhi Medical Council Registration No.36044) with a direction that Dr. Sanjay Kumar Singh should undergo fifteen hours of Continuing Medical Education (C.M.E.) on the subject Emergency Medical Care, the Delhi Medical Council has also indicted Dr. Rajesh Kumar and directed him to undergo CME. However, since at the time of passing of the aforementioned Order, Dr. Rajesh Kumar did not hold valid registration with Delhi Medical Council, as his name already stood deleted w.e.f. 5th August, 2007 under Delhi Medical Council registration No.15452, on account of non renewal; no punishment in terms of warning or suspension of registration was inflicted on Dr. Rajesh Kumar. It is also noted that subsequently, Dr. Rajesh Kumar had renewed his registration with Delhi Medical Council. In view of the fact that Dr. Rajesh Kumar had renewed his registration with Delhi Medical Council and the Delhi Medical Council in its Order dated 18th July, 2017 has indicted Dr. Rajesh Kumar, the Delhi Medical Council has initiated these proceedings against Dr. Rajesh Kumar.

The Order of the Disciplinary Committee dated 16th March, 2023 is reproduced herein-below :-

**The Disciplinary Committee of the Delhi Medical Council examined a matter wherein** it is noted that vide Order No.DMC/DC/F.14/Comp.1800/ 2/2016/ 263554 to 263565 dated 18th July, 2017, in complaint No. 1800, besides awarding warning to Dr. Sanjay Kumar Singh (Delhi Medical Council Registration No.36044) with a direction that Dr. Sanjay Kumar Singh should undergo fifteen hours of Continuing Medical Education (C.M.E.) on the subject Emergency Medical Care, the Delhi Medical Council has also indicted Dr. Rajesh Kumar and directed him to undergo CME. However, since at the time of passing of the aforementioned Order, Dr. Rajesh Kumar did not hold valid registration with Delhi Medical Council, as his name already stood deleted w.e.f. 5th August, 2007 under Delhi Medical Council registration No.15452, on account of non renewal; no punishment in terms of warning or suspension of registration was inflicted on Dr. Rajesh Kumar. It is also noted that subsequently, Dr. Rajesh Kumar had renewed his registration with Delhi Medical Council. In view of the fact that Dr. Rajesh Kumar had renewed his registration with Delhi Medical Council and the Delhi Medical Council in its Order dated 18th July, 2017 has indicted Dr. Rajesh Kumar, the Delhi Medical Council has initiated these proceedings against Dr. Rajesh Kumar.

The Disciplinary Committee perused the Order No.DMC/DC/F.14/ Comp.1800/2/2016/263554 to 263565 dated 18th July, 2017 in complaint No. 1800 and other documents on record.

Dr. Rajesh Kumar presented himself before the Disciplinary Committee and was heard in person.

The Disciplinary Committee noted that Dr. Rajesh Kumar failed to submit his written statement, inspite of notice/direction.

On being asked by the Disciplinary Committee to show cause as to why penalty which includes warning or suspension of registration be not imposed, as reflected in the aforementioned in the Order No.DMC/DC/F.14/Comp.1800/2/2016/ 263554 to 263565 dated 18th July, 2017, on having been indicted n that Order, and as to whether he has challenged that Order before any authority, Dr. Rajesh Kumar stated that he has not challenged the Order No.DMC/DC/F.14/Comp.1800/2/ 2016/ 263554 to 263565 dated 18th July, 2017 before any appellate authority or Court of Law and further, he is willing to undergo any punishment which the Delhi Medical Council may decide to impose upon him for the shortcomings attributed on his part in the Order No.DMC/DC/F.14/ Comp.1800/2/2016/263554 to 263565 dated 18th July, 2017; he, however, requests that Delhi Medical Council may take lenient view in this matter.

In light of the above, the Disciplinary committee observes that the Order dated 18th July, 2017 of the Delhi Medical Council wherein in addition to Dr. Sanjay Kumar Singh, Dr. Rajesh Kumar was also indicted by the Delhi Medical Council, was never challenged by Dr. Rajesh Kumar before any appellate authority or Court of Law, hence, the findings against Dr. Rajesh Kumar in the said order has attained finality.

It is also noted that Delhi Medical Council in its meeting held on 21st December, 2022 already has decided to withdraw the criminal prosecution initiated against Dr. Rajesh Kumar in terms of its Order dated 18th July, 2017.

In view of the above, the Disciplinary Committee deems it fit to recommend issuance of warning to Dr. Rajesh Kumar (Delhi Medical Council Delhi Medical Council Registration No.1542) for his act, as determined by the Delhi Medical Council in Order dated 18th July, 2017 with a direction that Dr. Rajesh Kumar should undergo fifteen hours of Continuing Medical Education (C.M.E.) on the subject Emergency Medical Care and submit a compliance report to this effect to the Delhi Medical Council.

Matter stands disposed.

Sd/: Sd/:

(Dr. Maneesh Singhal), (Dr. Anil Kumar Yadav)

Chairman, Eminent Publicman,

Disciplinary Committee Member,

Disciplinary Committee

Sd/: Sd/:

(Dr. Satish Tyagi) (Dr. Satendra Singh),

Delhi Medical Association, Expert Member,

Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 16th March, 2023 was confirmed by the Delhi Medical Council in its meeting held on 10th April, 2023.

The Council further confirmed the punishment of warning awarded by the Disciplinary Committee to Dr. Rajesh Kumar (Delhi Medical Council Delhi Medical Council Registration No.1542) with a direction that Dr. Rajesh Kumar should undergo fifteen hours of Continuing Medical Education (C.M.E.) on the subject Emergency Medical Care, within a period of three months from the date of the Order and submit a compliance report to this effect to the Delhi Medical Council.

The Council further observed that the Order directing the issuance of warning 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. Rajesh Kumar, RMO, Central Jail Hospital, Mandoli, Delhi-110093.
2. Registrar, Assam Medical Council, Baista Road, H. No.1, Banphol Nagar Path, Dispur- 6, (Near Housefed), Guwhati(Gauhati)(District Guwahati (Gauhati), Assam, India (***Dr.Rajesh Kumar is also registered with the Assam Medical Council under Registration No-14151/23/3/1998)***-**for information and necessary action.**
3. National Medical Commission, Pocket-14, Phase-1, Sector-8, Dwarka, New Delhi- 110077-f**or information & necessary action.**

(Dr. Girish Tyagi)

Secretary