DMC/DC/F.14/Comp.2501/2/2022/ 19th September, 2022

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Smt. Shilpi Kumari Devi, Village-Lashkari Pur, Post- Manik Pur, District Saran, Bihar, forwarded by the Health & Family Welfare Department, Govt. of NOT of Delhi, alleging medical negligence on the part of Dr. Girish Tiwari, L-150,A, Pipal Wali Gali, Shastri Nagar, New Delhi-110052, in the treatment of the complainant.

The Order of the Disciplinary Committee dated 29th July, 2022 is reproduced herein-below :-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Smt. Shilpi Kumari Devi, Village-Lashkari Pur, Post- Manik Pur, District Saran, Bihar (referred hereinafter as the complainant), forwarded by the Health & Family Welfare Department, Govt. of NCT. of Delhi, alleging medical negligence on the part of Dr. Girish Tiwari, L-150,A, Pipal Wali Gali, Shastri Nagar, New Delhi-110052, in the treatment of the complainant.

The Disciplinary Committee perused the complaint, written statement of Dr. Girish Tiwari and other documents on record.

The Disciplinary Committee noted the complainant Smt. Shilpi Kumar Devi did not appear before the Disciplinary Committee in person, as she is resident of District Saran, Bihar. The Disciplinary Committee contacted the complainant’s husband Shri Arun Kumar Shah telephonically and was heard.

Dr. Girish Tiwari, General Physician presented before the Disciplinary Committee and heard in person.

It is alleged in the complaint that the complainant Smt. Shilpi Kumari Devi on 04th April, 2017 consulted Dr. Girish Tiwari of Bawasir Hospital, for complaints of piles, for which, she was subjected to sclerotherapy, with assurance that she will be cured of her ailment within two months. However, instead of getting better, her condition had deteriorated. It is requested that medical qualification and competence of the doctor be checked and appropriate action be taken in this regard.

Dr. Girish Tiwari, General Physician in his written statement averred that on 04th April, 2017, the complainant Smt. Shilpi Kumari Devi 22 years/female/presented with complaints of bleeding per rectum and pain during defection. On carefully physical examination, it was found to have internal haemorroid without any prolapse (first degree). There was no history of any chronic illness in past. The complainant was advised for selerotherapy. The complainant was explained in detail about the procedure also been explained about the complications, post-therapy course and incidence of failure of the treatment. After taking consent for the procedure, selerotherapy was done with five percent phenol with almond oil; the procedure was done under all aseptic precaution with utmost care. The procedure went uneventful and the complainant tolerated the procedure well. The complainant was explained in detail about the future course of the treatment, about dietary advice and medicines. It was advised to follow-up in OPD after four weeks. As the patient is resident of Bihar which is far from Delhi, it was advised to consult the doctor telephonically, in case of any acute problem. Also, as mentioned by the complainant that guarantee was given regarding outcome of the treatment. No such commitment was given, as it was not mentioned in any document. Instead, the patient was explained in detail about complications and failure rates of the procedure. Also, the complaint raises questions regarding the capability of the nursing staff and also complaint about wrong doings by the staff members which is wrong and hassles allegations, as clinic has well qualified and experienced staff working for several years. The complainant was given the bill which includes the procedures charges, no consultation charges were charged nor any other payment was taken by any staff or the doctor. Also, no staff is indulged in any wrong doings of any nature and the allegation was made without any proof and only the purpose of defaming the Institute.

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

1. It is noted that the complainant Smt. Shilpi Kumari Devi, 22 years old female consulted Dr. Girish Tiwari on 04th April, 2017 with complaints of bleeding per rectum and pain during defecation. On examination, the complainant was noted to have first degree of internal haemorrhoids. The complainant was subjected to surgical procedure of sclerotherapy under consent by Dr. Girish Tiwari. The procedure was uneventful. The complainant was given dietary advice and prescribed medicines.
2. It is observed that the complainant was examined and treated as per standard practices in such cases. The ailment of piles with which, the complainant was afflicted with, inspite of sclerotherapy, is known to recur, as per medical literature.

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 Dr. Girish Tiwari, in the treatment of the complainant.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Satish Tyagi) (Dr. Subodh Kumar)

Chairman, Delhi Medical Association Expert Member,

Disciplinary Committee Member, Disciplinary Committee

 Disciplinary Committee

The Order of the Disciplinary Committee dated 29th July, 2022 was confirmed by the Delhi Medical Council in its meeting held on 10th August, 2022.

 By the Order & in the name of

 Delhi Medical Council

 (Dr. Girish Tyagi)

 Secretary

Copy to :-

1. Smt. Shilpi Kumari Devi, Village-Lashkari Pur, Post- Manik Pur, District Saran, Bihar.
2. Dr. Girish Tiwari, L-150,A, Pipal Wali Gali, Shastri Nagar, New Delhi-110052.
3. Dy. Secretary (Council), Health & Family Welfare Department, Govt. of NCT of Delhi, 9th Level, A-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002- w.r.t. letter F.No.F.72/ P&R/2018/H&FW/Council/pt. file-I/4831-32 dated 20.6.2018-**for information**.

 (Dr. Girish Tyagi)

 Secretary