DMC/DC/F.14/Comp.2743/2/2023/ 06th October, 2023

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Abadul Haque, P-1, 33/1 Batla House, Jamia Nagar, New Delhi-110025, alleging medical negligence on the part of the doctors of Dr. M.A. Ansari, Health Centre, Jamia Millia Islamia, Jamia Nagar, Okhla,, New Delhi-110025, in the treatment administered to the complainant’s son Master Imamul Haque, resulting in his death on 05.11.2017 at Indraprastha Apollo Hospital, Sarita Vihar, New Delhi-110076, where he was subsequently received treatment.

The Order of the Disciplinary Committee dated 19th September, 2023 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Abadul Haque, P-1, 33/1 Batla House, Jamia Nagar, New Delhi-110025 (referred hereinafter as the complainant), alleging medical negligence on the part of the doctors of Dr. M.A. Ansari, Health Centre, Jamia Millia Islamia, Jamia Nagar, Okhla,, New Delhi-110025, in the treatment administered to the complainant’s son Master Imamul Haque (referred hereinafter as the patient), resulting in his death on 05.11.2017 at Indraprastha Apollo Hospital, Sarita Vihar, New Delhi-110076, where he was subsequently received treatment.

The Disciplinary Committee perused the complaint, written statement of A.P. Siddiqui, IPS, Registrar, Jamia Millia Islamia enclosing therewith written statement of Dr. Irshad Husain Naqvi, Incharge, Dr. M A Ansari Health Centre, Jamia Millia Islamia and Dr. Shaista Farheen, copy of medical records of Dr. M.A Ansari Heatlh Centre, Indraprastha Apollo Hospital and other documents on record.

The following were heard in person :-

1) Shri Abadul Haque Complainant

2) Dr. Irshad Husain Naqvi Incharge & C.M.O. Dr. M.A. Ansari, Health Centre

3) Dr. Shaista Farheen C.M.O, Jamia Millia Islamia

The complainant Shri Abadul Haque alleged that on 30th October, 2017, his son Imamul Haque (the patient) came after finishing the NCC Camp in the night of 30th June, 2017 and his mother found him in a high fever. In the following morning, he (the complainant) and his wife took their ward to Dr. M.A. Ansari Health Centre, Jamia Millia Islamia, Jamia Nagar, Okhla, New Delhi-110025 where the attending doctor without conducting any check-up, just gave him medicine for three days. The doctor of Dr. M.A. Ansari Health Centre did not give attention to his son and his condition deteriorated day by day. He (the complainant) and his wife again took their ward to Dr. M.A. Ansari Health Centre on 03rd November, 2017, but again they did not give any advice of check-up of malaria or dengue, though, in the prescription, it had been mentioned that MP was negative and Pc3 LAC and advice him (the complainant) to give medicine and take the patient home. He came back home but the condition of his son continued to deteriorate day by day. On 04th November, 2017, the medicine provided by Dr. M.A. Ansari Health Centre was not working over his ward and his condition started deteriorating very rapidly and then, on 04th November, 2017 early in the morning at about 07:00 a.m., he took his ward to Bansal Hospital situated at A-1, New Friends Colony, New Delhi, where the doctor thoroughly checked-up the ward and thereafter, directed him to take him somewhere else due to unavailability of bed, as the condition of the ward was deteriorating rapidly. He took his ward to the Fortis Escorts Health Institute, Okhla Road, New Delhi on the very same day in the morning at about 08:00 a.m. and there, his son’s condition was monitored for one hour and when his condition was deteriorating rapidly then, he (the complainant) decided to take him (the patient) to admit in Apollo Hospital, New Delhi. Due to serious condition of his ward, he took his son to Indraprastha Apollo Hospital, Sarita Vihar, New Delhi on 04th November, 2017 at about 09:30 a.m. where his ward was admitted and all check-ups were done and thereafter, his ward was kept on ventilator but his condition did not recover and on 05th November, 2017 at about 08:35 a.m., his ward took his last breath. The reason of death is mentioned as due to failure of multi-organ dysfunction. His son expired due to the casual attitude of the Dr. M.A. Ansari Health Centre and if, Dr. M.A. Ansari Health Centre had given attention the health of his son, then, he might have survived.

Dr. Irshad Husain Naqvi, Incharge, Dr. M.A. Ansari Health Centre, Jamia Millia Islamia, New Delhi in his written statement averred that Jamia Millia Islamia is a Central University and Dr. M.A. Ansari Health Centre (a primary Health Centre) is a service department of the University. Health Centre is run by the University Administration. All the personals of Health centre are the employees of university. All the services of this health centre are non-chargeable. Ansari Health Centre is an OPD setup with a small emergency room, provides basic health and preventive care needs to the University beneficiaries with the help of three medical officers and other required paramedical staff, and it does not have any IPD services. Hence, it is not registered with the Directorate of Health Services, Govt of NCT of Delhi. All the medical officers of health centre are registered with the Delhi Medical Council. The patients beyond the capacity of the health centre, are referred to the nearby empanelled hospital for further management and are usually shifted by the university ambulance. University beneficiaries are privileged to visit any empanelled private hospital round the clock whenever the situation warranted for the hospital treatment on cash less basis and all the expenses of the hospitalization are borne by the university. Regarding the treatment of this particular case Master Imamul Haque s/o Mr. Abadul Haque, a permanent employee of university. The child was undergoing NCC training of about two weeks (19.10.2017 to 30.10.2017) where probably, he had some health problem, as narrated by the complainant. Later on, 30th November, 2017, he was brought to the University Health Centre for the treatment. As per the comment of Dr. Shaista Farheen, Treating Medical Officer, the patient Imamul Haque visited her OPD on 01st November, 2017 with symptoms of high-grade fever and cold. On her first preliminary observation, she thoughtot to be a case of usual viral fever and accordingly, she prescribed medicines. Again, on 03rd November, 2017, the child revisited her OPD with fever, then, she investigated the child in terms of fever keeping in mind the dengue season(CBC and platelet count) which were of non-suggestive of dengue fever. Medicines were prescribed with a word of caution that child may be taken to nearby Holy Family Hospital for further management. In return, the complainant responded, if required, he will take the child to the Bansal Hospital. Later on, it was learned that the child did not respond to the treatment, hence, the next morning, the child was taken to the Bansal Hospital where he was treated on the line of chest infection, but the condition of the child did not show any sign of improvement, so, the child was further shifted to the Fortis Escort Hospital. The doctors of the Fortis Escort Hospital also showed their inability to manage and further advised to shift the child to Apollo Hospital for more specialized management. At Apollo Hospital, the child was diagnosed to be the case of bacterial chest infection with respiratory distress syndrome refractory to oxygen. The child was kept on ventilator support but still continue to deteriorate and unfortunately, breathe his last on 05th November, 2019. Apollo Hospital declared the cause of death as pneumococcal sepsis with ARDS with multi-organ failure.

Dr. Shaista Farheen, C.M.O, Jamia Millia Islamiain her written statement averred that the patient Master Imamul Haque visited her in general OPD(Room No. 116) on 01st November, 2017 with complaints of fever and cough. She carefully examined him wherein he was found to have 1010F fever. As per the procedure, she treated him for fever and cough. On 03rd November, 2017, the patient visited AHC (Room No. 100), and she was told that he was brought from the NCC camp without any medical record (she remembers he told her that he was playing music in the camp). She examined him in the Room No. 100 and found that he was coherent, fully conscious and complained of having fever. The medical staff checked his fever (100.80F). He did not carry the official medical booklet of Jamia, so, she called the lab technician and got him investigated for fever (first CBC and malaria antigen) immediately and urgently. As the investigation was done on urgency, she ascertained the test results on the registration slip itself and printed report on investigation (F/C) came later on. Cold sponging was also given to him by the nursing staff, and in the meanwhile, his father, Mr. AbadulHaque (the complainant), also came. She explained to the complainant about his son’s fever and as a procedure, she instructed the complainant to take his son to some Jamia empanelled higher medical centre, as there was an epidemic of fever and next two days were Saturday and Sunday. She specifically advised the complainant that at Primary Health Care Centre like AHC (where, there is no IPD facilities) this is the best they can do (since higher investigations related to fever example dengue etc. and others are not available at AHC). She also specifically and categorically advised him (the complainant) to take his son to some empanelled higher medical centre immediately. But, on seeing the report of platelet count as 3 Lac and malaria negative, the complainant was happy and was reluctant to take his son to higher medical centre immediately. She advised him that although, the reports of malaria might look good but he should not take any risk (she even offered him ambulance services of AHC, if he wished to carry his son to higher medical centre to which, he showed his denial). She remembers that he told her that he did not carry his son’s official medical booklet; and if needed, he would take his son to higher medical centre and would get the visit to the higher medical centre certified from AHC later (which is the usual practice followed by Jamia employees). All Jamia employees have the facility to access any Jamia empanelled hospitals when needed, even without the prior referral from the AHC and this is a common practice. The complainant took his son from the AHC in a clinically stable and good condition.

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

1. The patient Master Imamul Haque was examined by Dr. Shaista Farheen at M.A. Ansari Centre on 01st November, 2017 and 03rd November, 2017. Being viral/dengue/malaria season, the child was given antipyretics on 01st November, 2017. On repeat visit CBC was normal, platelet count was 03 lakh/cc and malarial antigen test was negative. Then, the clinician Dr. Shaista Farheen continued with the diagnosis of viral fever. The condition of the patient worsened next day and was taken to Bansal Hospital on 04th November, 2017 and from there, referred to Fortis Hospital (04th November, 2017) and then to Apollo Hospital where he was admitted on 04th November, 2017, thereafter, the patient passed away due to pneumococcal pneumonia and sepsis on 05th November, 2017
2. The patient was examined and investigated on OPD basis as per acceptable professional practices by Dr. Shaista Farheen**.**
3. The patient was eventually diagnosed with pneumococcal sepsis at Apollo Hospital after admission. When multiorgan dysfunction develops, it carries a poor prognosis inspite of adequate treatment**.**

In light of the above, it is the decision of the Disciplinary Committee that no medical negligence can be attributed on the part of Dr. M.A. Ansari, Health Centre, in the treatment administered to the complainant’s son Master Imamul Haque.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Satish Tyagi) (Dr. Anurag Aggarwal)

Chairman, Delhi Medical Association, Expert Member,

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 19th September, 2023 was confirmed by the Delhi Medical Council in its meeting held on 20th September, 2023.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Abadul Haque, Department of Geography, Jamia Millia Islamia, New Delhi-110025
2. Dr. Irshad Husain Naqvi, Incharge, Dr. M.A. Ansari Health Centre, Through Registrar, Jamia Millia Islamia, (A Central University), Maulana Mohammad Ali Jauhar Marg, New Delhi-110025.
3. Dr. Shaista Farheen, Through Registrar, Jamia Millia Islamia, (A Central University), Maulana Mohammad Ali Jauhar Marg, New Delhi-110025.
4. Registrar, Jamia Millia Islamia, (A Central University), Maulana Mohammad Ali Jauhar Marg, New Delhi-110025.

(Dr. Girish Tyagi)

Secretary