DMC/DC/F.14/Comp.2775/2/2023/ 06th October, 2023

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a representation from Police Station, Najafgarh, New Delhi, seeking medical opinion regarding death of baby Deepanshu, allegedly due to medical negligence in the treatment administered at Metro Hospital, 292, Thana Road, Chhawla Stand, Najafgarh, New Delhi-110043.

The Order of the Disciplinary Committee dated 05th September, 2023 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a representation from Police Station, Najafgarh, New Delhi, seeking medical opinion regarding death of baby Deepanshu (referred hereinafter as the patient), allegedly due to medical negligence in the treatment administered at Metro Hospital, 292, Thana Road, Chhawla Stand, Najafgarh, New Delhi-110043 (referred hereinafter as the said Hospital).

The Disciplinary Committee perused the representation from Police, written statement of Dr. Ajay K. Singh, Metro Hospital, Post mortem report No.297/14 dated 22.12.2014, subsequent opinion as to cause of death in respect of post mortem report No.297/14 and other documents on record.

The following were heard in person :-

1) Shri Arvind Kumar Complainant

2) Shri Suresh Kumar Father of the complainant

3) Dr. Ajay Singh Pundeer Owner, Dr. Pundeer’s Metro Plus Hospital

It is noted that the police in its representation has averred that on 19th December. 2014, a PCR call vide DD No. 10 A at 04:16 a.m. was received at Police Station Najafgarh regarding Metro Hospital near Bus stand Najafgarh quarrel, in Metro Hospital Najafgarh, New Delhi; the same was marked to SI Ranvir Singh for enquiry. During enquiry, it was revealed that on 15th December, 2014, a male baby namely Deepanshu S/o Arvind Kumar R/o VPO. Kangan Heri, New Delhi, aged ten months was admitted, in Metro Hospital, Chawala Stand, Gurgaon Road, Najafgarh, New Delhi with alleged history of loose motion, vomiting etc. On 19th December, 2014 at about 03:00 a.m., the baby Deepanshu (the patient) was discharged from Metro Hospital with advice to refer the child to higher Hospital for the treatment and accordingly, they took their baby to Care Hospital, Dwarka Mod, where the doctor opined that the baby Deepanshu has already been died. The complainant Shri Arvind Kumar, his wife Smt. Shargam and his father Shri Suresh Kumar were levelling allegations that the Baby Deepanshu died due to medical negligence of treating doctor (Dr. Ajay Singh Pundeer) and others in Metro Hospital. During enquiry, U/s 174 CrPC, Post Mortem vide 297/14 was conducted by the Medical Board at RTRM Hospital, Jaffarpur, Delhi. During postmortem examination, exhibits were given to I.O. for histopathology report and chemical analysis and report. The same exhibits were sent to concern labs and results/reports was got. Subsequent opinion was got from the Medical Board, RTRM Hospital, Jaffarpur Kalan, New Delhi. The enquiry report from the Medical Council regarding negligence of Dr. Ajay Singh Pundeer and others of Metro Hospital, is required for finalizing the inquest U/s 174 CrPC. It is therefore, requested that enquiry may kindly be conducted and the same report may be provided please.

The complainant Shri Arvind Kumar stated that on 15th December, 2014, his child namely Deepanshu (the patient), aged ten months, was admitted in Metro Hospital, with alleged history of loose motion, vomiting etc. On 19th December, 2014 at about 03:00 a.m., his baby was discharged from Metro Hospital with advice to refer the child to higher Hospital for the treatment and accordingly, they took their baby to Care Hospital, Dwarka Mod, where the doctor opined that the baby Deepanshu has already been died. He alleged that his baby Deepanshu died due to medical negligence of treating doctor (Dr. Ajay Singh Pundeer) and others in Metro Hospital and strict action be taken against them.

Dr. Ajay Singh Pundeer, Dr. Pundeer’s Metro Hospital in his written statement averred that the patient Deepanshu came to the hospital in poor general condition and was in shock due to moderate to severe dehydration and severe gastroenteritis peritonitis with abdominal distension. The condition of the patient i.e., toxic was explained to the parents and it was known to them that the patient was serious. The patient was given all required care but the patient deteriorated and had septicaemic shock. The patient’s condition deteriorated and he was referred to higher centre for I.C.U. care, but unfortunately, the patient expired there. The attendants came back to the hospital and made huge scene and misbehaved with the staff and even manhandled the staff. The local Thana was informed and they had taken all the treatment papers with them alongwith patient’s body. The patient’s condition was bad at the time of admission. Also, they were given information about this. The patient’s parents said they are very poor and cannot take child to a higher centre. They requested to admit the patient and provide the treatment. They were not having money at the time of admission also and they still admitted him purely on humanitarian grounds. They even showed their helplessness for doing lab investigations too. They kept doing whatever necessary for poor family with their capacity. But the patient being critical, went into ­­­­­­­­­­shock and eventually expired. Every death caused by the medical negligence have become a norm there day. He has having huge respect as doctor in society and served people with humanity. This is second time; he received this complaint in eighteen years of his practice. In both the cases, the people involved, have a Delhi police relative. He still believes that a doctor has much better work ethics than police personal. This trend is very scary and diss-hearting and to continue practising this professional, have become very difficult. He wants to continue practice with dignity and pride and do not want to feel like a criminal now and then. He hopes that the Delhi Medical Council will take care of him as professional also and give him, thus, mental freedom that if a poor child or patient comes, he may still human face to do whatever possible in his capacity as a socially sensitive professional. This is few of the rare cases where he treated the patient without any financial gain and being humiliated as negligent. His sincere request to the Delhi Medical Council is, not to compare a small nursing home like theirs with cooperative setup. They are still serving society within their capacity and sometime, even without their help, purely on humanitarian ground. He Hopes that the Delhi Medical Council will appreciate his situation.

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

1. The child was admitted on 15th December, 2014 which history of loose stool and vomiting. On examination, he had severe dehydration, abdominal distension and shock. On admission, he was given a fluid bolus of 200 ml RL (20 ml/kg) and antibiotics were started. Later on, the hospital’s records do not mention any details of either improvement or deterioration of the condition of the patient, inspite of being admitted in the hospital for four days. No proper investigations like CRP, USG abdomen, blood culture and sensitivity, were done. Only one report of hemogram and stool examination, is available. The child was never properly examined and followed up. He was never examined by a specialist(Pediatrician). On 19th December, 2014 at 03.00 a.m. when his condition became very serious, he was referred to an another hospital without any proper medical support. When the reached the Rao Tula Ram Hospital, he was declared as brought dead on 19th December, 2014 at 05.45 a.m.
2. The cause of death as per subsequent opinion in respect of post-mortem report No.297/14 was that no definite opinion regarding cause of death could be given, however, possibility of death due to pulmonary oedema can not be rule out.

In light of the observations made hereinabove, it is the decision of the Disciplinary Committee that the name of Dr. Ajay Singh Pundeer (Dr. Ajay Kumar Singh, Delhi Medical Council Registration No.11399) be removed from the State Medical Register of the Delhi Medical Council for a period of 30 days.

Matter stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Satish Tyagi) (Dr. Anil Kumar Yadav)

Chairman, Delhi Medical Association, Eminent Publicman,

Disciplinary Committee Member, Member,

Disciplinary Committee Disciplinary Committee

Sd/:

(Dr. A.P. Dubey)

Expert Member,

Disciplinary Committee

The Order of the Disciplinary Committee dated 05th September, 2023 was confirmed by the Delhi Medical Council in its meeting held on 20th September, 2023.

The Council also confirmed the punishment of removal of name of Dr. Ajay Singh Pundeer (Dr. Ajay Kumar Singh, Delhi Medical Council Registration No.11399) for a period of 30 days awarded by the Disciplinary Committee.

The Council further observed that the Order directing the removal of name from the State Medical Register of Delhi Medical Council 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. Shri Arvind Kumar, s/o Suresh Kumar, H.No.865, Village Kangan Heri, Chhawla, Delhi-110071.
2. Dr. Ajay Singh Pundeer, Ashoka Residency Najafgarh, New Delhi-110043, Tuda mandi, Delhi-110043.
3. SHO, Police Station, Najafgarh, Delhi-110043-w.r.t DD No.10A Police Station Najafgarh, New Delhi-110043-**for information.**
4. Registrar, Karnataka Medical Council, 16/6, Miller Tank Bed Road, Vasanth Nagar, Banglauru, Karnataka 560052 (**Dr. Ajay Kumar Singh is also registered with the Karnataka Medical Council under registration No.523257 dated 16.08.2019)**- **for information & necessary action.**
5. National Medical Commission, Pocket-14, Sector-8, Dwarka, Phase-1, New Delhi-110077-for information & necessary action.

(Dr. Girish Tyagi)

Secretary