DMC/DC/F.14/Comp.4124/2/2024/ 29th October, 2024

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Rahul Bhardwaj, Advocate, 252, 1st Floor, Pocket-26, Sector-24, Rohini Delhi-110085, alleging medical negligence and professional misconduct on the part of Dr. B.B. Chanana, in the treatment of the complainant.

The Order of the Disciplinary Committee dated 03rd September, 2024 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Rahul Bhardwaj, Advocate, 252, 1st Floor, Pocket-26, Sector-24, Rohini Delhi-110085, alleging medical negligence and professional misconduct on the part of Dr. B.B. Chanana, in the treatment of the complainant.

The Disciplinary Committee perused the complaint, written statement of Dr. B.B. Chanana, rejoinder of the complainant, joint written statement of Dr. B.B. Chanana and Dr. B.L. Kundu and other documents on record.

The following were heard in person:

1) Shri Rahul Bharadwaj Complainant

2) Dr. B.L. Kundu Clinical Assistant

3) Dr. Priya Chanana Wife of Dr. B.B. Chanana

Dr. B.B. Chanana was asked to join online through video conference to participate in the Disciplinary Committee proceedings however, it was observed that he did not looked in right frame of mind to defend himself. In view of the same the Disciplinary Committee allowed Dr. Priya Chanana wife of Dr. B.B. Chanana to make submissions on his behalf.

The complainant Shri Rahul Bhardwaj alleged that he was suffering from hypertension and, therefore, visited Dr. B.B. Chananaat Dr. Chanana’s The Heart Lab, Flat No.546, Pocket-C-8, Sector-8, Rohini, Delhi-110085 on 30th March, 2024 for the consultation and he was in huge shock while waiting for his turn, watching and analyzing that the hospital of Dr. B.B. Chanana was suggesting stress echo to almost every patient without going for the E.C.G.(Electro Cardiogram) at higher cost. He was in huge stress and worry when he faced inappropriate physical and mental condition of Dr. B.B. Chanana, who was unable to tackle him (the complainant) and assistant staff of Dr. B.B. Chanana was advising/consulting to him (the complainant) and the patients for medicine. Even the prescription medicine was prescribed by the staff of Dr. B.B. Chanana in very negligent manner. As per the advice of the staff of above hospital, the medicines prescribed, were very heavy and two medicines were prescribed for one illness, which increased his stress and mental trauma. He was not satisfied with the medicines and the treatment. He had to approach to different cardiologist wherein two medicines were prescribed, was sufficient in place of seven medicines. He had to suffer from mental trauma, mental harassment, tension on his (the complainant) treatment, but due to deficiency in the treatment and negligent conduct by Dr. B.B. Chanana, an irreparable damage has been done to him (the complainant), which cannot be set-off by any amount whatsoever. Beside negligence and misconduct of ethics, the staff of Dr. B.B. Chanana is charging exorbitant testing fess and also putting the life of the innocent patient in danger, which is violating the fundamental rights of the citizen of India. Dr. B.B. Chanana is also engaged with another hospital, so the life of the innocent patient of Maharaja Agrasen Hospital is on risk, which is against the medical ethics and the professional misconduct. He himself is in huge suspicion that it would have caused irreparable losses to the guardians of those patients, if even anyone of the patient has suffered losses due to negligence of Dr. B.B. Chanana, which is matter of inquiry from the Delhi Medical Council and he will recommend for that investigation through competent authority. He requests the Delhi Medical Council to do the inquiry and immediately, stop the medical practice till the mental and physical health is not recovered of Dr. B.B. Chanana.

Dr. B.B. Chanana in his written statement averred that on 30th March, 2024, the complainant Shri Rahul Bhardwaj visited his clinic and stated that the complainant was suffering from hypertension and accordingly, Dr. B.L. Kundu in his (Dr. B.B. Chanana) presence, after thoroughly examining the medical history of the complainant, prescribed certain medicines to the complainant for hypertension. Thereafter, the complainant never visited his clinic. After a few days, the complainant sent him (Dr. B.B. Chanana) a legal notice dated 09th May, 2024, which was false and frivolous. The said notice was duly replied vide reply dated 18th May, 2024. On 30th March, 2024 when the complainant visited his clinic, total sixteen patients were attended by Dr. B.L. Kundu and himself and out of sixteen patients; only one stress echo and four plain Echo were performed. The allegations raised to the contrary in the complaint are full of malice and without any basis. Because of his ill-health, a reputed and well qualified doctor always sits with him (Dr. B.B. Chanana) for attending the patients, visiting his clinic. Since, the complainant was having hypertension problem only, as such, Dr. B.L. Kundu attended the complainant and prescribed certain medicines taking into consideration the complainant’s health problem, as discussed by him with Dr. B.L. Kundu; hence, it is absolutely wrong to allege that his assistant staff attended the complainant and other patients.

He further averred that the complainant’s contention that Heart Lab is a hospital is not true. This facility is out-patient service, equipped with routine cardiology investigative facilities. The complainant has been trying to analyze the status and the treatment, rendered to other patients. The complainant neither has any locus standi nor competent to form any opinion regarding the complex cardiology procedures and the treatment. On 30th March, 2024 when the complainant visited his clinic, total sixteen patients were attended by Dr. B.L. Kundu and he (Dr. B.B. Chanana) was sitting aside of him and out of sixteen patients, only one stress echo and four plain echo were performed. The allegations raised to the contrary in the complaint are full of malice and without any basis. The nature of the treatment prescribed at the clinic and the drugs prescribed are as per the condition of the diagnosis of the patient. This involved the skill, expertise and the experience of the treating doctor. Any allegation by a layman challenging the number of drugs and the nature of the treatment, is illogical and without any basis. Regarding allegation of his inappropriate physical and mention condition, he respectfully states that he is a renowned heart specialist/cardiologist, having his own clinic in Rohini, Delhi and for the last considerable period. He has been in the profession for the last more than twenty six years with unblemished record of his dedicated service to the mankind. During the entire tenure of his practice, he has attended lakhs of patients and even served as attending doctor in various hospitals including Maharaja Agarsen Hospital, Punjabi Bagh, New Delhi for the last more than two decades and at no point of time, there had ever been any complaint of medical negligence against him. For his unblemished service to the mankind, he was awarded with various awards during his professional services. However, presently, he is not keeping well but still having huge expertise in medical field, he has been occasionally attending his patients in the clinic at Rohini alongwith specialized doctors including Dr. B.L. Kundu, who was associating him in Maharaja Agarsen Hospital since last about ten years and he is very much versed with his (Dr. B.B. Chanana) working. He wishes to state that he has disassociated himself with Maharaja Agarsen Hospital for considerable period taking into consideration his health. The complainant’s claim that another cardiologist prescribed only two medicines against seven prescribed by him, is mala-fide and not supported by the facts. While difference of opinion is common while dealing with the patients, is well known and accepted in medical field, moreover, the condition of the patient and clinical findings observed by the other cardiologist are not known. Deficiency in service, as claimed by the complainant is not supported by any event or scientific or medically scruitable fact. The complainant failed to provide any clue or any details of the body harm or any complication caused by the treatment. The mental harassment, as claimed by the complainant is too vague and without any basis. Also, irreparable damage, as claimed is undefined, vague, fallacious and misleading. The Article 21 of the constitution of India grants right to livelihood to all citizens of the country. The complainant’s charge of exorbitant fee for consulting and testing is misplaced. The scheme of the charges is displayed in the waiting chamber. All the patients can see or inquire before getting examined. The complainant visited his clinic on his own volition, knowing fully-well charges with ulterior motive to unnecessarily harass, humiliate and torture him (Dr. B.B. Chanana) with the sole intent to blackmail and to extort money from him. The entire averments as contained in the complaint are full of malice and without any substance. His consultation fee is rupees eight hundred and he has not increased the same since last ten years. Further, he charges rupees three hundred for the E.C.G. and rupees four thousands for stress echo, which he is charging since last ten years and these charges to his knowledge are much lower in comparison to the charges of the contemporary doctors of equivalent qualification and experience. Thus, in light of the above stated facts, he respectfully submits that the complaint under reply is nothing but a misinterpretation of the facts. The complaint does not raise any issue of medical negligence/professional conduct that would require adjudication by the Delhi Medical Council. Therefore, he prays to the Delhi Medical Council to dismiss the complaint.

The complainant in his rejoinder averred that it should be moral code of conduct to take a photocopy of the prescription for future reference. This is just a delaying tactics to require/demand of prescription to reply. There are specific allegations of medical negligence or professional misconduct in regards to the treatment provided by at clinic, as the goodwill earned by Dr. B.B. Chanana is capitalizing on the cost of health and life of the patient. As some other doctors are treating on the name and goodwill of Dr. B.B. Chanana. There are specific allegations of medical negligence or professional misconduct in regards to the treatment provided by at clinic, as the goodwill earned by Dr. B.B. Chanana is capitalizing on the cost of health and life of the patient. As some other doctors are treating on the name and goodwill of Dr. B.B. Chanana. This is not the matter of defence rather the matter of natural justice and the protection of the rights of the patient. There is breach of duty by Dr. B.B. Chanana, as he is using his name on the cost of life of the innocent patients, as he is not attending and prescribing the patients personally. Dr. B.B. Chanana has miserably failed to follow the standard medical practice or to act in a manner or to administer treatment, which is acceptable by any Medial Board. There are specific allegations of medical negligence or professional misconduct in regards to the treatment provided by at clinic, as the good will earned by Dr. B.B. Chanana is capitalizing on the cost of health and life of the patient. As some other doctors are treating on the name and goodwill of Dr. B.B. Chanana. The medicines prescribed to him (the complainant), were prescribed by other person in place of Dr. B.B. Chanana, which is violation of all the standards of medical negligence and writing on the prescription slip is conclusive proof to prove this vital allegation. Dr. B.B. Chanana is not attending the patients and earning the huge money only on the name of reputation; he has earned since last ten years. He (the complainant) does not know Dr. B.L. Kundu and some person is attending to the patients on the name of Dr. B.B. Chanana. If, Dr. B.L. Kundu is doctor, assisting since ten years and prescribing the medicines, then, his name should have on the name of board/visiting card/prescription, but there is no reference of any doctor except Dr. B.B. Chanana. Accordingly, Dr. B.L. Kundu in his presence after thoroughly examining his medical history prescribed certain medicines to him for hypertension. This is itself a professional misconduct, as he (the complainant) visited to the clinic for the reputation and goodwill of Dr. B.B. Chanana, which is misrepresentation and fraud itself. He (the complainant) wanted to get prescription through Dr. B.B. Chanana only but Dr. B.B. Chanana is using the reputation for treating the patients. If, Dr. B.L. Kundu is doctor, assisting since ten years and prescribing the medicines, then, his name should have on the name of board/visiting card/prescription, but there is not reference of any doctor except Dr. B.B. Chanana. This is the natural and fundamental right of the patient to know that who/which doctor is doctor treating him. It was the reputation in the mind of the complainant that Dr. B.B. Chanana would prescribe the medicines but some other person prescribed the treatment. If, there is qualified doctor, then, his/her name would be on the boards to know for the patients as panel of the doctors. So, there is strong possibility that there is gross violation of morality/ethics and professional integrity. His(the complainant) analysis is prima-facie based on the observations of a particular day. This is itself a professional misconduct, as he visited to the clinic for the reputation and goodwill of Dr. B.B. Chanana, which is misrepresentation and fraud itself. He wanted to get prescription through Dr. B.B. Chanana only but Dr. B.B. Chanana is using the reputation for treating the patients. If, Dr. B.L. Kundu is doctor, assisting since ten years and prescribing the medicines, then, his name should have on the name of board/visiting card/prescription, but there is no reference of any doctor except Dr. B.B. Chanana and if, Dr. B.L. Kundu is main doctor, then, it should be in the public domain. Dr. B.B. Chanana is trying to creating third party interest and wants to capitalize the pubic, despite he is not doing the treatment and not writing the medicines and his staff is writing on the prescription, prescription slip is conclusive evidence to prove all the allegations. Heavy medicines are prescribed, so, this is the matter of inquiry weather all the provisions of medical ethics were followed or not. This is very serious issue that other doctor is treating on the name of Dr. B.B. Chanana, which is admitted in the reply. The cardiology involves in life and death of a patient, so there should be an inquiry on the history patients/past patient/dead patients also, if, there is any negligence is committed by Dr. B.B. Chanana, as he is not treating and the staff is treating. There is no doubt that Dr. B.B. Chanana is a renowned heart specialist/cardiologist, having clinic in Rohini, Delhi for the last considerable period. Dr. B.B. Chanana has been in the profession for the last more than twenty six years, this is admitted fact that due to inappropriate physical and mental condition, Dr. B.B. Chanana is unable to attend the patients. If, a doctor of heart/cardio is not physically and mentally fit, then, how he can treat the patients. The medical science is updating and there are regular developments in the medical sciences, if, a doctor is unable to understand the developments and the study, then, how he can treat the patient efficiently. So, Dr. B.B. Chanana should be stopped to practice medicine with immediate effect. This is also matter of inquiry as what are the reasons of disassociation with Maharaja Agarsen Hospital. This is also a matter, if, the evidence and he (the complainant) has proved through annexure that Dr. B.B. Chanana is not showing former doctor, but showing the regular doctor in above hospital. This is the matter of issue that heavy medicines were prescribed, which has disturbed his (the complainant) mental piece. That is why, he requests for the inquiry against this clinic and Dr. B.B. Chanana. If, his (the complainant) allegations are wrong, then, Dr. B.B. Chanana need not to worry and should come forward to prove that he is right. This is matter of record and disclosure, through which ailment Dr. B.B. Chanana is suffering and wether this ailment, can affect the right to life and personal liberty of the citizen. The right under Article 21 is also violated for the complainant and for that, he is planning to file the writ petition before the Hon’ble High Court of Delhi. It is the matter of inquiry as how many patients were recommended for stress echo and how many were suggested for E.C.G. E.C.G. should be preferred instead of stress echo but the clinic insisted stress echo in place of the E.C.G. His(the complainant) prescription is conclusive evidence to provide his allegation. This is the pure case of the medical negligence/professional conduct, which is proved beyond the reasonable doubts by the reply of Dr. B.B. Chanana. Therefore, he humbly prays to the Delhi Medical Council to consider the complainant and initiate disciplinary action against Dr. B.B. Chanana, as this is the case of life and death of the innocent patients.

Dr. B.B. Chanana and Dr. B.L. Kundu in their joint written statement averred that as per the photocopy (uncertified) of the prescription, provided by the complainant Shri Rahul Bhardwaj, 33 years old male patient, presented to the clinic of Dr. B.B. Chanana on 30th March, 2024 with history of hypertension. The complainant’s examination, as mentioned in the prescription slip, revealed tachycardia (Heart Rate-92) and systolic blood pressure was 132 and diastolic as 80. The details of the investigations and the blood test reports, the complainant produced at the time of visit to the clinic have not been provided by the complainant. The complainant was prescribed Diltiazem in low dose (60 mg), which is a mild anti-hypertension and would also help control his tachycardia. In view of the complainant’s young age and test reports that he presented at that time and to protect the complainant from well-known long term complications of early onset hypertension, the complainant was also prescribed lipid lowering agents (Rosuvastatin) and Fenfibrate), Aspirin (to prevent long term cardiac and neurological complications) and Hepatoprotective (Saroglitazar), Reno-protective (Taurine and Acetylcystience), and uric acid lowering (Febuxostat) drugs. The exact indication for prescribing the above mentioned drugs can explained only after the complainant submits all medical and lab reports that the complainant presented at the time of the complainant’s visit to the clinic. The complainant was administered the treatment in accordance with the standard acceptable treatments protocols. It is relevant to mention that the complainant neither complied with the treatment prescribed nor reported any ill or untoward side effects. Hence, there is no rational or scientific basis of allegation of medical negligence. The complainant was examined by Dr. B.B. Chananaand his associate on 30th March, 2024 in the clinic. The copy of the prescription, provided by the complainant, is clearly written and signed by Dr. B.B. Chanana. So the claim that some else is treating the patients on behalf of Dr. B.B. Chanana, is mischievous and made with mala-fide intention. So, the allegation of capitalizing the goodwill of Dr. B.B. Chanana is not true. Also, the fact that acknowledgement of Dr. B.B. Chanana regarding his skill and good, negates his (the complainant) allegations against Dr. B.B. Chanana. The complainant visited the clinic and stated that the complainant was suffering from hypertension and accordingly, they after thoroughly examining the patient, while taking cognizance of the complainant’s medical history, previous medical records and lab investigations, prescribed medications, as discussed above to the complainant for hypertension. Thereafter, the complainant never visited the clinic. After a few days, the complainant sent a legal notice dated 09th April, 2024 upon Dr. B.B. Chanana, which was false and frivolous. The said notice was duly replied vide reply dated 18th April, 2024. On 30th March, 2024 when the complainant visited the clinic, total sixteen patients were attended by them. Out of sixteen patients, only one patient’s stress echo and four patients’ plain echo were done. The allegations raised to the contrary in the complaint are full of malice and without any basis. Because of ill-health of Dr. B.B. Chanana, a reputed and well qualified doctor always sits with Dr. B.B. Chanana for attending the patients, visiting the clinic. Since, the complainant was having hypertension problem only, as Dr. B.B. Chanana alongwith Dr. B.L. Kundu attended to him (the complainant) and prescribed relevant medications, taking into consideration of the complainant’s health, as discussed by him (the complainant) with both of them; hence, it is absolutely wrong to allege that assistant staff of Dr. B.B. Chanana attended the complainant and other patients. Since, the prescription was hand written and signed by Dr. B.B. Chanana, there is no question and third party interest. The complainant’s claim that staff of Dr. B.B. Chanana is writing prescription on behalf of Dr. B.B. Chanana, is not true.

They further averred that the complainant’s contention that Heart Lab is a hospital is not true. This facility is out-patient service, equipped with routine cardiology investigative facilities. The complainant has been trying to analyze the status and the treatment, rendered to other patients. The complainant neither has any locus standi nor competent to form any opinion regarding the complex cardiology procedures and the treatment. On 30th March, 2024 when the complainant visited the clinic, total sixteen patients were attended by Dr. B.L. Kundu and Dr. B.B. Chanana and out of sixteen patients; only one stress echo and four patient’s plain echo were done. The allegations raised to the contrary in the complaint are full of malice and without any basis. The nature of the treatment prescribed at the clinic and the drugs prescribed, are as per the condition of the diagnosis of the patient. This involves the skill, expertise and the experience of the treating doctor. Any allegation by a layman challenging the number of drugs and the nature of the treatment, is illogical and without any basis. To term the medicines as heavy and to form an opinion about the reason for prescribing them is beyond his(the complainant) competence. The complainant has also been peddling lies about the treatment, being done by some other doctor or staff. Regarding allegation of Dr. B.B. Chanana’s inappropriate physical and mention condition, it is respectfully stated that Dr. B.B. Chanana is a renowned heart specialist/cardiologist, having his own clinic in Rohini, Delhi and for the last considerable period and he has been in the profession for the last more than twenty six years with unblemished record of his dedicated service to the mankind. During the entire tenure of his practice, Dr. B.B. Chanana attended lakhs of the patients and even served as an attending doctor in various hospitals including Maharaja Agarsen Hospital, Punjabi Bagh, New Delhi for more than two decades and at no point of time, there had ever been any complaint of medical negligence against Dr. B.B. Chanana. For Dr. B.B. Chanana’s unblemished service to the mankind, he was awarded with various awards during his professional services. Dr. B.B. Chanana has repeatedly acknowledged that he is a renowned cardiologist. However, presently, Dr. B.B. Chanana is not keeping well but still having huge expertise in field of the cardiology. Dr. B.B. Chanana has restricted his practice and have been occasionally attending few of his old patients in the clinic at Rohini alongwith specialized doctors including Dr. B.L. Kundu, who was associating Dr. B.B. Chanana in Maharaja Agarsen Hospital since last about ten years and he is very much versed with Dr. B.B. Chanana’s working. The complainant has no expertise or knowledge of medical science. Therefore, to form an opinion of Dr. B.B. Chanana’s health and cast aspersion of Dr. B.B. Chanana’s physical and mental status is preposterous. They wish to state that Dr. B.B. Chanana has disassociated himself with Maharaja Agarsen Hospital for considerable period, taking into consideration his health. The complainant’s demand for an inquiry into reasons for Dr. B.B. Chanana’s association with Maharaja Agrasen Hospital is motivated andis against right to privacy, as guaranteed in Article 21 of the Constitution of India. The complainant’s claims that another cardiologist prescribed only two medicines against seven prescribed by Dr. B.B. Chanana is mala-fide and not supported by the facts. While difference of opinion is common while dealing with the patients, is well known and accepted in medical field, moreover, the condition of the patient and clinical findings observed by the other cardiologist are not known. It is comprehensible that issuing of a prescription can mentally disturb and harm the complainant (as claimed), without actually complying with the treatment prescribed. The deficiency in service, as claimed by the complainant, is not supported by any event or scientific or medically scruitable fact. The complainant failed to provide any clue or any details of the body harm or any complication, caused by the treatment. The mental harassment, as claimed by the complainant is too vague and without any basis. Also, irreparable damage, as claimed, is undefined, vague, fallacious and misleading. The Article 21 of the constitution of India grants right to livelihood to all citizens of the country. The complainant’s charge of exorbitant fee for consulting and testing is misplaced. The scheme of the charges is displayed in the waiting chamber. All the patients can see or inquire before getting examined. The complainant visited clinic on his own volition, knowing fully-well charges with ulterior motive to unnecessarily harass, humiliate and torture them with the sole intent to blackmail and to extort money from them. The entire averments as contained in the complaint are full of malice and without any substance. The complainant’s demand to know the nature of Dr. B.B. Chanana’s illness is in contravention to Article 21, which guarantees a right which protects the inner sphere of the individual from interference from both State, and non-State actors and allows the individuals to make autonomous life choices. Such a demand is illegal and is against right to privacy. The consultation fee of Dr. B.B. Chanana is rupees eight hundred and Dr. B.B. Chanana has not increased the same since last ten years. Further, Dr. B.B. Chanana charges rupees three hundred from the E.C.G. and rupees four thousands for stress echo, which Dr. B.B. Chanana is charging since last ten years and these charges to their knowledge, are much lower in comparison to the charges of the contemporary doctors of equivalent qualification and experience. To state that, E.C.G. should be preferred to stress echo by the complainant, is beyond the complainant’s competence. The complainant should restrict himself to what bodily or mental harm has been brought about by coming to the clinic. The complainant did not comply with the treatment and did not provide any clue to wrong doing or negligence. Perhaps, the complainant just indulging in medical shopping and paying the consultation fee has caused him tremendous heartburn. The Law of Cause Effect is a fundamental principle that states that every action has a corresponding consequence. In this complaint, there is no action or treatment availed by the complainant and; hence, no consequence or medical negligence. In a rejoinder, the complainant revealed his plan to file the writ petition in the Hon’ble High Court of Delhi without waiting for the outcome of the present complaint. This amounts to contempt of the Delhi Medical Council on the part of the complainant and betrays lack of trust and confidence for the Delhi Medical Council. Despite being a legal professional, as claimed, the complainant appears to be oblivious of the rules and the methods of the investigations, laid down by lay and reiterated by the Hon’ble Supreme Court of India, of alleged medical negligence. Thus, in light of the above stated facts, they respectfully submit that the complaint under reply is nothing but a manipulation and misinterpretation of the facts. There has been no treatment availed; hence, no question of medical negligence. The complaint does not raise any issue of medical negligence that would require adjudication by the Delhi Medical Council. In light of the above mentioned facts, it is humbly prayed to the Delhi Medical Council to dismiss the complaint and protect them from unjustifiable harassment.

Dr. Priya Chanana, wife of Dr. B.B. Chanana stated that Dr. B.B. Chanana personally examined Shri Rahul Bharadwaj (who was a decoy patient visiting heart lab with the sole intension of criminal intimidation of Dr. B.B. Chanana at a later date) on 30th March, 2024. He wrote and signed the prescription himself, being fully cognisant of clinical status of the complainant.

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

1. It is noted that the complainant Shri Rahul Bhardwaj, a 33 years old male, consulted Dr B.B. Chanana at his clinic for his ailment of Hypertension on 30-03-24. As per the complaint it is alleged that Dr B.B. Chanana instead of himself examining the complainant sought assistance of his staff to provide consultation and prescribe treatment/medicine. Further the complainant alleged that he was prescribed excessive medication and also advised to undergo stress echo without even getting an ECG done.
2. As per the prescription dated 30-03-24 which is in the letter head of Dr B.B. Chanana and in the name of the complainant, only BP-132/80 reading and Heart Rate 92 alongwith advice for the medicines viz:Tab Roseday, Tab Lipagly, Tab Ecosprin, tab Dilzem. Tab fabuget, Tab Nefrosave, Tab Ceftum; for 2 months and Stess Echo test are mentioned. The prescription also bears the signature of Dr B.B.Chanana.

Dr B.B. Chanana in his written statement had asserted that on 30th March, 2024, the complainant visited his clinic and stated that the complainant was suffering from hypertension and accordingly, Dr. B.L. Kundu his associate in his (Dr. B.B. Chanana) presence, after thoroughly examining the medical history of the complainant, prescribed certain medicines to the complainant for hypertension. Thereafter, the complainant never visited his clinic. Further because of his ill-health, a reputed and well qualified doctor always sits with him (Dr. B.B. Chanana) for attending the patients, visiting his clinic. Since, the complainant was having hypertension problem only, as such, Dr. B.L. Kundu attended the complainant and prescribed certain medicines taking into consideration the complainant’s health problem, as discussed by him with Dr. B.L. Kundu; hence, it is absolutely wrong to allege that his assistant staff attended the complainant and other patients. Dr B. B. Chanana admitted that the prescription is in his own handwriting and bears his signature and that it is not necessary to mention the name of his associate on the board or prescription slip.

The Committee observes that Dr B L Kundu is a qualified doctor holding qualification of MBBS and duly registered with the Delhi Medical Council and further the Committee is in agreement with the contention of Dr BB Chanana that it is a common practice in medical profession that juniors are hired to work as associates and generally their names are not mentioned in the official stationary, visiting card or sign boards.

1. Dr BB Chanana claims that the drugs/medication prescribed by him were based on all the medical and lab reports which were presented by the complainant at the time of consultation; the Committee observes that the same might have been the case but at the same time it was incumbent upon him to have noted the relevant test details in his prescription also. Further Dr BB Chanana was also expected to have recorded the medical complaint of the patient for which he sought his consultation or the probable diagnosis made by him; there is no mention in the prescription that the complainant consulted Dr BB Chanana for Hypertension or any other medical ailment. Dr BB Chanana without advising basic investigations like ECG, blood tests etc. first or recording their details, if as claimed by him that the patient did present to him with lab reports; advised Stress Echo test.

The Committee thus finds that the prescription lacks details about the patient's medical complaint or the diagnosis. Proper documentation of the patient's complaints, diagnosis, and relevant medical history should be included in the prescription. This is essential for transparency and continuity of care.

The complainant has submitted documents pertaining to his illness when he was admitted in Jaipur Goden Hospital for acute febrile illness with acute gastroenteritis with severe dehydration from 08th August, 2022 to 10th August, 2022. He has not submitted any documents related to diagnosis of hypertension and dyslipidemia before or after his consultation with Dr. B.B Chanana. However Dr. B.B Chanana has submitted medical record of complainant of consultation at Namya Medical and Heart Centre, Rohini, Delhi where diagnosis of dyslipidemia, anxiety and ghabrahat has been made. The patient BP recorded is 150/92 mmHg. The triglyceride level recorded is 3287 and HDL value recorded is 32.6, also urine examination shows pus cells. The triglyceride levels are very high and HDL levels are low. The patient has been prescribed two medicines for dyslipidemia and two medicines for hypertension.

In the light of the previous prescription the Committee observes that patient is likely a case of hypertension, dyslipidemia and possibly UTI . However the date of prescription of Namya Medical and Heart Centre, Rohini, Delhi is 04th April, but year is not legible.

It is noted that Dr. B.B Chanana did not record this diagnosis or his opinion on the previous medical records, on his prescription card. He only advised medications.

There is also no mention of basic investigations like ECG or blood tests before recommending a Stress Echo test. Basic investigations like ECG should typically be conducted before more advanced tests like a Stress Echo are recommended.

1. The Committee finds that prescribing seven different medications without recording the diagnosis and reason for prescription of medication can be of concern. Standard practices generally emphasize the use of the minimum effective medications. Prescribing multiple medications requires a clear justification and should be in accordance with accepted treatment protocols to avoid over-medication.
2. Top of FormBottoIt has been brought on record that Dr B.B. Chanana has been diagnosed with Severe Depression without psychotic symptoms for which he is under treatment and has suspended all his clinical activities since 24-04-24.

In light of the observations made hereinabove the Disciplinary Committee recommends that Dr B.B. Chanana should refrain from medical practice till such time he is cured of his mental condition and he submits a medical certificate to that effect to the Delhi Medical Council.

IIn light of the observations made hereinabove the Disciplinary Recommends tComplaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Alok Bhandari) (Dr. Vimal Mehta)

Chairman, Delhi Medical Association, Expert Member,

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 03rd September, 2024 was confirmed by the Delhi Medical Council in its meeting held on 03rd October, 2024.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Rahul Bhardwaj, Advocate, 252, 1st Floor, Pocket-26, Sector-24, Rohini Delhi-110085.
2. Dr. B. L. Kundu, KC-19A, Ashok Vihar, Phase-1, Delhi- 110052.
3. Dr. B.B. Chanana, c/o, Dr. Priya Chanana (wife of Dr. B.B. Chanana), Flat No. 546, Pocket-C-8, Sector-8, Madhuban Chawk, Opp. Metro Pillar No. 375, Rohini, Delhi-110085.

(Dr. Girish Tyagi)

Secretary