



GOVERNMENT OF NCT OF DELHI

DELHI MEDICAL COUNCIL

(STATUTORY BODY UNDER DELHI MEDICAL COUNCIL ACT, 1997

PASSED BY THE LEGISLATIVE ASSEMBLY OF

THE NATIONAL CAPITAL TERRITORY OF DELHI)

USO INTERNATIONAL CENTRE, USO HOUSE, USO ROAD,

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DMC/14/2/2001

February 15, 2001

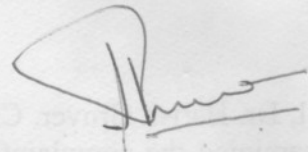
DECISION

I, Dr. Harish Grover, Chairman of the Disciplinary Committee of the Delhi Medical Council, after examining the complaint of Mr. Mathai M. Paikeday dated 16.3.2000, his depositions on 3rd August, 2000 and after examining all aspects of the case and material available on record, have come to the following conclusions:

1. Dr. R.S. Vashishta was soliciting patients through distributing unsolicited leaflets, as is evident from the complaint and deposition of Mr. Mathai M. Paikeday. As such Dr. R.S. Vashishta has not complied with the Code of Medical Ethics (herein after referred to as the Code) as approved by the Central Government under section 23 of the Indian Medical Council Act, 1956 (Central Act 102 of 1956) in general and specifically section 3 of the Code dealing with advertising. The section specifically states "Solicitation of patients, directly or indirectly by a physician.... is unethical"
2. Dr. R.S. Vashishta charged an amount of Rs. 5,000/- from Mr. Mathai M. Paikeday after initially asking for Rs. 200/- only, for his professional services. As such Dr. R.S. Vashishta has also contravened section 4 of the Code relating to payment for professional services. This section clearly states "remuneration received for such services should be in the form and amount specifically announced to the patient at the time the service is rendered."
3. The Disciplinary Committee is therefore, of the opinion that the conduct of Dr. R.S. Vashishta is infamous in relation to the medical profession, particularly under the Code of Ethics prescribed by the Medical Council of India, constituted under the Indian Medical Council Act, 1956 (Central Act 102 of 1956), and now, therefore, declare the following decision, in exercise of the powers conferred vide section 21(2) of the Delhi Medical Council Act, 1997 (Delhi Act No. 5 of 1996): -

Dr. R.S. Vashishta is warned to refrain, in future, from carrying out any unethical practice of solicitation of patients directly or indirectly and also to refrain, in future, from unethical practice of receiving emoluments for services in excess of the amount specifically informed to the patient at the time the service is rendered.

Dr. R.S. Vashishta may, if he feels aggrieved of the above decision of the Disciplinary Committee, and if he so desires, may address an appeal to the President, Delhi Medical Council stating therein the grounds for the appeal (accompanying all relevant documents in original, which shall be returned along with the decision communicated under the rules), within a period of 30 days from the receipt of this decision, failing which the decision shall stand affirmed.



(Dr. Harish Grover)
Chairman, Disciplinary Committee
Delhi Medical Council

1. **Dr. R.S. Vashishta,**
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2. **Mr. Mathai M. Paikeday**
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Copy for information and necessary action to the following:-

1. Professor Ranjit Roy Chaudhury,
President, Delhi Medical Council,
C/o. National Institute of Immunology,
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2. Professor P.K. Dave,
Vice President, Delhi Medical Council &
Director, All India Institute of Medical Sciences,
Ansari Nagar,
NEW DELHI – 110029
3. Dr. R.N. Baishya,
Ex-Officio Member Secretary, Delhi Medical Council &
Director Health Services, Govt. of NCT of Delhi,
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(Ref. his letter No. F.17(1)(1)/Med/DHS/2000/42272 dt. 6/4/2000)
4. Dr. Rajiv Kumar Jain,
Acting Registrar,
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