



# Delhi Medical Council

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Maulana Azad Medical College,  
Bahadur Shah Zafar Marg,  
New Delhi - 110 002

DMC/DC/F.14/Misc./2021/ 294166

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## **CRITERIA FOR EXAMINING THE COMPLAINT OF MEDICAL NEGLIGENCE/PROFESSIONAL MISCONDUCT AGAINST A REGISTERED MEDICAL PRACTITIONER.**

All complaints of medical negligence/professional misconduct against a registered medical practitioner received in the Delhi Medical Council are first screened by the Executive Committee or in consultation with a medical specialist to which the complaint pertains and if at that stage the Executive Committee is of the opinion that prima-facie no case of medical negligence or professional misconduct is made out then the same can be disposed vide a speaking Order. If required, the Executive Committee may hear the parties before deciding the case. However, in case the Executive Committee is of the view that the matter cannot be disposed in the Executive Committee of and the same require detailed investigation; such cases are referred to the Disciplinary Committee for hearing. On the date of hearing or any other date to which hearing is adjourned, it is obligatory on the parties to appear before the Disciplinary Committee of the Council. Where the complainant fails to appear on such days, the Disciplinary Committee may in its discretion either dismiss the complaint for default or decide it on merits, where the opposite party fails to appear on the date of hearing, the Disciplinary Committee may decide the complaint ex-parte. The decision of the inquiry is put up for confirmation before the Council and after the same is confirmed, it is communicated to the respective parties and to other as may be required.

### **Particulars to be contained in the complaint**

*"The complaint shall contain the following particulars:-*

- (a) the name, description and address of the complainant;*
- (b) the name, description and address of the opposite party or parties, as the case may be, as far as they can be ascertained;*
- (c) the facts relating to the complaint, when the cause of action arose and what are the grounds or causes of the complaint;*
- (d) the documents in support of the complaint if any;*
- (e) the relief which the complaint claims.*

*No complaint shall be entertained unless it is in writing and signed by the person making it. The complaint shall be verified by the complainant. The complainant shall file six copies of the complaint along with such number of copies as there are opposite parties in the complaint. All anonymous and frivolous complaints shall be rejected."*

  
(Dr. Girish Tyagi)  
Secretary