DMC/DC/F.14/Comp.2299/2/2020/ 08th September, 2020 **O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Hemant Sood, 236, Bannu Enclave, Parwana Road, Pitam Pura, New Delhi-110034, alleging professional misconduct on the part of Dr. Shivi Jaggi, 282, Rajdhani Enclave, Pitampura, New Delhi.

The Order of the Disciplinary Committee dated 07th August, 2020 is reproduced herein-below :-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Hemant Sood, 236, Bannu Enclave, Parwana Road, Pitam Pura, New Delhi-110034 (referred hereinafter as the complainant), alleging professional misconduct on the part of Dr. Shivi Jaggi, 282, Rajdhani Enclave, Pitampura, New Delhi.

The Disciplinary Committee perused the complaint, written statement of Dr. Shivi Jaggi and other documents on records.

The following were heard in person : -

1. Shri Hemant Sood Complainant
2. Dr. Shivi Jaggi Respondent

The complainant Shri Hemant Sood alleged that he had a chance to visit Dr. Shivi Jaggi, a practicing psychiatrist located at Rajdhani Enclave, Pitampura on Tuesday 19th December, 2017 at around 7.20 p.m. accompanying a patient known to him. They visited this clinic impressed by the credentials posted on various websites by Dr. Shivi Jaggi, where he (Dr. Shivi Jaggi) claimed about his (Dr. Shivi Jaggi) remarkable experience and qualification. However, upon visiting the clinic, they were totally disappointed and have a strong reason to suspect that Dr. Shivi Jaggi is a quack and his qualifications need to be investigated. The reasons for their suspicion are as : 1) Dr. Shivi Jaggi claims to have an experience of 21 years https:/www.mediguru.com/DoctorDetail/167), however, Dr. Shivi Jaggi appears to be only around 38 years of age. Considering that medical degree is achieved at an age of around 25, no-one can possess 21 years of experience at this early age. 2) Though, the patient accompanying him visited this doctor for the first time, no case history was taken. Dr. Shivi Jaggi prompted patient to convey all his issues. While, the patient took over an hour to narrate his story, Dr. Shivi Jaggi did not intervene even once and was rather yawing instead of listening. There appeared no attempt to derive any useful information from medical perspective. It appeared that the patient was promoted to narrate to long story with sole intention that higher fee can be charged with more time spent there (doctor’s fee structure displayed in clinic was Rs.700 per 20 minutes of consultation). Its noteworthy that within the span of about 90 minutes that were spent in the clinic, there was no other patient and at the end of session of only a very generic advice was rendered in a very lay-man like manner. There was no receipt given for Rs.2000 that they paid (after negotiating). 3) Since, he was already suspicious; he tried to check internet to find more about upon returning home. Surprisingly, there are a lot of variations in the claims on different sites in terms of qualification and experience. In some sites, the qualification is mentioned as MBBS, MD, DPM (UK), and experience as 21 years, while on other sites the qualification claimed is simply DPM and MSc-Psychiatry and experience as 12 years. One post even indicated that Dr. Shivi Jaggi is facing trial under Section 376 and his passport has been refused for renewal (<https://indiankanoon.org/doc/33229761/>). Another post indicated that a person named Dr. Shivi Jaggi is a sexologist (<http://menshealth.intoday.in/story/to-cheat-or-not-to-cheat/1/116076.html>). Still another post claims him to be a general physician (<https://www.juisdial.com/Delhi-NCR/Dr-Shivi-Jaggi-Engineering-Enclave-Pitampura/011PXX11-XX11-140711080241-J3EF> BZDET.). Above findings, clubbed with the fact that no receipt was offered for the payment, they made and no prescription was given to the patient, make them to believe that Dr. Shivi Jaggi (or the man posing as Dr. Shivi Jaggi at above mentioned clinic) is not a qualified doctor and his qualification should be examined for authenticity to protect the interest of unassuming patients who may get duped by claim that apparently is not true.

Dr. Shivi Jaggi in his written statement averred that the subject of the complainant’s letter is “request to authenticate qualification” and in the opening lines he (the complainant) says he (the complainant) has “strong reason to suspect that he is a quack”. He is registered with the Delhi Medical Council vide registration No.980 since 8th June, 2000. He has submitted a copy of his registration certificate for kind reference of the Delhi Medical Council. So, he is a qualified doctor and certainly not a quack, as the Delhi Medical Council does not register quacks. There is no mention of the patient’s name or any other details of the patient anywhere in the whole letter, so he cannot verify the complaint and cannot recall any details. He cannot recognize the complainant just by his name because he (the complainant) himself is writing he (the complainant) was just “accompanying a patient and they visited this doctor for the first time”. There is not prescription attached which again means that he cannot verify the complaint and cannot recall any details. In the first paragraph the complainant is very sure that he appears to be only around 38 years of age, which is completely wrong. His age is 44 years (his date of birth is mentioned in his Delhi Medical Council registration certificate. He does not know how could a person guess somebody’s age and think that it is precise? He received his first medical qualification in 1997, which was around 21 years ago. In second paragraph, the complainant writes “no history was taken” and at the same time he (complainant) writes “the patient took an hour to narrate his story”. Was that not history taking? In the second paragraph, the complainant himself says that the fee structure was clearly displayed in the clinic and he (the complainant) also admits that they did not even pay him the full fee. In that case, it should be him complaining against them. How is that justified? After that, the complainant talks about the information available about him on various websites and posts. They are all third party content and are not monitored or maintained by him and he is not even aware of most of them. This complaint is full of false allegations right from his age to calling him a “quack”. It does not even contain name of the patient. The complainant openly admits that he did not pay him his full fee despite it being clearly displayed at his clinic and taking “about 90 minutes” (which still needs to be verified) of consultation. The only motive of the complaint is to harass him and to malign his reputation. He would request the Delhi Medical Council to please close the complaint and take strict action the complainant for filling a false complaint and wasting time of the Delhi Medical Council. Please let him know in case any further information is required. He also requests the Delhi Medical Council to grant him a personal hearing in case this matter is pursued any further.

On enquiry by the Disciplinary Committee regarding the criminal case, Dr. Shivi Jaggi stated that it was false case in which the police has filed a closure report in the court.

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

1. It is noted that it is the allegation of the complainant that Dr. Shivi Jaggi Jaggi is not a qualified doctor and falsely claims himself to have experience of 21 years in practising medicine. On perusal of the complaint, written statement of Dr. Shivi Jaggi and other documents on records, the Disciplinary Committee observed based on the records available in the office of Delhi Medical Council Dr. Shivi Jaggi is registered with the Delhi Medical Council under registration No. 980 dated 08th June, 2000 with the qualification of M.D. Physician, Saint Petersburg State Medical Academy, 1997, Diploma in Psychological Medicine, Santosh University, 2017, hence, he is entitled to practice modern scientific system of medicine (allopathy) in the NCT of Delhi, in the field of Psychiatry. However, Dr. Shivi Jaggi, is advised to adhere strictly to provision of Regulation 1.4.2 and 6.1 of Indian of Indian Medical Council (Professional Conduct, Etiquette and Ethics), Regulations, 2002, which are reproduced hereinbelow as part of good medical practise:-

*1.4.2 Physicians shall display as suffix to their names only recognized medical degrees or such certificates/ diplomas and memberships/honours which confer professional knowledge or recognizes any exemplary qualification/achievements.*

*6.1.1 Soliciting of patients directly or indirectly, by a physician, by a group of physicians or by institutions or organisations is unethical. A physician shall not make use of him / her (or his / her name) as subject of any form or manner of advertising or publicity through any mode either alone or in conjunction with others which is of such a character as to invite attention to him or to his professional position, skill, qualification, achievements, attainments, specialities, appointments, associations, affiliations or honours and/or of such character as would ordinarily result in his self aggrandizement. A physician shall not give to any person, whether for compensation or otherwise, any approval, recommendation, endorsement, certificate, report or statement with respect of any drug, medicine, nostrum remedy, surgical, or therapeutic article, apparatus or appliance or any commercial product or article with respect of any property, quality or use thereof or any test, demonstration or trial thereof, for use in connection with his name, signature, or photograph in any form or manner of advertising through any mode nor shall he boast of cases, operations, cures or remedies or permit the publication of report thereof through any mode. A medical practitioner is however permitted to make a formal announcement in press regarding the following:*

1. *On starting practice.*
2. *On change of type of practice.*
3. *On changing address.*
4. *On temporary absence from duty.*
5. *On resumption of another practice.*
6. *On succeeding to another practice.*
7. *Public declaration of charges.*

*6.1.2 Printing of self photograph, or any such material of publicity in the letter head or on sign board of the consulting room or any such clinical establishment shall be regarded as acts of self advertisement and unethical conduct on the part of the physician. However, printing of sketches, diagrams, picture of human system shall not be treated as unethical.*

Complaint stands disposed.

Sd/: Sd/:

(Dr. Subodh Kumar), (Dr. Ashwini Dalmiya)

Chairman, Delhi Medical Association

Disciplinary Committee Member,

 Disciplinary Committee

 Sd/: Sd/:

(Shri Rajesh Gupta) (Dr. Dinesh Kumar Negi)

M.L.A., Expert Member,

Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 07th August, 2020 was confirmed by the Delhi Medical Council in its meeting held on 02nd September, 2020.

 By the Order & in the name

 of Delhi Medical Council

 (Dr. Girish Tyagi)

 Secretary

Copy to:-

1. Shri Hemant Sood, 236, Bannu Enclave, Parwana Road, Pitam Pura, New Delhi-110034.
2. Dr. Shivi Jaggi, s/o Gurcharan Lal Jaggi, R/o B-323, Ground Floor, Lok Vihar, Pitampura, Delhi-110034.
3. Section Officer, Medical Council of India, Pocket-14, Sector-8, Dwarka, New Delhi-110077-w.r.t. letter No.MCI-211(2)(Gen.)/2017-Ethics./166752 dated 04.01.2018-**for information**.

 (Dr. Girish Tyagi)

 Secretary