



**BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL & DENTAL
COUNCIL**

In the matter of

Complaint No. PF. 8-2135/2022-DC/PMC
Mr. Abdül Rauf against Dr. Devi Jagdesh (45489-S)
(Reference from the Sindh Healthcare Commission)

Prof. Dr. Muhammad Zubair Khan	Chairman
Barrister Ch. Sultan Mansoor	Secretary
Prof. Dr. Mahmud Aurangzeb	Member
Mr. Jawad Amin Khan	Member

Present:

Dr. Devi Jagdesh (45489-S) (online)	Respondent
Hearing dated	05.07.2024

I. FACTUAL BACKGROUND

1. A reference was received from the Sindh Healthcare Commission (the "SHCC") on 01.06.2022 conveying its decision on complaint filed by Mr. Abdul Rauf (the "Complainant") against Bhattai Clinic, Thar Bazar Umerkot (the "Hospital") and Dr. Devi Jagdesh (the "Respondent") working there. Brief facts gleaned from the received documents are:

The Complainant's grand-daughter, Ms. Amna (the "Patient") visited the Respondent at the Hospital for possible overdue pregnancy on 30.06.2019 at 11:00am. Routine blood tests and ultra-sound was advised by the Respondent, who after seeing their results, started IV drip at 02:30pm. Within 10

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minutes, the patient's body color turned blue and her body started to swell. The attendants of the patient observed that she expired the same day at 02:40pm.

Complainant alleges gross negligence by the Respondent while treating the patient during her antenatal period, causing death of the patient.

2. Earlier, proceedings were held by the Sindh Healthcare Commission (the "SHCC"), which decided the case on 03.07.2020 & referred the case of Dr. Devi Jagdesh to Pakistan Medical Commission, in the following terms:

"... 2. SHCC refers the case to the PMC/PMDC Disciplinary Committee to take action against Dr. Devi Jagdesh ..."

II. SHOW CAUSE NOTICE ISSUED TO RESPONDENT

In view of the allegations leveled in the Complaint, a Show Cause Notice dated 25.08.2022 was issued to the Respondent No. 1, in the following terms:

"... 3. WHEREAS, a reference has been received at the Disciplinary Committee of the Commission (hereinafter referred to as the "Complaint") from the Sindh Healthcare Commission, which is enclosed along with its annexures and shall be read as an integral part of this Notice; and

4. WHEREAS, in terms of the reference, it has been alleged that you received and started treatment of Mrs. Amna w/o Rabnawaz (the "Patient") for possible overdue pregnancy, at your private clinic. You started treatment of patient through I/V drip and due to your negligence and carelessness, the patient expired shortly thereafter; and

5. WHEREAS, you are registered with Pakistan Medical Commission under Registration No. 45489-S, possessing the degree of Basic Medical Qualification (MBBS) only. A general practitioner cannot practice in the field of specialty without requisite qualification duly recognized by this Commission and represent, as having acquired or seek to practice a specialty, unless the same is recognized by this Commission. Therefore, in view of facts mentioned in this notice your conduct of practicing and representing as Gynecologist, is in violation of Section 29 (2), (8) & (10) of the Act, read with Regulation 8(2) of Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011; and



6. **WHEREAS**, it is observed that your current registration status as per the record of this Commission is inactive and your registration has been expired since 31st December 2021, but you have continued to practice without renewing your license; ...”

III. REPLY OF RESPONDENT

3. The Respondent No. 1 submitted her response on 23.09.2022, wherein she stated, in terms, as under:

“... One Abdul Rauf Samejo, who is not competent to move any complaint approached Sindh Health Care Commission and leveled false, baseless and bald allegations against me for un-satisfactory treatment, non-attending patient and negligence. The SHCC after receiving application, constituted inquiry committee, also constituted Inspection Committee, called comments from me (Dr. Devi).

The infact on 30-06-2019 at 11-00 am, patient namely Mst. Amna w/o Rab Nawaz arrived at the Bhattai Clinics with complaints of full time pregnancy and labour pain, where the I got detailed history of patient, examined her, on initial examination found her in second stage of labour, her vitals were stable, so necessary routine investigation i.e U/S for FWB, Blood CP. RBS, Blood Group, HBsAg & HCV tests. All investigation reports were normal and satisfactory. Then NVD was planned with consent of attendants. IV cannula was passed & IV line was maintained. Kleen enema was given under close and strict monitoring and observation at about 11:30, patient was re-examined at 12:30 pm, she was stable and was progressing for labour & Inj: Ringolact D-1000 ml was being given at 01:00 pm, she suffered severe shortness of breath, became cyanosed and collapsed with pulseless and BP less suddenly, therefore Immediately life saving measures were started with oxygen inhalation, CPR and life-saving medication i.e Inj. Adrenaline, Atropine, Solucortif and Haemocoel. CPR continued for about 45 minutes, but unfortunate, she cannot be revived inspite of all possible measures, death was declared at about 01:45 pm on 30-06-2019. The probable cause of death was Cardio-pulmonary Arrest secondary to Amniotic Fluid Embolism which is rare complication of NVD and unpreventable even at tertiary level hospitals. I grieved on sudden demise of patient but unfortunate and unexpected rare events remain as a part of medical practice. The complete medical record is annexed herewith as required by your honour kind.

The allegation leveled against me in the complaint moved by complainant is totally false/baseless. I specifically deny the allegations leveled against me about unsatisfactory medical treatment and negligence,



lack of care and adverse effect or loss/ threats of life or death on my part. being doctor, always struggle for relief of poor and non-affording patients, which is compulsory task for code or medical ethics and care of this noble medical profession. I also produced the documents about activity on the said date before the Sindh Health Care Commission. That the Director Complaints of SHCC, recommended for imposition of fine of Rs 500,000/-; 2. Refer the case to PMC/ PMDC to take action against me (Dr. Devi); 3. Labour room be sealed till further orders; 4. To instruct me (Dr. Devi) that she would not conduct any procedure in her HCE other than the OPD and 5. I (Dr. Devi) shall submit compliance report to the findings mentioned in Inspection committee report, within 3 months

of the decision.

That the impugned recommendations are highly illegal, unjust and opposed & not sustainable under law, hence being illegal, void, ab initio, malafide and nullity in the eyes of law. The SHCC instead of imposing fine on the complainant for moving false and baseless allegations, am being punished, despite no any negligence is proved against me. ...”

IV. REJOINDER

7. A letter dated 08.12.2022 was written to the Complainant enclosing the comments received from the Respondent doctor, directing him to submit his rejoinder.
8. Rejoinder was received from the Complainant on 19.12.2022 wherein he reiterated facts contained in the reference and stressing that he be provided justice, as the professional negligence of the present Respondent while treating the patient, led to her death.

V. HEARING

9. The matter was fixed for hearing before the Disciplinary Committee for 05.07.2024. Notices dated 27.06.2024 were issued to the Complainant, Mr. Abdul Rauf and Respondent, Dr. Devi Jagdesh directing them to appear before the Disciplinary Committee on 05.07.2024.
10. On the date of hearing, the Respondent was present online, however, the complainant did not attend the present Meeting, despite service of notice.



11. The Disciplinary Committee observes with concern that the Complainant did not appear before the Disciplinary Committee, despite being an old matter. However, in the interest of justice, the Disciplinary Committee has decided to provide last opportunity to the Complainant to appear and if he fails to show up in the next meeting, the instant complaint shall be decided *ex-parte* on the basis of available record. Fresh Notices of appearance shall be issued to the Complainant and the Respondent to appear before the Disciplinary Committee in next hearing.
12. The case is adjourned in the above terms.

Zubair

Prof. Dr. Muhammad Zubair Khan
Chairman

11 September, 2024



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