

38/114

**CIRCULAR**

No. 15 /2014

**Subject: - Action against false assumption of medical practitioners (Quacks).**

False assumption of medical practitioner in terms of the Delhi Medical Council (DMC) Act, 1997 and the Delhi Bhartiya Chikitsa Parishad (DBCP) Act, 1998 is a cognizable and non bailable offence under the respective Act as per schedule II of CrPC.

2. **Section 27 of the DMC Act, 1997 reads as under:-**

"Any person who falsely assumes that he is a medical practitioner or practitioners as defined in Clause (7) of Section 2 and practices the modern scientific system of medicine, shall be punishable with rigorous imprisonment which may extend up to three years or with fine which may extend up to Rs.20,000/- or with both".

3. **Section 30 of the DBCP Act, 1998 reads as under:**

"Any person who falsely assumes that he is a practitioner as defined in clause (k) of section 2 and practices the Bhartiya Chikitsa (Indian System of Medicine) shall be punishable with rigorous imprisonment which may extend upto three years and with fine which may extend upto fifty thousand rupees".

4. In case a complaint is received from the DMC and the DBCP warranting action u/s 27 of the DMC Act, 1997 or u/s 30 of the DBCP Act, 1998 respectively, FIR should be registered promptly.

5. SHOs shall adequately brief Division/Beat staff to gather information about quacks proactively. Credentials of such persons violating provisions of section 27 of the DMC Act, 1997 and section 30 of the DBCP Act, 1998 shall be got verified from the concerned Council. If the report of the concerned Council discloses that the suspect is a quack, the SHO shall promptly register a case under appropriate sections of law.

6. Cognizance of these offences can be taken by the Court only on the complaint of the competent authority empowered u/s 28(2) of the DMC Act, 1997 and u/s 31(2) the DBCP Act, 1998 respectively. After completion

of investigation, the SHO shall forward the outcome of investigation to the concerned Council. The concerned Council would then file a complaint in Court in accordance with law. After filing of such complaint, SHO will file chargesheet in the court.

**Contact details of the Councils:**

- a) Delhi Medical Council  
Room No 308A, 3<sup>rd</sup> Floor, Administrative Block,  
Maulana Azad Medical College Campus, New Delhi-110002  
Phone: 011-23237962, Fax: 011-23234416  
E-mail: [delhimedicalcouncil@gmail.com](mailto:delhimedicalcouncil@gmail.com)  
Website: [delhimedicalcouncil.org](http://delhimedicalcouncil.org)
- b) Delhi Bhartiya Chikitsa Parishad  
CSC-III, 1st Floor, DDA Market, B-Block, Preet Vihar, Delhi-92  
Phone: 011-22059046, Telefax: 011-22059032  
Email: [dbcp111@gmail.com](mailto:dbcp111@gmail.com), Website: [www.dbcp.co.in](http://www.dbcp.co.in)

This supersedes the earlier Circular No. 2/2014 dated 8.01.14 issued on this subject.



(HARENDRA K. SINGH)

DY. COMMISSIONER OF POLICE:

HEADQUARTERS, DELHI

No. ~~2825-9925~~ /Record Branch/PHQ dated, Delhi, the 22.05.2014

Copy forwarded for information & necessary action to:-

1. All Spl.CsP/Joint CsP/Addl.CsP, Delhi.
2. All Districts/Units Addl.CsP/DCsP including P/PTC, Crime, Railways, IGI Airport, Spl. Cell, SPUWAC and FRRO, Delhi.
3. SO to CP/Delhi.
4. LA to CP, FA to CP, Delhi & DCP/PRO.
5. All ACsP/PHQ.
6. All Inspectors, PHQ.
7. SO to DCP/HQ, Delhi.
8. All ACsP/C&T Branch/PHQ.
9. HAR/PHQ with 5 spare copies.