

DENTISTS (CODE OF ETHICS) REGULATIONS, 1976

EXTRACT FROM THE GAZETTE OF INDIA, PART II, SEC. 3,
SUB-SEC (1)

Appearing on page No. 2223-2227

Dated 21-8-76

MINISTRY OF HEALTH & FAMILY PLANNING

(Department of Health)

New Delhi, the 2nd August, 1976

NOTIFICATION

G.S.R. 1225—In exercise of the powers conferred by section 17A of the Dentists Act, 1948 (16 of 1948), the Dental Council of India hereby makes the following regulations for laying down standards of professional conduct and etiquette or the code of ethics for dentist, namely:-

1. Short title and Commencement-(1) These regulations may be called the Dentists (Code of Ethics) Regulations, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions-In these regulations, unless the context otherwise requires-
 - (a) 'Act' means the Dentists Act, 1948 (16 of 1948);
 - (b) 'Council' means the Dental Council of India;
 - (c) All expressions used and not defined in these regulations shall have the meanings assigned to them in the Act.
3. Declaration-Every dentist who has been registered (either on Part A or Part B of the State Dentists Register) shall, within a period of thirty days from the date of commencement of these regulations, and every dentists who gets himself registered after the commencement of these regulations shall, within a period of thirty days from such registration, make, before the Registrar of the State Dental Council a declaration in the form set out for the purpose in the Schedule to these regulations and shall agree to abide by the same.
4. Duties and obligation of dentists towards patients and public-Every dentist shall-
 - (a) be mindful of the high character of his mission and the responsibilities he holds in the discharge of his professional duties and shall always remember that care of the patient and treatment of the disease depends upon the skill and prompt attention shown by him and always remembering that his personal reputation, professional ability and fidelity remain his best recommendations;

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- (b) treat the welfare of the patients as paramount to all other considerations and shall conserve it to the utmost of his ability;
 - (c) be courteous, sympathetic, friendly and helpful to, and always ready to respond to, the call of his patients, and that under all conditions his behaviour towards his patients and the public shall be polite and dignified;
 - (d) observe punctuality in fulfilling his appointment;
 - (e) deem it a point of honour to adhere with as much uniformity as the varying circumstances may admit, to the remuneration for professional services;
 - (f) not permit consideration of religion, nationality, race, caste and creed, party politics or social standing to intervene in his duties toward his patients;
 - (g) keep all the information of a personal nature which he comes to know about a patient directly or indirectly in the course of professional practice in utmost confidence; and be mindful that the auxillary staff viz. dental hygienists and dental mechanics and other staff employed by him also observe this rule for the reason that knowledge or information of a patient gained during the course of examination and treatment is privileged, and a dentist is not bound to disclose professional secrets, except with the consent of the patient, or on being ordered to do so by a court of law.
5. Duties of one dentist towards another—Every dentist shall—
- (i) cherish a proper pride in his colleagues and shall not disparage them either by actions, deeds or words;
 - (ii) on no account contemplate or do anything harmful to the interest of the members of the fraternity;
 - (iii) honour mutual arrangements made regarding remuneration etc., when one dentist is entrusted with the care of a patient of another dentist during the later's sickness or absence;
 - (iv) retire in favour of the regular dentist after the emergency is over, when a dentist called upon in any emergency to treat the patient of another dentist.

Note:- He shall be entitled to charge the patient for his services;

- (v) institute correct treatment at once, with the least comment, and in a manner that will avoid any reflection on such other dentist if a dentist is consulted by a patient of another dentist, and if the later finds indisputable evidence that such a patient is suffering from previous faulty treatment;
- (vi) regard it as a pleasure and privilege to render gratuitous service to another dentist, his wife and family members, although there is no legal bar to a dentist from charging another dentist for professional service.

6. Unethical practices—The following shall be the unethical practices for a dentist, namely:--

- (a) employment of a dentist in his professional practice of any professional assistant (not being a registered dental hygienist or a registered dental mechanic) whose name is not registered in the State Dentists Register, to practice dentistry as defined in clause (d) of section 2 of the Act;
- (b) styling by any dentist or a group of dentists his/their 'Dental Clinic' or Chamber/s by the name of "Dental Hospital/s;
- (c) any contravention of the Drugs and Cosmetics Act, 1940 (23 of 1940, and the rules made thereunder as amended from time to time, involving an abuse of privileges conferred thereunder upon a dentist, whether such contravention has been the subject of criminal proceedings or not;
- (d) signing under his name and authority any certificate which is untrue, misleading or improper, or giving false certificates or testimonials directly or indirectly concerning the supposed virtues of secret therapeutic agents or medicines;
- (e) immorality involving abuse of professional relationship.
- (f) conniving at or aiding in any kind of illegal practice;
- (g) promise of radical cure by the employment of secret methods of treatments;
- (h) advertising, whether directly or indirectly, for the purpose of obtaining patients or promoting his own professional advantage;
- (i) acquiescing in the publication of notice commending or directing attention to the practitioner's skills, knowledge, service or qualifications, or of being associated with or employed by those who procure or sanction such advertising or publication through press reports;
- (j) employing any agent or canvasser for the purpose of obtaining patients; or being associated with or employed by those who procure or sanction such employment.
- (k) using or exhibition of any sign, other than a sign which in its character, position, size and wording is merely such as may reasonably be required to indicate to persons seeking them the exact location of, and entrance to, the premises at which the dental practice is carried on;
- (l) using of sign-board larger than 0.9 metre by 0.6 metre and the use of such words as 'Teeth', 'Painless Extraction' or the like, or notices in regard to practice on premises other than those in which a practice is actually carried on, or show cases, or flickering light signs and the use of any sign showing any matter other than his name and qualifications as defined under clause (j) of section 2 of the Act;
- (m) affixing a sign-board on a Chemist's shop or in places where the dentist does not reside or work;

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- (n) insertion of any paragraphs and notice in the press and also the announcement of names in the trading lists and the display of their names or announcements at places of public entertainments; other than the change of his address;
- (o) allowing the dentist's name to be used to designate commercial articles such as tooth paste, tooth brush, tooth powder, liquid cleaners, or the like or on circulars for such items, or permitting publication of his opinion on any such items, in the general or lay papers or lay journals;
- (p) mentioning after the dentist's name any other abbreviations except those indicating dental qualifications as earned by him during his academic career in dentistry and which conform to the definition of 'recognised dental qualification' as defined in clause (j) of section 2 of the Act, or any other recognised academic qualifications;
- (q) using of abbreviations like (i) R.D.P. for Registered Dental Practitioner, (ii) M.I.D.A. for Member, Indian Dental Association, (iii) F.I.C.D. for Fellow of International College of Dentists, (iv) M.I.C.D. for Master of International College of Dentists, (v) F.A.C.D. for Fellow or American College of Dentists, (vi) M.R.S.H. for member of Royal Society of Hygiene, etc., etc., and the like, which are not academic qualifications.

7. Change of address and announcements relating thereto—(1) A Notice for the change of address shall be intimated to the concerned State Dental Council.

(2) A dentist may issue a formal announcement in the Press, one insertion per paper, regarding the following (namely):—

- (a) on starting practice;
- (b) on change of type of practice;
- (c) on changing address;
- (d) on temporary absence from duty;
- (e) on resumption to practice;
- (f) on succeeding to another practice.

8. Action for unethical conduct—(1) When complaint or information is received by the State Dental Council that any dentist is resorting to any unethical practice as mentioned in regulation 6, or is committing a breach of any other of these regulations, the concerned State Dental Council may call upon him to explain and after giving him a reasonable opportunity of being heard and after making such enquiries, if any, as it may deem fit, decide whether such a practice tantamounts to in-famous conduct in any professional respect of contravenes any of the provisions of any other of these regulations, and then determine the action to be taken against the dentist under section 44 of the Act.

(2) As and when a complaint of breach of these regulations is brought to the notice of the Registrar of a State Dental Council, he shall take prompt action.

SCHEDULE
FORM OF DECLARATION
(see regulation 3)

- (i) I solemnly pledge myself to devote my life to the cause of serving humanity in the field of dental care;
- (ii) I shall not use my dental knowledge contrary to the laws of humanity;
- (iii) I shall not permit consideration of religion, nationality, race, caste and creed, party politics or social standing to intervene in my duty towards my patient and the profession;
- (iv) I shall look after the dental health of my patient as my first consideration;
- (v) I shall honour the secrets which are confided in me by my patients during the professional services;
- (vi) I shall always maintain the honour and noble traditions of the dental profession;
- (vii) I shall deem it an honour to cherish a proper pride in my colleagues and shall not disparage them by my actions, deeds or words;
- (viii) I shall abide by the various provisions of the Act and desist from using a degree/diploma or an abbreviation indicating or implying a dental qualification, which is not in accordance with the definition of 'recognised dental qualification' as defined under clause (j) of section 2 of the Act;
- (ix) I shall not indulge in any activity which might bring discredit to the dental profession.

Dated the _____

Place _____

Signature

Name of Dentist _____

Registration No. _____

State _____

[V-12025/7/73-MPT]

S. SRINIVASAN, Dy. Secy.

CORRECTION

“ Action 44 of the Act” as printed at the end of Rule 8 (1) of these Regulations, is an apparent misprint for “Section 41 of the Act”. The Govt. of India have since issued a corrigendum to this effect vide their corrigendum No. V. 12025/7/76-MPT, dated 31.1.77.