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Medical Ethics And Legal Duties Of A Doctor In Ancient Time

Dr. Anita¹, Dr. Parmanand Upadhyay², Dr. Sunita Godara³, Dr. Gourishankar Rajpurohit⁴

- 1- MD scholar, P.G. Dept, Agad Tantra Evam Vyavahar Ayurveda, DSRRAU, Jodhpur
- 2- Associate professor & HOD, P.G. Dept, Agad Tantra Evam Vyavahar Ayurveda, DSRRAU, Jodhpur
- 3- Assistant Professor, P.G. Dept, Agad Tantra Evam Vyavahar Ayurveda, DSRRAU, Jodhpur
- 4- MD Scholar, P.G. Dept, Of Panchkarma, DSRRAU, Jodhpur

ABSTRACT: *Agadtantra* is one among the *Ashtangas of Ayurveda*. *Agadtantra evam vyavahara ayurveda* is a branch which deals with the toxicology, forensic medicine, medical jurisprudence. *Vyayhara ayurveda* made by two words *Vyavahar and Ayurveda*. *Vyavahar* means conduct behaviour which included in medical ethics. In medical ethics, the duty of medical practitioner related with law and prohibition rules are described. The ethical code in medicine have found their place in very beginning as *Ayurveda* is the most ancient medical science. The references of medical ethics including the duty of physician, ideal qualities of physician, surgeon qualities, medicinal dose (according to nature of people) and medicinal dosage for child, details of post- mortem and anaesthesia were described in the various *samhitas* of *Ayurveda*. In this article we will Elobarate and explore the knowledge of medical ethics in that time.

Keyword: *Aagadtantra, Vyavharayurveda, Ethics, Anesthesia*

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Corresponding Author :, Dr. Anita , MD scholar,
P.G. Dept, Agad Tantra Evam Vyavhar
Ayurveda, DSRRAU, Jodhpur.

Email: anitarajpurohit8442075030@gmail.com

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INTRODUCTION

Ethics is a moral principle for medical practitioner. It described the compulsory, and voluntary duties of a general physician. Physician patient relationship, physician relation with his state, physician relation with his co-workers. *Acharya charaka* described the importance of a physician, physician duties towards the sick and healthy person. physician prescribe the medicine before well testing and dose will be decided according to *kala, matra, prakarti, bala* etc. *Acharya sushruta* describe the anaesthesia before surgical procedure and given pre-operative, operative and post-operative instruction for patient. An ancient time the *sushruta* says the post mortem technique for suspected death and death due to poisons. Acharya says particular dose for children and the drugs preparation method are different for children.

MEDICAL ETHICS: –

It is concerned with ethical standards for the individual of the restorative calling in their dealing with each other, their patient and the state. It could be a self – forced code or conduct expected intentional by therapeutic

experts. Under the Indian medical council act, 1956, the medical council of India, with the approval of the central government, made the following regulations which are called the **Indian medical council [professional conduct, etiquette and ethics] regulations, 2002¹**.

DUTIES OF GENERAL PHYSICIAN: -

1. A physician should honour of his profession the prime object of the medical professional is to render service to humanity². The brilliantly individual who is trying to be a great doctor ought to continuously continue on to his best within the procurement of the finest qualities of a doctor, so that he may be a genuine supplier of life to individuals³. . Who has all these good qualities, knowledge etc. deserves the prefix of ‘good’ before ‘physician’ and he become a benefactor of humanity⁴.
2. The physician shall keep himself pure in character and be modest, sober, patient, prompt in discharging his duty without anxiety⁵.

Qualities of Surgeon: - He has boldness, quickness in action, keeping the knife [and

other instrument] sharp, himself not perspiring, shivering or becoming confused⁶. . The good physician, who have six qualities, viz; knowledge, critical approach, insight into other allied sciences, good memory, prompt and preservation, he can never miss the target that is the cure of disease⁷.

3. Maintaining good medical practice - a physician maintaining good medical practice, he should participate in CME programmes for at least 30 h every 5 years. He ought to keep up the therapeutic records of his indoor patients for a period of 3 a long time from the date of graduation of the treatment⁸.

Definition of Pranabhisara- A good Physician right application of the therapy and having practical experience is known as the saviour of life⁹. . Describe the “*visikha*” means the physician who has completed the study of the texts, understood the meaning /interpretation observed the actions [application of therapies and their effects] obtain permission from king [government] ancient times similar to the “registration of medical practitioners” of the present day¹⁰.

4. Duty of furnish proper and suitable medicine -if he has his own dispensary, he should furnish the patient with suitable medicine. Otherwise the doctor is responsible for any temporary or permanent damage in health, caused to the patient due to wrong prescription¹¹. It necessary qualities of physician that which can bring about a cure, is a correct medicine. he should first of all know the principles underlying the correct application of medicine best physician

is only who can relive his patients of their ailments¹². He is the most excellent of doctor who knows the science of the organization of drugs with due reference to climate and season, and who applies it as it were after analyzing each and each quiet separately¹³. A drug that is not understood perfectly is comparable to poison, weapons, fire and the Thunderbolt; while the perfectly understood drug is comparable to ambrosia¹⁴. Even acute poison is converted into an excellent medicine by the right method of preparation; while even a good medicine may act as an acute poison if improperly administrated¹⁵. The quiet must be inspected from the point of seen of habitus, obsessive condition, tone of the framework, compactness, extents, homologation, psychic condition, capacity for nourishment and work out and age uncommonly with a seen to discover the degree of his quality¹⁶.

5. Duty to give instructions- the doctor should give full instruction to his patients or their attendants regarding the use of medicine and diet. He should mention the exact quantities and precise timing for taking medicine¹⁷. Physician give the medicine / procedures at the proper time and skill full administered that the patient gets aged and lives a long life free of disease¹⁸. It is endorsed that individual ought to be subjected to sudation treatment after he has experienced oleation treatment for a last period of three days or a most extreme period of seven days¹⁹. .The period of post – purificatory regimen is double that of the time occupied by the purificatory therapy²⁰. The post

purificatory regimen is thus – one should avoid excessive sitting, standing or taking, riding or driving sleeping by day, sexual intercourse, the suppression of natural urges, indulgence in cold things sun heat, worry, anger and untimely and unwholesome food²¹.

The physician administer the medicine / procedure to a king or a wealthy man , must keep ready before beginning his treatment , his full armamentarium .in the event that the method demonstrates very effective, the hardware will be of utilize in after treatment, and in case the method goes off – base, it'll serve to assist determination and crisis treatment of complications emerging amid the course of treatment²².

6- Duty of third parties- If the patient suffers from an infectious disease, the doctor should warn not only the patient, but also third parties known to be close contact with the patient. these include relatives, friends, co- workers, proper authorities who can protect the potential victim²³. In Ayurveda third party like attending person [*prichark*] knowledge of nursing, skill, affection for the master [patient] and cleanliness -these four are the tetrad of desiderata in the attending person²⁴.

7.Duty towards children -applying hot water bottles to children, special care should be taken, for the child may be injured. Special precaution should be taken²⁵

The physician should rightly understand the child from the points of view habitus, etiological factors , premonitory symptoms, signs and symptoms and homologation signs, and constantly keeping in view all the factors concerned in the tetrad of patient,

medicine, time, and place, should proceed to treat him by medication that is sweet, soft, light, sweet smelling, cold and pleasant²⁶.

8-Duties with regards to operations- he should explain the nature and extent of operation and take consent of the patient. he should take proper care to avoid mistake, such as performance of operation on the wrong patient or on the wrong limb. he must operate with proper And sterilised instrument. He ought to take legitimate postoperative care and ought to grant appropriate heading to his persistent when releasing him²⁷. In *Ayurveda* [*trividha karma*] while describing *shodhana karma* [purification therapies such as emesis purgation etc] administration of *snehana* [oleation] and *swedana* [sudations] are called *purve karma* [preoperative], administration of purificatory recipe [emesis, purgative etc.] and management of the patient till satisfactory purifications are achieved are called *Pradhan karma* [main / operative] taking care of the patient by providing him nursing, comforts, suitable foods, rest etc. are called *paschaat karma*²⁸ [postoperative/ protective]

In the time of *susruta* surgical operations were being conducted satisfactory anaesthesia, hence the necessity of attendants who are strong, in order to restrain the patient from making movements during operation²⁹. *Aachary shushrut* says some disease like obstructed foetus, abdominal enlargement, renal calculus, rectal fistula and disease of the mouth surgical operation should be done when the patient has not taken any food³⁰..

Postoperative activities like fumigation should be done [to the room, cot, clothes etc; being used by patient] with the powder of *guggulu*, *aguru*, *sarjarasa* and *gourasarsapa*, added with *lavang* [*saindhava*], *nimba patra* and *ghee*³¹.

9.-Physician should prescribe drugs with generic names [not brand name]. Physician exposure of unethical conduct physician clearly display his fees in his chamber and/or hospitals he is visiting³².

There is no difficulty in the economics of *Dhanvantari* part - Proven juices, oil and ghee, half of these, eighth part of *Avleh*, the ash of all kinds of metals and the powder of wood and the seventh part of pellets, pellets, *modak* and *pak*, etc. for the patient only. The portion of medicines prepared from the session is given to Vaidya in the name of *Dhanvantari* for the attainment of health and mouth, it is called *Dhanvantari* part. . *Rudra Bhag* - Eleven of the value of the medicines which were purchased by the *Vaidyas* or their patients from the merchant people, were collected by the *Bench* people from the merchant. This eleventh part of the value of medicines received by Vaira is a treacherous descendant, who collects more *Rudrabhag* from the merchant businessman and gets bad medicines for the patient, he is called treacherous Vaidya³³.

DUTIES OF A DOCTOR TOWARDS THE STATE: -

1. He should assist the police in determining whether the poisoning is accidental, suicidal or homicidal. In case of death, certificate should mention about the poisoning with

recommendation for post mortem examination.

2. Physician is bound to give information of communicable disease.

3. Responding to emergency military service as and when required³⁴.

An ancient time the physician duties towards his state Like the king desirous of conquering the enemies when marching together with his army and ministers should be protected by the physician with all efforts, especially from poison³⁵.

DUTIES OF A DOCTOR TOWARDS PATIENTS: -

- 1 It starting moment the doctor patient relationship is established {when the physician agrees to treat the patient}³⁶. He who practises medicine holding compassion for creatures as the highest religion, is a man who has fulfilled his mission and attains supreme happiness³⁷
- 2 When a doctor agrees to attend a patient, he is under an obligation to attend o the case, as long it requires attention, he can withdraw after reasonable notice³⁸. For his part, the physician too should regard all his patients as if they were his own children and vigilantly guard them from all harm, considering this to be his highest religion³⁹.
- 3 He should give a furnish and suitable medicines if any harm of patient body by physician prescription doctor is held responsible⁴⁰. The drug whose name form and properties are not known, or the drug which, though known, is not properly administrated, will cause disaster⁴¹.

- 4 Doctor give clearly instruction to his patient for the medicine [timings, quantities].
- 5 If patient have an infectious disease, the doctor should warn not only the patient, but also third parties who close to the patient
- 6 The doctor take clearly consent by patient and treatment after consultation.

DUTIES OF DOCTER TOWARDS EACH OTHER: -

- 1 **Conduct in consultation-** No insincerity, rivalry or envy should be indulged in. all due respect should be observed towards the physician in-charge of the case, and no statement or remark be made, which would impair the confidence the patient has reposed in him.
- 2 **Consultant not to take charge of the case-** Consultant should normally not take charge of the case, especially on the solicitation of the patient or friends.
- 3 **Appointment of substitute-** A physician should accept to attend another physician's patients during his temporary absence from his practice, only when he has the capacity to discharge the additional responsibility along with his other duties⁴².

UNETHICAL ACTS: - A doctor might not help or incite or commit any of the taking after acts which might be understood as deceptive:

1. Advertising - A physician shall not make use of him/her 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 it honours and of such character as would ordinarily result in his aggrandizement sign⁴³.

2. Patent and Copyrights - It shall be unethical if the benefits of such patent or copyright are not made available in situation where the interest of large population is involved.

3. He should not run an open shop for dispensing of drugs and appliance prescribed other physicians.

4. Rebates and commission [dichotomy /fee splitting]: - He should not give or receive any gift or commission from patient.

5. Secret remedies - He should not prescribe or dispense secret remedial agents of which he does not know the composition.

6. Human rights - He should not aid or abet torture or be a party to either infliction of psychological or physical trauma.

7. Euthanasia - He should not practice euthanasia.

8. Pharmaceutical and allied health sector industry- A therapeutic specialist ought to not get any blessing case of financial gifts, travel office or acknowledge any neighborliness, like lodging convenience from any pharmaceutical industry for get-away or for going to conferences, workshops, or CME program as a designate.

9. Prescribing drugs in generic names: - The medical practitioner should not write illegibly or write the brand name, and there

should not be an irrational prescription and use of drugs⁴⁴.

An Ancient Time Unethical Activities of Medical Practitioner: -

Those who by parading their medical paraphernalia, books, models, smattering of medical texts and knowing looks acquire the title of physician, are the first kind, viz; the ignoramuses and impostors⁴⁵. Those who by laying claim to association with persons of established wealthy, fame, knowledge and success, while they themselves have none of these things, arrogate to themselves to designation of physicians, are the vain - glorious pretenders⁴⁶.

CONCLUSION:-

In medical ethic under the MCI that Regulated Duties of physician. it is necessary to prevent the mistakes made by the physician in today's time. An ancient time *Acharyas* are very much aware about

the medical ethics so in details description above, like doctors to work honestly *acharya charka* says in the *sutra sthan* 1/133, physician's best qualities *acharya charka* says in the *sutra sthan* 9/21, *Sushruta* regarding the qualities of surgeon in *sutra sthan* 5/10, physician give the proper medicine proper time in this reference *Charak* says in *Sutra sthan* 1/134, regarding giving the clear instructions to patient *Charak Sutra sthan* 16/19, duty with regard to operation the *sushruta* have been told in detail in *sutra sthan* 5/3-4,7,16,18. The doctors should tell the patient in advance about their fees, which should be given to *Ras Samuchye of Rasastra Ratna* 8/2-3, duties of a doctor towards the state which should be given in *sushruta sutra sthan* 34/3-4, duties of a doctor towards his patients in this reference *charak chikitcha sthan* 1-4/56,64, *sutra sthan* 1/125 and unethical activities of a physician mention in *charak sutra sthan* 11/51,52.

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