



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. F-4-MISC-67/2022-Legal

Complaint against Rawal Institute of Medical Sciences & Rawal General and Dental Hospital

Prof. Dr. Naqib Ullah Achakzai	Chairman
Prof. Dr. Noshad Ahmad Shaikh	Member
Mr. Jawad Amin Khan	Member
Barrister Ch. Sultan Mansoor	Member

Present:

Mr. Ayaz Ahmed, Accounts Executive	On behalf of Respondent College
Hearing dated	10.10.2022

I. FACTUAL BACKGROUND

1. The Ministry of National Health Services Regulations and Coordination, Islamabad forwarded a Complaint to the Pakistan Medical Commission (the "Commission") on 18.03.2022, initially received at the office of the Finance Minister, Finance Division, Government of Pakistan. The Complaint has been made by the House Officers at the Rawal General and Dental Hospital,

Lehtrar Road, Islamabad (the “Hospital”) alleging that the Hospital is under-paying its House Officers, in contravention of the existing Rules and policies.

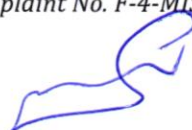
2. The House Officers have stated in their Complaint that they are graduate of Rawal Institute of Health Sciences, Islamabad (the “College”) and started their House Jobs during the 1st Quarter of the year 2021. Initially, the stipend paid to the House officers was Rs. 25,000/- which was increased to Rs. 30,000/- in December 2021. The College further increased our stipend to Rs. 45,000 in January 2022, after regulatory correspondence from this Commission.
3. The Complaint states that as per the notification dated 27.01.2020 issued by the Ministry of National Health Services, Regulations and Coordination (the “Ministry”), the payable stipend fee for the House Officer has been stipulated as PKR 69,600/-.

II. SHOW CAUSE NOTICE

4. In view of the allegations leveled in the Complaint, Show Cause Notice dated 31.03.2022 was issued to the Principal of the College and to the Medical Superintendent of the Hospital conveying the allegations in the following terms:

“...

4. **WHEREAS**, the Rawal general and Dental hospital (the “Hospital”) is a teaching Hospital affiliated with the college, for the purposes of providing house jobs to the graduating students of the College in accordance with the Act and the Admission Regulations; and
5. **WHEREAS**, PMC Act requires every medical or dental college in Pakistan to provide a paid house job, at its affiliated teaching Hospital to all of its graduates. Second proviso to the section 27(2) lays down the minimum stipend or salary to be paid to house officers which “shall be determined by the Provincial or Federal Government as applicable for public colleges and private colleges shall pay a stipend or salary being no less than the amounts applicable to public colleges”, and
6. **WHEREAS**, the Pakistan medical and Dental Council (the “Council”) framed the PMC Medical and Dental Undergraduate Education (Admissions, Curriculum and Conduct) Regulations 2021 (the “Admission Regulations”) which provide the legal framework for the conduct of house jobs, particularly regulation 25(2) prescribes the minimum stipend requirement that each private teaching



hospital shall pay a stipend to a house officer being not less than the stipend payable to public teaching hospitals” and

7. **WHEREAS**, it has come to the knowledge of the Commission through the complaint 14-03-2022 forwarded to the Commission by the office of the SAPM/Federal Minister MNHSRC that the house officers are being paid a stipend fee less than the house officers at the public teaching hospital under the Federal Government. As per the notification dated 27-01-2020 issued by the Ministry of Health the applicable stipend for the house officers is PKR 69,600/- whereas the house officers graduated from the College and undertaking house job at the Hospital were allegedly being paid monthly stipend of PKR 25,000/- which was later increased to PKR 30,000/- in December 2021 and to PKR 45,000/- in January 2022 (Copy of complaint is attached as Annexure ‘A’)

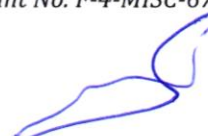
8. **WHEREAS**, in view of the above-mentioned facts and circumstances, the College and Hospital have, prima facie violated the fundamental principles of house jobs as prescribed in the Act and the Admission Regulations, particularly Section 27 of the Act read with Regulation 25 of the Admission Regulations. ...”

III. REPLY TO SHOW CAUSE NOTICE

5. Professor Dr. Azam Zia, Principal of the College submitted reply to the Show Cause Notice dated 31.03.2022 and its Reminder dated 18.07.2022. In his reply, he contended that the stipend of the house officer of Rawal General and Dental Hospital Islamabad was revised as per directions of the Pakistan medical Commission and as per notification of Ministry of National Health Services, Regulations and Coordination, Islamabad and the remaining amount of dues (arrears) paid and will be completed by October, 2022.
6. Principal, Rawal Institute of Health Sciences placed emphasis on his earlier letter to the Commission where it was conveyed that the revision in stipend for House Jobs is being revised.

IV. HEARING

7. After receipt of written reply of the Principal of the College, to the letter and its reminder dated 31.03.2022 and 18.07.2022, respectively, the matter was fixed for hearing before the Disciplinary



Committee on 10.10.2022. Notices dated 27.09.2022 were issued to the Principal of the College and the Medical Superintendent of the Hospital directing them to appear before the Disciplinary Committee on 10.10.2022.

8. Mr. Ayaz Ahmed, Accounts Executive of the College appeared before the Committee on the date of hearing. He submitted before the Disciplinary Committee that the salaries of the House officers at the College have been paid and the accrued arrears have been prepared for payment, as per the notified rate of the Government.
9. It was further submitted by the College that the new batch of house officers who have recently joined since September 2022, shall be paid their salaries from November 2022, which shall be based on the notified stipend/salary rate of the Government and the Commission.

V. FINDINGS AND CONCLUSION

10. After perusal of the record and submissions from the Respondent College, the Disciplinary Committee, wishes to highlight the fact that provision of a paid house job to all of its graduates having acquired provisional license, is the responsibility of the College. The relevant statutory provision of the Pakistan Medical Commission Act 2020 (the “Act”), is reproduced as under:

“... 27(2) Every medical or dental college in Pakistan shall be responsible to provide a paid house job, at its own affiliated teaching hospital to all of its graduates have acquired a provisional license. Failure to provide a house job shall result in the medical or dental college reimbursing the stipend paid to the graduate by the training hospital where the graduate obtains house job training. ...

Provided further that the stipend or salary paid to house officers shall be determined by the Provincial Government or Federal Government as applicable for public colleges and private colleges shall pay a stipend or salary not being less than the amounts applicable to public colleges. ...”

11. The PMC Medical and Dental Undergraduate Admission Education Regulations 2021 (amended) (the “Regulations”) clearly provide that:

“... 25 (1) Every public teaching hospital shall pay a stipend to each house officer as prescribed by the Provincial or Federal Government under whose control the public teaching hospital operates.

(2) Each private teaching hospital shall pay a stipend to a house officer being not less than the stipend payable to public teaching hospitals. ...”

12. The Commission has also through a Notification in December 2021 publicized the judgment of the Honorable Supreme Court of Pakistan regarding the payment of stipend to house officers. The operative part of the above-mentioned judgment in C.A. No. 540, 541 & 542/2021 dated 09.11.2021 is reproduced as under:

“... public colleges and private colleges shall pay a stipend or salary not being less than the amount applicable to the public colleges”.

13. In light of the fore-going, the Disciplinary Committee directs the College to immediately pay all the dues including all arrears as per the statutory and regulatory provisions and in compliance of the decision of the Honorable Supreme Court of Pakistan.
14. This Committee further directs the College, to provide to the Commission proof of all relevant payments by the College to its house officers through admissible banking documents.
15. The Committee further observes that another application filed by about 32 faculty members of Rawal Teaching Hospital has been brought on record. In the said application the applicants have submitted that the Rawal Teaching Hospital has stopped paying them their monthly salaries and for that reason all of these applicants (faculty members of basic sciences) have resigned. It has been alleged in the said application that Rawal Teaching Hospital is currently operating with a deficient faculty which is violation of the PMC Act, Regulations and standards made thereunder.
16. The Committee directs that the application shall be forwarded to the Principal of Rawal Teaching Hospital with the direction to submit his comments along with complete list of teaching faculty currently working at the hospital after which the matter shall be assessed for further proceedings.





Prof. Dr. Noshad Ahmad Sheikh

Member

Mr. Jawad Amin Khan

Member

Barrister Ch. Sultan Mansoor

Secretary

Prof. Dr. Naqib Ullah Achakzai

Chairman

27th October, 2022