



**BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION**

In the matter of

Complaint No. PF. 8-1910/2021-DC/PMC

Mr. Muhammad Akram Vs. Dr. Muhammad Saleem & Dr. Nafisa Zaman (15212-P)

Professor Dr. Naqib Ullah Achakzai	Chairman
Professor Dr. Noshad Ahmad Shaikh	Member
Mr. Jawad Amin Khan	Member
Barrister Ch. Sultan Mansoor	Secretary
Expert of Gynecology	

*Present:*

Mr. Muhammad Akram	Complainant
Dr. Muhammad Saleem (13331-P)	Respondent No. 1
Hearing dated	21.11.2022

**I. FACTUAL BACKGROUND**

1. Mr. Muhammad Akram (the "Complainant") filed a complaint on 25.11.2020 against Dr. Muhammad Saleem (the "Respondent No.1) and Dr. Nafisa Zaman (the "Respondent 2") working at Gulzar Hospital & Maternity Home, Multan (the "Hospital"). Brief facts of the complaint are that:

- a) *The Complainant's wife (the "Patient") was admitted at the Hospital for the treatment of Abdominal tumor. Total Abdominal Hysterectomy of the patient was conducted on 04.02.2019 (regardless of the restraining order passed by Punjab Healthcare Commission against the conduction of any operation at the Hospital). Owed to the professional negligence and incompetence of the Respondent doctors, post-operation, the condition of the patient deteriorated and she later died at Nishtar Hospital, Multan.*
- b) *The Complainant also mentioned that the Respondent No. 1 had been found negligent by the Punjab Healthcare Commission and the matter was directed to be forwarded to the PMC for further action.*
- c) *He additionally alleged that the Respondent No. 1 is engaged in private practice while he has been taking Non-practice allowance from the government of Pakistan, which had been proved via an enquiry conducted at Nishtar Hospital and Medical College Multan.*
- d) *The Complainant requested to take stern action against the Respondent doctors.*

2. The Complainant also filed a complaint of similar nature against the Hospital at Punjab Healthcare Commission, wherein he alleged that Respondent No. 1 & 2 negligently conducted the operation of the patient (Total Abdominal Hysterectomy) on 04.02.2019, and that both the Respondent doctors do not possess any requisite qualification in anesthesia or surgery. The Punjab Healthcare Commission conducted investigation and vide decision dated 08.10.2020 decided as under:

*"...19. After careful perusal of the record, thorough deliberations, considering the oral as well as documentary evidence, the expert's opinion and providing the parties opportunity of being heard, the Board of Commissioners has noted that it is absolutely clear that Respondent HCE was not at all competent to conduct the operation which was conducted and as a result of which the patient expired. The operation was conducted in spite of restraining order of Punjab Healthcare Commission dated 02/02/2019. It is also on record that Respondent HCE's score on the scale of Minimum Service Delivery Standards (MSDS) stands on 12%.*

*a. We proceed to impose a Fine of Rs. 500,000/- upon the Respondent HCE. 20% of the Fine when recovered shall be paid to the complainant*

*b. We also direct that the case of Dr. Muhammad Saleem be sent to the PMC&DC for action in accordance with law. ..."*

## II. SHOW CAUSE NOTICE TO RESPONDENT, DR. MUHAMMAD SALEEM

3. In view of the allegations leveled in the Complaint, Show Cause Notice dated 18.03.2021 was issued to Respondent No. 1, in the following terms:

“...

4. **WHEREAS**, in terms of the Complaint it has been alleged that Punjab Healthcare Commission vide findings dated 02.12.2019 had earlier suspended surgical services at your private Hospital i.e. (Gulzar Hospital & Maternity Home) due to non-availability of trained staff and lack of optimal facilities like surgical equipment but you (Dr. Muhammad Saleem) along with your wife (Dr. Nafisa Zaman) still continued with the surgery of the patient; and
5. **WHEREAS**, in terms of the Complaint the Complainant's wife was admitted at your hospital for the surgery of abdominal tumor but due to lack of facilities at hospital and unsuccessful operation and your professional negligence the patient subsequently died; and
6. **WHEREAS**, in terms of the Complaint it has been alleged that you have been collecting non-practicing allowance as a government employee and you claim to have denied doing any private practice and that you have been proven guilty by the inquiry Committee formed in the matter (chaired by the Vice Chancellor Nishtar Hospital and Medical College, Multan) vide its findings dated 17.10.2019; and
7. **WHEREAS**, in terms of the facts mentioned in the Complaint it is failure on your part to fulfill your Professional responsibilities towards your Patient and also breach of employment term and condition to continue private practice being a government employee and receiving non practicing allowance. Such conduct is highly unprofessional and is severe breach of code of ethics and amounts to professional negligence and misconduct. ...”

## III. SHOW CAUSE NOTICE TO RESPONDENT DR. NAFISA ZAMAN

4. In view of the allegations leveled in the Complaint, Show Cause Notice dated 18.03.2021 was issued to Respondent No. 2, in the following terms:

“...