



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF.8-1871/2020-Legal/DC

Mr. Nouman Waseem Vs. Dr. Syed Faisal Aziz

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

Present:

Mr. Nouman Waseem	Complainant
Dr. Syed Faisal Aziz (49146--P)	Respondent
Hearing dated	21.11.2022

I. FACTUAL BACKGROUND:

1. Mr. Nauman Waseem (the "Complainant") filed a complaint regarding negligent diagnosis of Tuberculosis (TB) of his brother, Muhammad Usman (the Patient") against Dr. Syed Muhammad Faisal Aziz (the "Respondent").
2. The Complainant has alleged that the Respondent had negligently diagnosed TB to the patient and prescribed TB medication to the patient from an unlicensed pharmacy within his unlicensed

clinic. The patient suffered reaction to the medication, prescribed by the Respondent and patient's life was saved after reaching DHQ Hospital, Kasur and receiving correct medical treatment there.

3. Further, that the Respondent is misrepresenting himself to be a MRCP and MCOS qualified medical doctor, which he is not.
4. The Complainant had earlier petitioned the Punjab Healthcare Commission (the "PHC") on 24.10.2018 and the PHC vide its decision dated 26.09.2019, referred the case of present Respondent to this Commission:

"... We further direct that the case of Dr. Faisal Aziz be referred to the PMDC for appropriate action on account of posing himself as MCPS although he does not possess such qualification. ..."

II. NOTICE TO RESPONDENT, DR. SYED FAISAL AZIZ

5. In view of the allegations leveled in the complaint, a Notice dated 07.07.2020 was issued to the Respondent and he was directed to submit his comments/response within 12 days along with a copy of his registration certificate and record of the patient.
6. Due to 'no-response to Notice' by the Respondent, a Reminder dated 16.09.2022 was sent to the Respondent directing him to submit his reply within 07 days, failing which the matter shall be placed before the Disciplinary Committee.
7. The Respondent, however, has not submitted a response to either the Notice dated 07.07.2020 or its Reminder dated 16.09.2022.

IV. HEARING

8. The matter was fixed for hearing before the Disciplinary Committee for 21.11.2022. Notices dated 14.11.2022 were issued to the Complainant and Respondent Dr. Zaheer Ahmad directing them to appear before the Disciplinary Committee on 21.11.2022.

9. On the date of hearing, the Complainant and the Respondent were both present before the Disciplinary Committee, in person.
10. The Complainant narrated the contents of his earlier submitted complaint and requested that appropriate action be taken against the Respondent doctor.
11. The Respondent submitted before the Disciplinary Committee that he had been working in Gulab Devi Hospital from 2017 till 2109, Lahore treating patients and accepted that he possessed basic medical qualification (MBBS) only. He submitted that he had completed his MCPS training, however, conceded that he was not qualified MCPS. Respondent submitted that correct medications were given to the patient based on the history of the patient.

V. EXPERT OPINION

12. A Professor of Medicine was appointed as an Expert to assist the Disciplinary Committee in this matter. The Expert opined as under:

“the case was for use of MCPS instead of being only MBBS. Not related with medical negligence.”

VI. FINDINGS AND CONCLUSION

13. The Respondent has accepted before the Disciplinary Committee that he possessed basic medical qualification (MBBS) only and was not a qualified consultant.
14. The Pakistan Medical Commission Act 2020 (the “PMC Act 2020”) bars the medical or dental practitioners from practicing a specialty, without requisite recognition, as enshrined in section 29 of the PMC Act 2020. The relevant provisions of the PMC Act 2020, are reproduced as under:

“29 (2) A general practitioner may treat all ordinarily recognized common medical or dental ailments and shall not practice in fields or specialties, as recognized by the Commission for which formal training is required ... No practitioner shall represent himself as a specialist or practice as a specialist without having appropriate qualifications, recognized and duly registered by the Commission.

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