



**BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL & DENTAL
COUNCIL**

In the matter of

Complaint No. PF. 8-2133/2022-DC/PMC

Mr. Akhtar Hussain against Dr. Abdullah Tunio (14870-S)

Prof. Dr. Muhammad Zubair Khan	Chairman
Barrister Ch. Sultan Mansoor	Secretary
Prof. Dr. Mahmud Aurangzeb	Member
Mr. Jawad Amin Khan	Member

Present:

Mr. Akhtar Hussain (online)	Complainant
Hearing dated	05.07.2024

I. FACTUAL BACKGROUND

1. Mr. Akhtar Hussain (the "Complainant") filed a Complaint on 15.07.2022 against Dr. Abdullah Tunio (the "Respondent") working at his private establishment Naz Clinic, Naushahro Feroze (the "Clinic"). The Complaint also conveyed a copy of the complaint from the Secretariat of the Provincial Ombudsman (Mohtasib), Sindh. The gist of the Complaint is:

Complainant took his 12-year-old son, Siraj Akhtar (the "Patient", since deceased) to the Respondent's clinic on 08.07.2022. The Respondent diagnosed and injected 10CC anti-biotic injection, which was expired, to the patient.



Immediately after the injection of expired anti-biotics to the patient, the patient expired within a few minutes due to heavy dosage, right inform of the Respondent. FIR has also been registered against the Respondent.

The patient expired due to the negligence of the Respondent and thus the Complainant prays for strict action against the Respondent.

II. SHOW CAUSE NOTICE ISSUED TO RESPONDENT

2. In view of the allegations leveled in the Complaint, a Show Cause Notice dated 19.12.2022 was issued to the Respondent doctor, in the following terms:

“... 3. WHEREAS, a Complaint has been filed by Mr. Akhtar Hussain (the "Complainant") before the Disciplinary Committee of the Commission (the "Complaint") which is enclosed along with its annexures and shall be read as an integral part of this Notice; and

4. WHEREAS, in terms of the complaint, it has been stated that the Complainant brought his 12-year-old child, Siraj Akhtar (the "Patient", since deceased) to you at Naz Clinic, Naushabro Feroze, your private Clinic. It is alleged that you injected the patient with 10cc of an expired anti-biotic injection, which allegedly caused the patient's condition to deteriorate and he expired within minutes, and;

5. WHEREAS, it is observed that your current registration status as per the record of this Commission is inactive and your registration has been expired since 31" December 2020, but you have continued to practice without renewing your license;

6. Now therefore, you are hereby served such Notice, explaining as to why the penalty shall not be imposed on you under the Pakistan Medical Commission Act, 2020. You are directed to submit your response along with complete medical record within the period of thirty (30) days. You are further directed to submit a copy of your registration. ...”

III. REPLY OF RESPONDENT

3. The Respondent submitted his response on 27.01.2023, wherein he stated, in terms, as under:

“... I state that am a responsible Doctor I know my responsibilities very well have never remained irresponsible in my duties.



That the complainant has lodged false FIR No 166/2022 PS Naushahro Feroze U/S 319, 34 PPC and the same matter is already pending before the competent Court of law/before The Court of Model Criminal Trial Court of Honorable Additional Sessions Judge Naushahro Feroze. Honorable Court has to decide the same.

That the Competent Court has granted the bail in above matter on observing the facts and laws and the same is not challenged in High Court as the complainant is fraudulent person.

That have also applied for renewal of registration from PMC.

That I was mentally disturbed from where to apply for renewal PMC or PMDC, and due to Covid-19 Emergency situation I was also in heavy torture due to the bad situation and circumstances. The Renewal or Registration from PMC is not malafidely nor deliberately but due to above reasons.

Therefore, I humbly request that kindly accept my this reply of show cause notice and vacate the same due to above situation and reasons.”

IV. REJOINDER OF COMPLAINANT

4. A letter dated 06.02.2023 was written to the Complainant enclosing the comments received from the Respondent, directing him to submit his rejoinder.
5. Rejoinder was received from the Complainant on 22.02.2023, wherein he reaffirmed that negligence of the present Respondent led to the untimely death of the patient. Furthermore, he conveyed that the Respondent was running his private practice through expired registration.

V. HEARING

6. The matter was fixed for hearing before the Disciplinary Committee for 05.07.2024. Notices dated 27.06.2024 were issued to the Complainant, Mr. Akhtar Hussain and Respondent Dr. Abdullah Tunio directing them to appear before the Disciplinary Committee on 05.07.2024.
7. On the date of hearing, the Complainant was present through online mode, however, the Respondent did not appear despite service of notice.



VI. FINDINGS AND CONCLUSION

8. The Disciplinary Committee adversely notes that the present Respondent, Dr. Abdullah Tunio did not appear before this Committee despite service of notice.
9. Notwithstanding, in the interest of justice, the Disciplinary Committee decides to grant a final opportunity to the Respondent Dr. Abdullah Tunio (14870-S, INACTIVE REGISTRATION) to appear for personal hearing at the next meeting of the Disciplinary Committee. Notwithstanding, the Disciplinary Committee recommends that the medical license of Dr. Abdullah Tunio (14870-S) shall remain suspended, until he appears before the Disciplinary Committee in the instant matter. Further, the instant complaint shall be forwarded to the Sindh Healthcare Commission requesting it to check the clinical standard at the Naz Clinic, Naushahro Feroz and to the Drug Regulatory Authority (DRAP) so as to ascertain whether the medication was in the approved list of DRAP.
10. In case of failure by the Respondent to appear before the next meeting / hearing, the matter shall be decided *ex-parte* on the basis of available record. Fresh notices of hearing shall be issued to the Complainant and all the Respondents for hearing before the Disciplinary Committee in due course. Adjourned.

Prof. Dr. Muhammad Zubair Khan
Chairman

11 September, 2024

