



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

In the matter of

Complaint No. PF. 8-2179/2022-DC/PMC

Mr. Nisar Ahmed against Dr. Shazia Muneer Khan (26774-S)

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

Present:

Mr. Nisar Ahmed	Complainant
Dr. Shazia Muneer Khan (26774-S)	Respondent
Hearing dated	05.07.2024

I. FACTUAL BACKGROUND

1. Mr. Nisar Ahmed (the "Complainant") & father of Mrs. Erum (the "Patient") filed a Complaint on 04.10.2022 against Dr. Shazia Muneer Khan, (the "Respondent") working at Cure Centre Charitable Hospital & Maternity Home, Milani Road, Sukkur (the "Hospital"). The gist of the complaint is:

The Patient visited the Hospital on 06.07.2022 related to her delivery, which was performed by the Respondent at the Hospital. Patient was discharged after 03 days, however, was re-admitted at the Hospital after few days and treated by the Respondent, due to pus and foul discharge from the stitches.



Due to worsened condition of patient and inability to travel, patient was moved to Red Cross Hospital in Sukkur, the treating doctor revealed that uterus and ovaries of patient had been incorrectly implanted during delivery operation of patient.

Patient underwent corrective surgery and her health improved; however, she is still under treatment.

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. Nisar Ahmed (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 you admitted Mst. Erum (the "Patient"), a case of pregnancy, conducted the delivery operation and discharged the patient after 03 days. It is alleged by the Complainant that you negligently conducted the delivery operation, resulting in deterioration of the patient's health and continuous oozing discharge from the sutures. Consequent to your alleged negligent behavior and treatment, the patient had to undergo corrective surgical procedures, and;

5. WHEREAS, you are registered with Pakistan Medical Commission under Registration No. 26774-S, possessing the degree of Basic Medical Qualification (M.B.B.S.) only. A general practitioner cannot practice in the field of specialty without requisite qualification duly recognized by this Commission and represent, as having acquired or seek to practice a specialty, unless the same is recognized by this Commission. Therefore, per facts mentioned in this Notice, your conduct of practicing and representing as a Specialist, is in violation of Section 29 (2), (8) & (10) of the Act, read with Regulation 8(2) of Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011; and ...”

III. REPLY OF RESPONDENT

3. The Respondent submitted his response on 19.01.2023, wherein she stated, in terms, as under:

A



“... “... 2. ... It is, however, submitted that the answering doctor is neither guilty of any negligence, misconduct or violation of obligation under the Act or any rules/ regulations/ directions of the commission, nor there is any material/ record available to raise any such complaint.

3. the submission made in the preliminary submissions are relied upon in response to paragraph under reply. It is submitted for the purpose clarity that the complaint is based on mala-fide, it is without any substance is liable to be dismissed with the penalty in terms of second proviso of sub section 3 of section 32 of the PMC act.

4. Denied in view of submission made above, it submitted at the cost of repetition that the caesarean section (C-Section) of the patient Erum was conducted on 06-07-2022 and she was accordingly discharged after 3 days without any complaint or complication. She again visited the answering doctor for removal her surgery starches after 12 days. The needful was done without any complaint or complication yet again. It is submitted without conceding that thereafter the patient again visited the doctor and complaint of vomiting and oozing of water from the wound. It is a recognize medical position that when the patient vomits forcefully or is careless about the wounds or starches the perforation or opening of peritoneum starches is a usual consequence. The answering doctor of offered the patient to get her treatment from same medical facility, where she was operated however, her attendance complainant misbehaves and went away while hurling threat to the answering doctor. It is an admitted position that the patient is doing fine and no document or material is available which may indicate that any negligence of the answering doctor contributed towards the allege complication face by the patient which complication is yet to be proof as to whether any such position accrued and if so, that had anything to do with the surgery performed by the answering doctor there is no record are material substantiate the false and fabricated allegation the patient had under gone any curative are corrective surgical procedures.

5. Denied. The answering doctor is a practitioner and does not claim or writes that she is a specialist in validly registered medical Gynecology & Obstetrics, however, it is an unequivocal position of law that by virtue of begin a validly registered medical practitioner, the answering doctor is entitled by her license to practice. The relevant provision of the law governing privilege to practice permits the answering doctor that she can practice medicine, surgery and Gynecology and Obstetrics on any patient and can perform any surgical procedure on any patient. The answering respondent exercised due care in performing the surgical procedure, however, it is submitted without conceding that in any procedure, there can be known complications which can happen and are given in the textbooks. There was absolutely no negligence on



the part of the answering respondent. The answering respondent was registered under the provisions contained in PMDC Ordinance, 1962, which provides the above-mentioned privileges.

IV. REJOINDER OF COMPLAINANT

4. A letter dated 20.01.2023 was written to the Complainant enclosing the comments received from the Respondent, directing him to submit his rejoinder.
5. Notwithstanding, no response/rejoinder has been received from the Respondent, till date.

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. Nisar Ahmed and Respondent, Dr. Shazia Khan directing them to appear before the Disciplinary Committee on 05.07.2024.
7. On the date of hearing, both the Complainant and the Respondent doctor were present in person before the Disciplinary Committee.
8. The Complainant submitted before the Committee that her daughter was pregnant and her Cesarean operation was done by the Respondent and discharged after 03 days. Post-discharge from the Hospital, the patient was suffering from blood and green pus from the vaginal canal which was informed to the Respondent. Respondent treated the patient for few days and later referred the patient to Karachi, however, due to worsening condition of the patient, she was taken to Red Crescent Hospital in Sukkur. The Complainant stated that in this Hospital he got to know that the ureter veins of the patient had been severed and thus requested for justice against Dr. Fauzia who should not have wasted time of the patient and referred the patient in time to a specialist or tertiary Hospital.
9. The Respondent submitted before the Disciplinary Committee that the patient came to her without antenatal history of previous 03 C-section, for C-section. Patient was admitted and operated 03 days later while she was stable. Surgery was uneventful and later stitches were removed and patient was normal. Patient was taken home where she started vomiting and she was also



suffering from peptic ulcer. Patient was brought to me with vaginal bleeding and she treated by cleaning the wound and drain was placed as well and she called Surgeon who told that patient is suffering from ulcer and she should be shifted. Patient was taken by consent of her attendants to another doctor and the patient has since recovered.

VI. EXPERT OPINION

10. An Expert of Gynecology was appointed to assist the Disciplinary Committee in this matter. The Expert opined as under:

“Hx of Prev 3C/S. Elective Cesarean section was done. Dr. Shazia Khan is a MBBS doctor ... and should not be performing surgeries without supervision of a qualified surgeon in her Centre or elsewhere.”

VII. FINDINGS AND CONCLUSION

11. The Disciplinary Committee has perused the relevant record, heard the submissions of the parties at length and considered the expert opinion in the instant Complaint.
12. The Disciplinary Committee notes that the Respondent should not have treated the Complainant, as this procedure was to be done by a specialist i.e. a Gynecologist. The patient had a history of previous C-section operation and thus this case was very sensitive and complicated in nature and the fact that this was an un-booked case. Furthermore, the Respondent stated before this Committee that she did abdominal washout of the patient and placed a drain, which should not have been done by the Respondent herself, as she frankly stated before this Committee that there is no surgeon in her clinic and is available on-call. Therefore, it was necessary for the Respondent to let a surgeon perform the abdominal wash and any other necessary procedure and work under her supervision, this being a complicated case.
13. In view of the complaint, statement of the doctor and the evidences available, the Disciplinary Committee finds the Respondent, Dr. Shazia Muneer Khan (26774-S) guilty of medical negligence and recommends that her medical license be suspended for a period of six (06) months. It is further recommended that upon restoration of medical license by the Council, the Respondent



doctor may conduct minor procedures only. In case of emergency major surgeries, Respondent doctor can perform strictly under the supervision of a qualified gynecologist and further that the Respondent cannot perform planned complicated surgeries. This information shall be conveyed to the Sindh Healthcare Commission and the district health authorities, for their information.

14. This instant Complaint is disposed of in the above terms.

Prof. Dr. Muhammad Zubair Khan
Chairman

11 September, 2024

