



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. P.F-12-Complaint-188/2018-legal

Mr. Tanveer Iqbal Vs. Dr. M Tariq Ali Bangash

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

Present:

Mr. Tanveer Iqbal	Complainant
Dr. M Tariq Ali Bangash (6519-N)	Respondent
Dr. Jameel Ur Rahman	Deputy Administrator Sheik Zayed Hospital
Hearing dated	21.11.2022

I. FACTUAL BACKGROUND

1. A Reference was received from the Punjab Healthcare Commission (the "PHC") conveying the decision regarding Complaint filed by Mr. Tanveer Iqbal (the "Complainant") to PHC on 08.02.2016 against Sheikh Zayed Hospital where the Respondent Dr. Tariq Ali Bangash (the "Respondent") practices as a consultant. Brief facts are as under:

a) The patient had history of Hepatitis-C for 5 years and was receiving treatment. In December 2015, the patient had an Ultra-sound which revealed a tumor in left lobe of liver.

- b) He approached the Respondent who suggested surgery to be performed urgently, after seeing the lab reports and tests. Family of the patient insisted for operation to be performed at Sheikh Zayed Hospital, however, the Respondent performed the surgery at Latif Hospital.
- c) Post the operation, the condition of the patient deteriorated and he was shifted to Sheikh Zayed Hospital, Lahore. However, patient was nearly unconscious and shifted to ICU. On advice of Anesthesia doctor, patient was shifted to Masood Hospital, Lahore. Later, the patient expired on 12.01.2016 at Masood Hospital, Lahore due to spread of infection.

2. The PHC decided the complaint vide its decision dated 15.11.2017 and referred the matter of Respondent Dr. Tariq Ali Bangash to the Pakistan Medical Commission (the "Commission") for necessary action, in the following terms:

"... 22 (b). Case of Dr. Tariq Bangash be referred to PMDC for not performing surgery at Sheikh Zayed Hospital, Lahore and instead performing very high-risk Liver Surgery at a facility with inadequate facilities. ..."

II. NOTICE TO RESPONDENT, DR. TARIQ ALI BANGASH

3. In view of the findings of PHC, a letter was sent to the Respondent doctor on 27.05.2019, directing him to submit his response by 30.05.2019, along with a copy of his registration certificate and record of the patient.

III. REPLY OF RESPONDENT DR. TAHIR ALI BANGASH

4. Respondent, Dr. Tahir Ali Bangash submitted his reply to Notice on 30.05.2019, wherein he stated that:
 - a) With reference to the above it is submitted that the Respondent received a letter qua Punjab Healthcare Commission's Complaint no. 027/2016 on 29.05.2015. The said letter was dispatched on 27.05.2019 and received during the late hours on 29.05.2019 wherein the Respondent is directed to submit his comments along with the complete record latest by 30.05.2019.
 - b) Due to the paucity of time, it seems impossible to comply with the same, nevertheless, the Respondent is more than willing to put forth his stance for your kind assistance.

- c) *Secondly, against the Punjab Healthcare Commission's Complaint No. 027/2016, the Respondent filed an Appeal which is pending adjudication before the competent forum.*
 - d) *By the time the aforementioned letter received, it was the fag end of the day and was not possible to procure the attested copies of the pending appeal.*
 - e) *It is therefore, most respectfully, submitted that further time may kindly be given to the Respondent to furnish the requisite paperwork in order to assist your good self.*
5. The Respondent doctor has not submitted any medical record pertaining to the instant complaint, till date.
 6. Separate letter dated 23.09.2022 was sent to the Medical Superintendent of Sheikh Zayed Hospital Lahore for provision of medical record of the patient, however no record was submitted.

IV. HEARING

7. After completion of codal formalities the matter was fixed for hearing before the Disciplinary Committee on 21.11.2022. Notices dated 14.11.2022 were issued to the Complainant and Respondent doctor directing them to appear before the Disciplinary Committee on 21.11.2022. The Administrator of Sheikh Zayed Hospital was also directed to appear along with medical record.
8. On the date of hearing, the Complainant, Respondent Dr. Tariq Bangash and Dr. Jameel Ur Rahman Deputy Administrator Sheikh Zayed Hospital were present in person.
9. The Complainant submitted before the Committee that he has reached a compromise with the Respondent and does not wish to pursue his complaint. Further, the Respondent doctor also submitted before the Committee, that the parties have reached a compromise; hence, in light of compromise, the proceedings against him should be dropped.
10. The Committee enquired Dr. Jameel Ur Rehman, Deputy Administrator of Sheikh Zayed Hospital about the record of the patient to which he produced some document but medical

record of the patient was not provided. The said deputy administrator even did not produce any authority letter issued in his favor to attend the Disciplinary Committee hearing.

V. EXPERT OPINION

11. A consultant general surgeon was appointed as an Expert to assist the Disciplinary Committee in this matter. The Expert opined as under:

“Case was discussed with both parties.

On deep questioning from each party it was decided that there was no professional negligence found in this case.”

VI. FINDINGS AND CONCLUSION

12. The Disciplinary Committee has perused the relevant record, submissions of the parties and the expert opinion in the instant complaint.
13. Both the parties have relied on a compromise between them, the veracity of which has been corroborated with their statements before this Committee today. We wish to highlight, the relevant regulation of the PMC (Enforcement) Regulations 2021, which mentions that:

*“... 10. **Withdrawal of Complaint.** - The Disciplinary Committee may permit the withdrawal of a complaint at any stage of the proceeding or may for reasons to be recorded refuse a withdrawal and proceed with the complaint in the absence of the complainant....*

Hence, it is the prerogative of the Disciplinary Committee whether to accept the withdrawal of Complainant.

14. In view of the facts, submissions of the parties and the expert opinion, the Disciplinary Committee does not find any evidence of negligence against Respondent, Dr. M. Tariq Ali Bangash (6519-N), who is exonerated in the instant case. Notwithstanding, we find the compliance of Sheikh Zayed Hospital to be very poor and accordingly direct that a letter of



displeasure be sent to the Medical Superintendent of the Hospital, conveying a warning of strict action in case of any future non-compliance by Sheikh Zayed Hospital.

15. The complaint stands disposed of in the above terms.

Prof. Dr. Noshad Ahmad Shaikh

Member

Mr. Jawad Amin Khan

Member

Barrister Ch. Sultan Mansoor

Secretary

Prof. Dr. Naqib Ullah Achakzai

Chairman

21/11 ~~December~~, 2022