



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF. 8-1858/2019-Legal-DC

Mr. Muhammad Zubair Vs. Dr. Shabbir Ahmad

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

Present:

Dr. Shabbir Ahmad (18828-P)	Respondent
Hearing dated	21.11.2022

I. FACTUAL BACKGROUND

1. Mr. Muhammad Zubair (the “Complainant”) filed a Complaint on 23.08.2019 against Dr. Shabbir Ahmad (the “Respondent”) concerning the negligent treatment of his 19-year-old daughter, Abida Bibi (the “Patient”). Brief facts of the Complaint are:
 - a) *The Complainant took the patient suffering from Asiatic Cholera to the Respondent, who after check-up prescribed medicines on letter-pad of his private clinic and gave medicines from medical store within his private clinic.*

- b) *Then, the Respondent directed the lady nurse to inject the patient with a pain killer. The patient resisted the injection, however, the lady nurse impressed upon the patient that the pain killer has to be injected in the gluteal region, being doctor's orders. After 15 minutes of injecting, patient's right leg stopped functioning and she complained of severe pain. Respondent gave some medicine and did physiotherapy of the patient, but to no avail and the patient has since become disabled.*
- c) *Per the Complainant, a complaint had also been filed before the Punjab Healthcare Commission (the "PHC"), where inquiry was conducted and adverse Expert advice/opinion has been given.*
- d) *This Commission wrote to the Complainant to provide the complete decision of the PHC in the instant matter, however, no response has been received from the Complainant.*

II. NOTICE TO RESPONDENT, DR. SHABBIR AHMAD

2. In view of the allegations leveled in the Complaint, a Notice dated 05.09.2019 was issued to the Respondent and he was directed to submit a response within 12 days, containing his comments, along with a copy of his registration certificate and record of the patient.

III. REPLY OF RESPONDENT, DR. SHABBIR AHMAD

3. Respondent, Dr. Shabbir Ahmad submitted his reply on 23.09.2019 wherein he stated that:
 - a) *Mst Sadia was my employee since last year, had a valid diploma of Clinical Assistant from vocational institute and was working as my Assistant.*
 - b) *The patient in the present complaint, Ms. Abida Bibi, daughter of the Complainant was presented to me in my OPD clinic on 01.04.2018 with lower abdomen pain. Patient was having UTI, complained of severe pain in lower abdomen and accordingly, I prescribed required medication to her. I asked my assistant to give patient an intra-muscular injection to settle her pain and she left the clinic after having medication, however, returned after about 20 minutes, complaining of severe pain in the left leg and thigh.*
 - c) *The complainant lodged many complaints against me at different forums and tried to blackmail me to pay 0.8 million. The plea for lodging a FIR against me in the court of additional Session Judge has been rejected by the honorable court and the complainant has been directed to wait till the decision of the Punjab health care commission on the matter.*
 - d) *A Civil Suit against me has been initiated in Court of the Senior Civil Judge, Nankana Sahib.*

- e) *The Complainant failed to prove any medical negligence at any forum i.e. an inquiry by District Health Authority (the "DHA") Nankana Sahib and Punjab Health Care Commission. The DHA asked me to relieve the lady which I did on the next day of orders forms CEO, DHA. However, there is a debatable observation from Punjab Health Care Commission regarding allowing clinical assistant for giving intramuscular injection*
- f) *In view of my responses, this Complaint should be dismissed as Punjab Health Care Commission is already conducting an inquiry.*

IV. REJOINDER OF THE COMPLAINANT

4. Reply received from the Respondent doctor was forwarded to Complainant through a letter dated 19.06.2020 for his rejoinder. However, no response has been received from the complainant till date.

V. HEARING

5. 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, Dr. Shabbir Ahmad, directing them to appear before the Disciplinary Committee on 21.11.2022.
6. On the date of hearing, the Complainant did not appear before this Disciplinary Committee; however, the Respondent Dr. Shabbir Ahmad was present in person.

VI. EXPERT OPINION

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

Case already settled, as per Respondent. The Respondent confessed foot drop on right side of patient. No further inquiry required.

VII. FINDINGS AND CONCLUSION

8. The Complainant was not present at this Disciplinary Committee meeting; however, the Respondent has submitted before us that a compromise has already been reached with the Complainant. Hence, in light of the compromise between the parties, the proceedings against him should be dropped.
9. The Respondent has relied on a compromise reached with the Complainant. We wish to highlight, the relevant guiding regulation of the PMC (Enforcement) Regulations 2021, which enshrine 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 certain that, it is the prerogative of the Disciplinary Committee whether to accept the withdrawal of Complaint.

10. The Respondent has confessed before this Committee that the patient developed ‘foot-drop’ after the administration of injection to the patient. The administration of the injection, therefore, has resulted in damage to the right Sciatic nerve of the patient, due to the wrong intramuscular injection technique.
11. The Disciplinary Committee has perused the relevant record, submissions of the parties and the expert opinion in the instant Complaint, and noted that the Respondent Dr. Shabbir Ahmad (18828-P) is ‘not-guilty’ of the allegations of negligence against him in the instant Complaint. Notwithstanding, Dr. Shabbir Ahmad (18858-P) be issued warning letter to act more diligently in the future while treating his patients and should employ properly trained nursing staff at his establishment.



12. The instant 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