



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF.8-2141/2022-DC-PMC

Reference from Punjab Healthcare Commission against Dr. Ghulam Asghar (52899-P)

Prof. Dr. Naqib Ullah Achakzai	Chairman
Prof. Dr. Noshad Ahmad Shaikh	Member
Mr. Jawad Amin Khan	Member
Barrister Ch. Sultan Mansoor	Secretary

Present:

Dr. Ghulam Asghar (52899-P)	Respondent No. 1
Dr. Muhammad Khalid (32812-P)	Respondent No. 2
Hearing dated	21.11.2022

I. FACTUAL BACKGROUND

1. The Punjab Healthcare Commission (the "PHC") referred the case of Dr. Ghulam Asghar (the "Respondent") working at Azeem Surgical Hospital, Dera Ghazi Khan (the "Hospital") to Pakistan Medical Commission (the "Commission") on 05.07.2022.
2. In context, the PHC while deciding matter against the Hospital, noted that the Respondent, providing services at the Hospital as a gynecologist had a fake PMC registration certificate, that showed his qualification as MCPS, Gynecology. However, the doctor only possessed the basic medical qualification, MBBS, registered under PMC Reg No. 52899-P. The matter of Dr. Ghulam



Asghar was, thus, referred to the Pakistan Medical Commission for further action, in the following terms:

"... In view of the record available with PHC, it becomes clear that the PMC registration used by Respondent was a fake document. and hence the matter shall be referred to Pakistan Medical Commission for further necessary action regarding the registration of Dr. Ghulam Asghar/ Respondent. ..."

II. SHOW CAUSE NOTICE TO RESPONDENT NO. 1, DR. GHULAM ASGHAR

3. In view of the reference of PHC, Show Cause Notice dated 05.08.2022 was issued to Respondent, Dr. Ghulam Asghar mentioning the allegations against him, in the following terms:

"... 4. WHEREAS, in terms of reference of PHC, it has been alleged that, Azeem Surgical Hospital, street-5, Bulkh Sarwar, Dera Ghazi Khan (Healthcare Establishment/ HCE), was visited by a team of Authorized Officers of the PHC on 10.5.2022. According to the report submitted by the officer "Online verification of the registration of Dr. Ghulam Asghar [you] with PMC, serving at the HCE as gynecologist, revealed that he is registered as a basic medical graduate and not as a gynecologist. While the copy of his PMC registration certificate presented to the authorized officer depicted his qualification as MBBS and MCPS gyne & obs" (Copy of fake PMDC registration certificate attached as Annex II); and

5. WHEREAS, in terms of reference of PHC you have been working at the above said healthcare establishment as Gynecologist for the last two years. During these two years while practicing as Gynecologist you also performed a large number of surgeries, and

6. WHEREAS, you are registered with the Commission under Registration No. 52899-P, whereby you have got the degree of Basic Medical Qualification (MBBS) only and the validity of your registration certificate is up to 31.12.2022. Hence the registration certificate used by you and presented to the authorized officer of PHC is a fake document; and

7. WHEREAS, a general practitioner cannot practice in the field of specialty without requisite qualification duly recognized by the Commission and represent as having acquired or seek to practice a specialty unless the same is recognized by the Commission. Therefore, in view of facts mentioned above your conduct of presenting yourself and practicing as gynecologist and presenting a fake registration certificate is,



prima facie in violation of Section 29(2), (8), (10) & 13 of the Act, read with Regulation 8, 49 (a) & (b) and 50 of Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011; and ...”

III. REPLY OF RESPONDENT No.1, DR. GHULAM ASGHAR

4. The Respondent No. 1, Dr. Ghulam Asghar submitted his reply to the Show Cause Notice on 29.08.2022, wherein he contended that:

- a) *I am hold basic medical qualification (MBBS) only and registered with the Commission under registration # 52899-P.*
- b) *I was performing my duties in the Hospital as a Physician, however, during my practice I never operated nor advertised myself as gynecologist. The documents marked as annexure of your notice are fake and fabricated documents, prepared by the administration of the Hospital.*
- c) *I stopped working in the Hospital in March-2022 as a serious dispute arose between me and Respondent No. 2 (hospital owner) who threatened me, in case I refuse to provide services at their own term and conditions and shall face the music.*
- d) *That the document (fake registration certificate) was prepared by Respondent No. 2 so that he may black mail me through your kind office. A bear perusal of the fake registration certificate clearly shows that the same was prepared just to take revenge from me. The writing and the font on the above said fake registration certificate is altogether different from the original certificate, hence I have never prepared the above said fake certificate.*
- e) *That, I was on Ex-Pakistan Leave for performing ‘Umrah’ at Makkah, Saudi Arabia.*
- f) *Affidavit submitted by the Hospital on the day of personal hearing dated 31.05.2022 didn't contain a single word against me/ Respondent No. 1.*
- g) *The qualification of any medical doctor can be checked/ confirmed instantly through the website of the Commission, then why Respondent No. 2 didn't check my online verification.*
- h) *It is pertinent to mention here that the decision of the PHC dated 16.06.2022 has been challenged by me in Appeal to District Judge, Dera Ghazi Khan and is fixed for hearing on 03.09.2022.*

IV. SHOW CAUSE NOTICE TO RESPONDENT NO. 2, DR. MUHAMMAD KHALID

5. A separate Show Cause Notice dated 05.08.2022 was also issued to Respondent No. 2, Dr. Muhammad Khalid (owner of Azeem Surgical Hospital) mentioning the allegations against him, in the following terms:

*“...4. **WHEREAS**, in terms of reference of PHC, it has been alleged that, Azeem Surgical Hospital, street-5, Bulkh Sarwar, Dera Ghazi Khan (Healthcare Establishment/HCE), was visited by a team of Authorized Officers of the PHC on 10.5.2022. According to the report submitted by the officer "online verification of the registration of Dr. Ghulam Asghar with PMC, serving at the HCE as gynecologist, revealed that he is registered as a basic medical graduate and not at a gynecologist, While the copy of his PMC registration certificate presented to the authorized officer depicted his qualification as MBBS and MCPS gynae & obs" (Copy of fake PMC registration certificate attached as Annex II); and*

*5. **WHEREAS**, in terms of reference of PHC, Dr. Ghulam Asghar has been working at your hospital, i.e. Azeem Surgical hospital, as Gynecologist for the last two years. During these two years while practicing as Gynecologist he also performed a large number of surgeries; and*

*6. **WHEREAS**, Dr. Ghulam Asghar is registered with this Commission under Registration No. 52899-P, whereby he has got the degree of Basic Medical Qualification (MBBS) only. Hence the registration certificate used and presented to the authorized officer of PHC is a fake document; and*

*7. **WHEREAS**, in terms of reference of PHC and available record, you hired a non-specialist doctor to perform the duties of a specialist doctor (gynecologist) at your hospital, who also performed a large number of surgeries during this time, Further, you failed to verify the credential of Dr. Ghulam Asghar from the PMC despite the fact that verification of doctors can be done online through website of PMC in an instant manner. Therefore, in view of facts mentioned above, it is failure on your part to fulfill your professional responsibilities. Such conduct is, prima facie, in violation of the Code of Ethics of Practice for medical and dental practitioners, Regulations, 2011 in general and Regulation, 3 (c), 11 (j). 49 (a) and 50 in particular, and ...”*

V. REPLY OF RESPONDENT NO. 2, DR. MUHAMMAD KHALID

6. The Respondent, Dr. Muhammad Khalid submitted his reply to the Show Cause Notice on 01.09.2022, wherein he contended that:

1. Respondent No. 1 had been working as a gynecologist in the Hospital from 15-08 2020 to 10-05-2022. Prior to this he had been working as a gynecologist in other hospitals of town also. Respondent No. 1 presented his documents for MBBS and MCPS Gynecology & Obstetrics. When Respondent was asked for verification of MCPS and Diploma, he submitted a verification letter on a paper. So, having the paper verification we haven't gone through his online verification of MCPS. Before his joining, Dr Sadia Saeed has worked as a gynecologist with PMDC No. 52623-P.

2. On 10.05.2022, a team from PHC visited the Hospital for licensing purpose and found that Respondent No. 1's registration as a MCPS Gynecology & Obstetrics with PMC (No. 52899-P) is not verified. Upon query, Respondent No. 1 failed to provide any verifiable information. The team reported this to the PHC and I being CEO of the Hospital also terminated all services of the Respondent from the hospital, immediately on 10.05.2022.

3. PHC heard this case (Case No, L&A/HC/LZ/1331/22) on 31.05.2022, where it was re-probed that Respondent No. 1's PG qualification (MCPS Gynecology & Obstetrics) was a fake document and it was decided by PHC to inform PMC regarding this matter. Moreover, PHC fined the Hospital an amount of 2 lacs, instead of Respondent No. 1, who was the sole culprit. After this incident, team of the Hospital reviewed Respondent's all documents and it was observed that he also has a fake certificate of Diploma in Gynecology & Obstetrics (DGO).

4. It is purely Respondent No. 1's own mala-fide, deceitful and bad intentions to provide fake and forged documents although earlier he provided an affidavit that he is MCPS Gynecology & Obstetrics having valid PMC registration number, and the document he provided to the Hospital was genuine.

5. Due to Respondent's bad act, gynecological & obstetrics services of the Hospital remained suspended for one month which really defamed the reputation of the institution and damaged financially.

6. Keeping in view all the above facts, I requested to exonerate the Hospital from this matter.

VI. HEARING

7. After completion of codal formalities, the matter was fixed for hearing before the Disciplinary Committee on 21.11.2022. Hearing Notices dated 14.11.2022 were issued to the Respondent No. 1, Dr. Ghulam Asghar & Respondent No. 2, Dr. Muhammad Khalid, directing them to appear before the Disciplinary Committee on 21.11.2022.
8. On the date of hearing, both the Respondent No. 1 and Respondent No. 2 were in attendance.
9. The Respondent No.1 presented his stance before the Disciplinary Committee and *inter alia* asserted that he possesses only basic medical qualification i.e. M.B.B.S only. He presented his objection on not being heard during proceedings at the Punjab Healthcare Commission (the "PHC") and negated the basis on which the PHC formulated a decision against him while referring his case to this Commission. The Respondent No. 1, via his written submissions in addition to verbal statements during the hearing, categorically denied all the allegations leveled on him regarding (i) performing illegal medical procedures, (ii) mis-representing himself as a gynecologist and (iii) furnishing fake PMC registration and certificate of DGO qualification.
10. The Respondent No. 2 from the Hospital stated before the Committee in addition to his written statement, confirming that Respondent No. 1, Dr. Ghulam Asghar Lashari was present in the hospital at the time of inspection of Punjab Healthcare Commission and that he had conducted multiple operations in the Hospital, the list of gynaecological surgical procedures performed by Dr Ghulam Asghar Lashari was also submitted. Further, that Respondent No.1 himself presented the fake documents during PHC inspection and he failed to satisfy the PHC team with his credentials. After depiction of fake certificates and post to recognizing the mis-representation of the Respondent No.1, the Hospital terminated the services of Respondent No. 1 from the Hospital.

VII. FINDINGS AND CONCLUSION



11. The Pakistan Medical Commission Act 2020 (the “PMC Act 2020”) bars the medical or dental practitioners from practicing a specialty, without requisite qualification and recognition, as enshrined in section of 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.

...

29 (8) No medical or dental practitioner shall be permitted to represent in Pakistan as having acquired or seek to practice a specialty unless the same is duly registered on his license by the Authority.

...

29 (13) “No registered licensee shall use or publish in any manner whatsoever any title, description or symbol indicating or intended to lead persons to infer that he possesses any additional or other professional qualification unless the same has been duly recognized and registered on his licence by the Commission...”

12. The Disciplinary Committee has gone through the records of the instant case, statement of the Respondents and finds that the Respondent No. 1 is guilty of misrepresentation and practicing as a gynecologist, possessing and presenting fake registration certificates. Remaining mindful of the large number of procedures performed, the Disciplinary Committee decides to permanently cancel the license of Dr. Ghulam Asghar (52899-P). Additionally, the Disciplinary Committee imposes a fine of Two and half million rupees (Rs. 2,500,000/-) on Respondent, Dr. Ghulam Asghar (52899-P). This fine amount shall be paid in the designated bank account of the Commission within 14 days from the issuance of this decision and a copy of the paid instrument shall be sent by Dr. Ghulam Asghar (52899-P) to the office of the Secretary to the Disciplinary Committee.
13. Respondent No. 2, Dr. Muhammad Khalid (32812-P) is absolved of the Show Cause Notice issued to him.



14. The instant complaint is 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