



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. PF. 12-Comp-122/2016-Legal

Mr. Liaqat Ali vs Dr. Muhammad Ibrahim

Mr. Ali Raza	Chairman
Mr. Aamir Ashraf Khawaja	Member
Dr. Asif Loya	Member
<i>Present:</i>	
Brig Dr. Irfan Shukr	Expert (Surgery)
Dr. Muhammad Ibrahim (23057-P)	Respondent

I. FACTUAL BACKGROUND

Reference from Punjab Health Care Commission

1. A reference was sent to Disciplinary Committee of erstwhile PMDC on 31-10-2016 by Punjab Health Care Commission in the matter of complaint by Mr. Liaqat Ali (hereinafter referred to as the "Complainant") against Dr. Muhammad Ibrahim (hereinafter referred to as the "Respondent"). Brief facts are that on 06-02-2015, the Complainant felt pain in his abdomen for which he visited the Respondent doctor at his Baba Farid surgical Hospital, Minchinbad. The Respondent examined the Complainant and prescribed him medicines for five days. The Complainant after the lapse of five days again came to the Respondent for follow up and was advised some investigations to be carried out at Sunny Laboratory. After reviewing the reports, the Respondent suggested an operation for appendicitis and subsequently his appendicectomy



was performed at 9:00 pm on 11-02-2015. On 20-02-2015, the Complainant again felt pain in his stitches, he visited THQ Hospital, Minchin Abad, where it was revealed that instead of appendicectomy, the Respondent removed the complainant's left testis. The Complainant was referred to DHQ Hospital, Bahawalpur and on examination of the ultrasound report by the surgeon there, it was confirmed that the Complainant's left testis had been removed and there was a scar mark in the left inguinal region.

2. The matter was taken up by the PHCC and expert of PHCC made the following observations:
*"The Complainant consulted the Respondent No. 1 for abdominal pain on 6- 2-2015 and a diagnosis of Acute Appendicitis was made on 11-2-2015' The Complainant has a scar in the left inguinal region which does not match with the diagnosis and the operation for appendicitis. The complainant has a single testis on subsequent examination and USG at DHQ Bahawalnagar.
There is sufficient evidence to suggest that the Respondent No.1 has to explain the discrepancy in the diagnosis and the clinical finding reported from the DHQ, Bahawalnagar. "*
3. The PHCC Board decided that the case of Dr. Muhammad Ibrahim be referred to PMDC for this negligence in performing wrong operation i.e. Left Orchiectomy instead of appendicectomy of the Complainant, Mr. Liaqat Ali.

II. PROCEEDINGS OF DISCIPLINARY COMMITTEE OF ERSTWHILE PMC

4. Matter was taken up the Disciplinary Committee in its meeting held on 29-06- 2019. The case was adjourned on no show.

III. DISCIPLINARY COMMITTEE UNDER PAKISTAN MEDICAL COMMISSION ACT 2020

5. Pakistan Medical and Dental Council was dissolved on promulgation of Pakistan Medical Commission Act on 23rd September 2020 which repealed Pakistan Medical and Dental Council Ordinance, 1962. Section 32 of the Pakistan and Medical Commission Act, 2020 empowers the Disciplinary Committee consisting of Council Members to initiate disciplinary proceedings on the complaint of any person or on its own motion or on information received against any full license holder in case of professional negligence or misconduct. The Disciplinary Committee shall



hear and decide each such complaint and impose the penalties commensurate with each category of offence.

Hearing on 20-03-2021

6. The Disciplinary Committee held the hearing of pending disciplinary proceedings including complaint of Mr. Liaqat Ali on 20-03-2021. Complainant was absent, however, Respondent Dr. Ibrahim was present.
7. The Complainant in his Complaint filed before the PHCC had raised allegations against the Respondent for performing left Orchiectomy instead of appendicectomy. Respondent doctor was asked to explain his stance on allegations raised by the Complainant. He denied performing the surgery on the Complainant and states that the Complainant had raised allegations only in terms of professional enmity with him. He never saw the Complainant as a patient and had only met him once in 2017.
8. Question was asked with regard to his absence before the PHCC and ex-parte proceedings to which he stated that he did not appear before the PHCC because he was not aware of any such proceedings and he never received any notice by the Commission nor its findings/recommendations were ever received by him. Moreover, he stated that the Complainant now has submitted a settlement letter and has withdrawn the said application. He provided the letter to the Committee.
9. On a specific question regarding his work place he stated that Baba Farid Hospital is his private practice clinic/hospital where he performs “simple” surgeries like appendicectomy and C-section on routine basis. The number of such “simple” surgeries performed by him on daily basis is 1-2.
10. When inquired about his qualification, he stated that he underwent fellowship training in Gen. Surgery and has completed all requirements of his formal training. He has qualified his theory examination for fellowship but is yet to pass the viva examination.
11. The Respondent was inquired about administering anesthesia to patients he performed surgeries on. He stated that he has worked as Anesthetist in BVH Bahawalpur for 2 years and therefore is skilled enough to administer anesthesia on patients himself.



Expert opinion by Brig. (Retd) Dr. Irfan Shukar:

12. Brig. (Retd) Dr. Irfan Shukar who was appointed as an expert to assist the Disciplinary Committee in the matter has opined that:

“Mr. Liaquat Ali consulted Dr. Muhammad Ibrahim for abdominal pain and a diagnosis of Acute Appendicitis was made. As per Preliminary findings of PHCC, the complainant has a scar in the left inguinal region which does not match with the diagnosis and the operation for appendicitis. The complainant has a single testis on subsequent examination and USG at DHQ Bahawalnagar.

Dr. Muhammad Ibrahim testifies that he has neither seen the patient or operated on the patient. There is insufficient evidence to suggest that Dr. Ibrahim performed any operation on Mr. Liaquat Ali.

Mr. Liaquat Ali did not appear before the hearing. In view of above no disciplinary action should be taken, till any new evidence becomes permissible to confirm that Dr Muhammad Ibrahim did operate on the patient.”

IV. FINDINGS/ CONCLUSION OF THE DISCIPLINARY COMMITTEE

13. The Committee has perused the relevant record, submissions made by the Respondent and the expert opinion in the matter. The Disciplinary Committee perused the record made available to it at length and observed from the contents of the Complaint that Complainant has alleged that Respondent doctor instead of appendicectomy, removed Complainant’s left testis. The said allegation has been denied by the Respondent. He claims that he never performed surgery on Complainant. There is no other evidence brought on the record to substantiate the allegation of the Complainant.

14. However, there are other important aspects revealed during the course of hearing. The Respondent doctor stated that Baba Farid Hospital is his private practice clinic/hospital where he performs “simple” surgeries like appendicectomy and C-section on routine basis. The number of such “simple” surgeries performed by him on daily basis is 1-2. On enquiring about his qualification, he stated that he underwent fellowship training in general surgery and has completed theory examination for fellowship but is yet to pass the viva examination. The Respondent was inquired about administering anesthesia to patients he performed surgeries on. He stated that he has worked as anesthetist in BVH Bahawalpur for 2 years and therefore is skilled enough to administer anesthesia on patients himself.



15. These statements made by the Respondent during the hearing are the admission on his part that he has not just been performing surgeries like C-Sections and appendicectomies on patients but is also administering anesthesia to patients undergoing surgeries at his private clinic with the requisite qualifications. The Committee is of the view that the Respondent has been exercising skills which he is not competent to perform.
16. Moreover, the Disciplinary Committee has observed that he is misleading the patients by misrepresenting himself as a specialist whereas he only holds M.B.B.S qualification and is not a specialist of any field.
17. It is clarified that in terms of Section 29(2) of the Pakistan Medical Commission Act, 2020 a general practitioner may treat all ordinarily recognized common medical ailments and shall not practice in fields or specialties, as recognized by the Commission for which formal training is required subject to any restrictions prescribed by the Council. Similarly, no medical practitioner shall represent himself as a specialist or practice as a specialist, without having appropriate qualifications, recognized and duly registered by the Commission. Section 29 is reproduced in relevant parts as under:

Section 29 - Licensing

- (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 subject to any restrictions prescribed by the Council. In life saving emergencies treatment may be provided until ordinarily recognized specialist services can be obtained or a safe referral can be ensured. No practitioner shall represent himself as a specialist or practice as a specialist, without having appropriate qualifications, recognized and duly registered by the Commission.

18. In view of above, the Respondent Dr. Ibrahim is found to have been engaged in deceptive practices by misrepresenting himself as a specialist. He is carrying out surgeries and administering anesthesia, the skills for which he is not qualified and registered with the Commission, therefore such conduct of the Respondent is in violation of Section 29 of the PMC Act. In view of foregoing, the Disciplinary Committee decides that the Respondent Dr. Ibrahim is guilty of professional misconduct and therefore, his license is suspended for one year. Respondent Dr. Ibrahim is directed to file a formal request for restoration of license on completion of suspension period.



19. Further, a penalty of PKR 50,000 (Fifty Thousand Rupees) is imposed on Respondent doctor for representing himself as a specialist or practicing as a specialist and misleading the general public. Accordingly, the Respondent Doctor is directed to pay the fine amount in the designated bank of the Commission within fourteen (14) days from the issuance of this decision and forward a copy of the paid instrument to the office of the Secretary to the Disciplinary Committee, failing which license of the Respondent doctor shall remain suspended until such time the fine is paid.
20. The subject proceedings stand disposed of in terms of above directions.

Mr. Aamir Ashraf Khawaja
Member

Dr. Asif Loya
Member

Muhammad Ali Raza
Chairman



31st May, 2021