



BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL COMMISSION

In the matter of

Complaint No. 12 comp. 87/2016-Legal

Mr. Ahsan Asghar vs Dr. Tahira Manzoor

Mr. Ali Raza Chairman

Mr. Aamir Ashraf Khawaja Member

Dr. Asif Loya Member

Present:

Brig. Dr. Ambreen Anwar Expert (Obstetrics & Gynecology)

Dr. Tahira Manzoor (8806-P) Respondent

Dr. Nadeem Anwar Respondent

(Owner of Naseem Anwar Hospital Pattoki)

Hearing dated 20-03-2021

I. FACTUAL BACKGROUND

Reference from Punjab Health Care Commission

1. A reference was sent to the Disciplinary Committee of erstwhile PMDC on 16-05--2016 by Punjab health Care Commission (PHCC) in the matter of complaint by Mr. Ahsan Asghar



(hereinafter referred to as “Complainant”) against Dr. Tahira Manzoor (hereinafter referred to as the “Respondent”). Brief facts of the case are that Complainant's sister Ms. Shumaila went to Naseem Anwar Hospital, Pattoki for delivery on 22-05-2013. Normal delivery was conducted, and a baby boy was born. Shortly after delivery, the newborn developed respiratory distress. Dr. Tahira Waheed after examination of the newborn advised to take the baby to Lahore or to Dr. Ghafoor Sajid who had a clinic nearby. The baby was taken to Dr. Ghafoor Sajid's clinic, where he after examination it was diagnosed that he was a case of Asphyxia Neonatorum. The said doctor, after providing the emergency treatment, referred the baby to Children's Hospital Lahore for further management. The baby was admitted in the Children's Hospital, Lahore on 22-05-2013.

2. The Matter was taken up by the PHCC. During the proceedings it was observed that the allegation of the Complainant to the effect that the newborn died due to the tapping of his chest by the Respondents does not stand proved as the baby was suffering from Asphyxia Neonatorum which is clearly depicted from the reports submitted by the Medical Director, Children's Hospital, Lahore as well as Dr. Abdul Ghafoor Sajid and the tapping of the chest and feet is usually done as a standard practice in such like cases for initial resuscitation. However, the PHCC Board noted that Dr. Tahira Waheed is a simple MBBS and does not have any post-graduate qualification whereas on the prescription pad of the Naseem Anwar Hospital she has mentioned against her name as expert gynecologist and ultrasound specialist. During her cross-examination on 20-11-2013 Dr. Tahira Waheed stated that she conducts about 100 normal deliveries and 30 to 40 caesarian section in a month and that she and Dr. Nadeem Anwar (owner of the HCE) also admitted that they do not have a qualified Pediatrician at the Naseem Anwar Hospital and in case of emergency the patient is referred to Lahore.
3. In view of above the board decided that the case of Dr Tahira Waheed be referred to the PM&DC as being a simple MBBS she has been impersonating herself as specialist gynecologist and ultrasound specialist

Reply of Respondent

4. In response to hearing notice served to Dr. Tahira Manzoor on 08-03-2021, she submitted following response vide letter dated 11-03-2021.



- a. *The charges leveled against her are incorrect, therefore, the undersigned unpretentiously refute them with following actual fact into the notice of honorable Disciplinary Committee of PMC for the complaint of 13th May, 2013 addressed by the Punjab Health Commission for quest of justice.*
- b. *Since 2011 Mr. Muhammad Imran was a reporter in Daily Jang having bad repute in the area as black mailer start visiting the facility to have meeting with me as I was widow and by judging his bad intention, I refused to meet him, where upon he starts playing different made-up tactics to damage my professional life and start harassing the undersigned.*
- c. *That prior to filling of the instant complaint, the complaint had also submitted applications on different forum against the undersigned due to which her reputation and integrity was damaged. He was "Mafia" has been filing applications against for some time to harass me as being a widow woman, they perceive me to be weak. In this connection I also lodged an FIR no. 213/14 on March, 3, 2014 at PS Qila Gugar Singh, Lahore against him. The tale of story does not end here, he by using his brother-in-law involved me with the complaint dated May 13, 2013.*
- d. *That the whole story as narrated by Absan Asghar and his brother -in-law namely Muhammad Imran in the complaint and allegation contains are incorrect. The whole story as narrated in the complaint and allegations contained therein were pack of lies. The response of health care establishments and further investigations made for instant complaint provides sufficient proof against the allegation leveled against the undersigned.*
- e. *The Commission through its letter dated 09-10-2014 directed the Medical Superintendent Children Hospital, Lahore to submit a detail report in view of the fact that deceased child remained under treatment at said HCE from 22-5-13 to 23-5-13. The Commission through its letter of even date also directed Dr. Abdul Ghafoor to submit a detail report in the matter as the deceased child was seen by him at his private hospital on 22-5-13.*
- f. *The Commissions received a report from Medical Superintendent Children Hospital, Lahore on 15-10-2014. The said report is as follow:-*
"Pts/o M. Irfan was admitted on 22-5-2013 through Neonatal Emergency at 10:00PM. He was received in emergency at 7 hours of age and was diagnosed as "Asphyxia Neonatorum (ANN)". At arrival he was sick and cyanosed. He was given treatment according to the standard recommendations. Despite of due management his asphyxia was sever enough to rapidly progress to stage III (ANN III) that led to his death within 12 hours of admission". No post mortem was conducted in this case.
- g. *The Commissions received a report from Dr. Abdul Ghafoor on 17-10-14 where it was stated "that the newborn was brought to his hospital and attended by him. He was suffering from Asphyxia Neonatorum, respiratory distress. His suction of nose and mouth was done by the bulb sucker along with giving another*



emergency treatment. The newborn baby was referred to Children Hospital Lahore for immediately for further management”.

- b. That the undersigned did her graduation from AIMC. Lahore in 1983, and have served at different hospitals in various capacities. Also, worked as Senior Registrar at Lady Atchison Hospital, Lahore from 1992 to 1997. Since than no inquiry / case is pending against her in any department.*
- i. That the undersigned worked as an employee at Naseem Anwar Hospital, Pattoki, since 2010, the said hospital is a small facility having two wards, six private rooms an ICU and an operation theater.*
- j. That the undersigned has common letter head of the hospital, hence, the prescription given to the complaint was not issued by the undersigned. It is worth mentioning here, that undersigned state on Oath that prescription does not bear her signature and it is not her hand-writing, neither have any knowledge of stamp on the prescription. To probe the false allegation, the PMC can have the forensic of the prescription in question, to enable decision making body to take action.*
- k. That it is pertinent to mention that the undersigned is just a MBBS, in 1983 and after completing one year house job 1986 in Gynae Obstetrics, at Services Hospital Lahore, under supervision of Prof. Shamim Waheed. In addition, also worked in different professional capacity such as senior registrar, particularly related to Gynae Obs practices, in lieu of my indepth professional experience about 100 normal deliveries and 30-40 Caesarian Section are conducted by me in a month, even though with such in-hand experience of around 30 years in the field of Gynae the undersigned cannot thought of impersonating herself as specialist gynecologist in such a small town of Pattoki.*

Report of Medical Director, Children’s Hospital Lahore

- 5. According to the report submitted by the Medical Director Children's Hospital, Lahore the baby was received in emergency at 7 hours of age and was diagnosed as Asphyxia Neonatorum (ANN). At arrival he was sick and cyanosed and was given treatment according to the standard recommendations. Despite the due treatment, his asphyxia was severe enough to rapidly progress to stage 3 (ANN- 3) that led to his death on 23-5-2013 i.e. within 12 hours of admission. No postmortem was conducted in this case.

II. PROCEEDINGS OF DISCIPLINARY COMMITTEE OF ERSTWHILE PMDC

- 6. The matter was taken by the Disciplinary Committee on 28- 06-2019 at Lahore. Complainant was present and Respondent was absent. Case was adjourned and it was decided that the parties will be issued notices.



III. DISCIPLINARY COMMITTEE UNDER PAKISTAN MEDICAL COMMISSION ACT

7. Pakistan Medical and Dental Council was dissolved on promulgation of Pakistan Medical Commission Act on 23 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

8. The Disciplinary Committee held the hearing of pending disciplinary proceedings including complaint of Mr. Ahsan Asghar on 20-03-2021. On the scheduled date, Respondent Dr. Tahira Waheed and Dr. Nadeem Anwar (owner of Naseem Anwar Hospital Pattoki) were present.
9. Upon inquiring regarding her work status as a gynecologist and matter of instant complaint, Dr. Tahira states that she left government service in December 1997 and has been practicing as private doctor in various clinics since then. In the instant case the patient reported to Naseem Anwar Hospital, owned and run by Dr. Nadeem Anwar (Surgeon-THQ Pattoki) and where she worked for three years and performed C-Sections independently prior to the verdict of PHCC. The hospital being a small facility did not have a pediatrician and therefore after the uneventful SVD, when newborn went into distress, they were referred to better facility. With regards to resuscitation measures undertaken at the clinic, she stated that all measures including oxygen, suction and tapping were done.
10. Dr. Nadeem Anwar (FRCS-FCPS-Gen. Surgery), owner of Naseem Anwar Hospital states that he was not involved in the surgery of deceased child as Dr. Tahira Waheed was the treating doctor. Dr. Tahira used to do C-Sections earlier but when PHCC advised her not to perform surgery, she stopped doing so. He further stated that he also stopped C- Section and only performs general surgery.



11. During hearing Dr. Tahira was enquired about using titles such as specialist gynecologist, specialist ultrasound and a qualification of Tokyo with her name on her prescription (letter head of Naeem Anwar Hospital) which are not recognized by the Council. She stated that these credentials were imprinted by the Hospital Administration. When Dr. Nadeem was inquired whether these credentials were ever verified from the regulator before hiring her, he states that he is unaware of the same since prescription pads are printed by pharma companies/ raps and that Dr. Tahira has used the same credentials for long.

Expert opinion by Brig. (Retd) Dr. Ambreen Sarwar:

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

- *“Facts: G3 P2+0, 2 female children born after normal delivery was brought in Munnawar Hospital Pattoki after having 6 hours of labor in the Civil Hospital. According to the Dr Tahira Manzoor patient delivered within 2 hours of admission. Delivery was uneventful according to respondent and baby was well. Patient was discharged after 2 hours postnatal per protocol with baby. **Acc to C** records (C absent). Baby had resp difficulty and Dr Tahira advised to take her to Child Spec who referred them to Children Hospital where baby expired.*
- *Evidence: No negligence proved in the index case (C absent – no cross exam possible)*
- *Expert Opinion: However, R is impersonating herself as specialist and USS specialist which is inappropriate.”*

FINDINGS/ CONCLUSION OF THE DISCIPLINARY COMMITTEE

13. The Committee has perused the relevant record, submissions of the parties and the expert opinion in the matter. Complainant’s sister (patient) was taken to Naseem Anwar Hospital, Pattoki for delivery. After an SVD, a normal baby boy was born who developed respiratory distress shortly afterwards. The baby was referred to Lahore by Dr. Tahira or to Dr. Ghafoor Sajid whose clinic was nearby. Dr. Ghafoor Sajid diagnosed that the baby was a case of Asphyxia Neonatorum and after giving emergency treatment referred him to Lahore. According to the report submitted by the Medical Director Children's Hospital, Lahore the baby was received in emergency at 7 hours of age and was diagnosed as Asphyxia Neonatorum (ANN). At arrival he was sick and cyanosed and was given treatment according to the standard recommendations. Despite the due treatment,



his asphyxia was severe enough to rapidly progress to stage 3 (ANN- 3) that led to his death on 23-5-2013 i.e. within 12 hours of admission.

14. Based on the expert opinion, the Committee observed the allegation of the Complainant to the effect that the newborn died due to the tapping of his chest by the Respondents is not established as the baby was suffering from Asphyxia Neonatorum which is clearly depicted from the reports submitted by the Medical Director, Children's Hospital, Lahore as well as Dr. Abdul Ghafoor Sajid and the tapping of the chest and feet is usually done as a standard practice in such like cases for initial resuscitation. The delivery was uneventful and there were no complications. Baby was fine at birth and both mother and baby were discharged after two hours as per protocol and hence no professional negligence was found on part of Dr. Tahira.
15. The Committee noted that Dr. Tahira Waheed is a simple MBBS and does not have any post-graduate qualification. She conducted about 100 normal deliveries and 30 to 40 caesarian sections in a month at the Naseem Anwar Hospital. During the hearing, Dr. Tahira Waheed stated that after the findings of PHCC she has stopped performing gynecological surgeries. This statement was also confirmed by Dr. Nadeem Anwar, owner of Naseem Anwar Hospital.
16. However, the Committee observed with concern that on letter head of Naeem Anwar Hospital, Respondent doctor Tahira's name was with titles like specialist gynecologist, specialist ultrasound and a qualification of Tokyo on her prescription pad which are not recognized by the Council. When inquired from Dr. Nadeem whether these credentials were ever verified from the regulator before hiring her, he stated that he was unaware of the same since prescription pads are printed by pharma companies/ raps and that Dr. Tahira has used the same credentials for long.
17. It is clarified that in terms of Section 29(2) of the Pakistan Medial 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



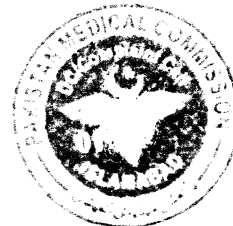
ailments and shall not practice in fields or specialties, as recognized by the Commission for which formal training is required subject to any restrictions prescribed by the Council. In life saving emergencies treatment may be provided until ordinarily recognized specialist services can be obtained or 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. The Disciplinary Committee however is of the considered view that Dr. Tahira is found to have been engaged in deceptive practice by misrepresenting herself as a gynecologist and was also carrying out surgery for which she was not qualified and registered by the Commission in violation of Section 29 of the PMC Act. The Committee observed that since this misrepresentation was not just on account of Dr. Tahira but also on part of Dr. Nadeem for allowing her to practice without verifying her credentials from the regulator. Both are warned against such deceptive practices. Therefore, Dr. Tahira shall have to pay a penalty of PKR 50,000 (Fifty Thousand Rupees) and Dr. Nadeem however shall pay PKR 500,000 (Five Hundred Thousand Rupees) as penalty.
19. Each of Respondent Doctors is directed to pay the respective 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 be deemed suspended and 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