



**MINUTES OF THE 198TH SESSION OF COUNCIL HELD ON 14TH JUNE, 2019 AT
PM&DC HEAD OFFICE, ISLAMABAD**

Honorable Acting President PM&DC Prof. Dr. Aamer Zaman Khan, opened the house on 14th June, 2019 at PM&DC Head Office Islamabad for proceedings of the Session.

Following attended the meeting.

1. Prof. Dr. Aamer Zaman Khan	Acting President
2. Prof. Syed Shoaib Hussain Shah	Member
3. Mr. Muhammad Ali Raza	Member
4. Prof. Dr. Amer Bilal	Member
5. Prof. Dr. Khalid Usman	Member
6. Prof. Dr. Umer Farooq	Member
7. Prof. Dr. Saeed Sadiq Hamid	Member
8. Prof, Dr. Sulman Jaffar	Member
9. Prof. Dr. Muslim Khan	Member
10. Maj. Gen. Prof. Saleem Ahmed Khan, HI (M)	Member
11. Prof. Dr. Shabir Ahmed Lehri,	Member
12. Prof. Dr. Kartar Dawani	Member
13. Prof. Dr. Mirza Khan Tareen	Member
14. Prof. Dr. Nadeem Samad	Member
15. Dr. Sitara Hassan	Acting Registrar

Meeting started with the recitation of verses from the Holy Quran.

Honorable President allowed deliberation on agenda detailed as under:

**ITEM 01: IMPLEMENTATION STATUS OF MINUTES OF THE 196TH SESSION
OF PM&DC HELD ON 18TH MAY, 2019:**

The Council unanimously confirmed the implementation status of minutes of 196th Session of PM&DC held on 18th May, 2019 at PM&DC, Head Office Islamabad.

**ITEM 02: MINUTES OF THE 197TH SESSION OF COUNCIL HELD ON 30TH MAY,
2019 AT PM&DC, HEAD OFFICE ISLAMABAD:**



The Council perused the confirmed minutes of 197th Session of PM&DC held on 30th May, 2019 at PM&DC, Head Office Islamabad. Discussion was held on following points:

Any Other Item 07: 100 % Foreign Students in Dow International Medical College

Prof. Dr. Kartar Dawani gave his reservation on Any other Item No.07 of the minutes of 197th Session and requested the Council that the remarks of member i.e. "no punitive action has been taken by the council against the college, violating PM&DC regulations by admitting 100 % admissions on foreign seats and "the college shall be issued a notice to give explanation" be deleted since it appears that it has already been determined by the Council that the College has violated the provisions of the regulations without giving an opportunity to the college to provide an explanation. The minutes be therefore, rephrased and the matter be placed before the Council for discussion. Prof. Dr. Amer Bilal seconded the observation and the Council unanimously agreed to rephrase the decision in light of the observation and ask the college to provide an explanation as to the issue raised in the 197th Session prior to the next Council meeting wherein the matter would be discussed in view of the explanation provided by the college including an opportunity to the college to appear before the Council if they so desire.

Any Other Item No 4: Evaluation Inspection Proforma:

Prof. Dr. Kartar Dawani pointed out that the time period of 48 hours given to the members to record their observations was not sufficient. He further submitted that he had however recorded his observations but these were not addressed in the proforma and the same may be given weightage and incorporated. Prof. Dr. Amir Bilal clarified that the proforma was approved by the Council on Friday but it was only to be uploaded on Monday to check for typo/ clerical errors and repetitions, if any. The substance/contents of the Proforma however were approved by the Council. The Proforma is open to minor amendments till the end of February 2020 and the feedback/ observations are being addressed on continuous basis. He further informed that the changes in the Proforma for BDS are being addressed by Dr. Muslim Khan and the ones in Proforma for MBBS students are being addressed by Gen. Saleem Ahmed Khan.

Prof. Dr. Kartar referred to an observation made by him regarding requirement of pathology teachers. It was then clarified by Maj. Gen. Saleem (member



Evaluation Committee, assigned the task to incorporate feedback/ observations) that the same has been corrected.

Prof. Dr. Kartar Dawani further pointed out that his observation on the minutes at page 25 where its mentioned "***In Phase 2, inspections will be held from February to April, 2019***" has not been addressed till to date. The same is to be corrected as 2020 instead of 2019.

Prof. Dr. Shabir Ahmed Lehri shared his reservation over deduction of inspection fee from bank guarantee referred in the letters written to colleges regarding submission of inspection fee. He opined that the basis of the provision in the regulations with regards to submission of bank guarantees to the PM&DC was to safeguard future of students being adjusted in case of closure of a Medical/ Dental College and that prior to making a reference of such punitive action in the letter it should have been discussed in the Council. It was clarified by Mr. Ali Raza that the deduction of fee from the bank guarantee is an administrative issue and none of the regulations or any other provision of policy states that the bank guarantees obtained from colleges was limited for covering refunds to students in the event of closure of a college. His view was that as the current regulations are structured these bank guarantees were obtained from the colleges to secure their financial regulatory obligations which would include amongst other refund of fee of students in the event of closure and also penalties as may be imposed upon these colleges. He pointed out that the Council may however decide as to whether a default to pay inspection fee in this instance be implemented against the bank guarantees. After due deliberation the Council decided that in case of failure to deposit the requisite inspection fee the amount will not be deducted from the bank guarantee at all in the first instance

Prof. Dr. Kartar Dawani raised a concern that the agenda of the meeting is delayed and hence its circulation amongst members be ensured at least 7 days prior to the meeting. President clarified that considering last minute additions in the agenda by the members timely circulation could not have been done. However, as a standard practice it was agreed that the agenda of the meeting will be sent at least 7 days prior to the meeting. Agenda points received after the deadline will be considered as additional agenda points.



ITEM 03: POINT RAISED BY PROF. DR. KARTAR DAWANI REGARDING MINUTES OF MEETING ON PM&DC WEBSITE:

The Council was informed that an email received from Prof. Dr. Kartar Dawani regarding uploading the minutes of meeting on PM&DC website. The same was seconded by Prof. Dr. Saeed Sadiq Hamid.

Prof. Dr. Saeed Sadiq Hamid opined that only the final decisions of the Council meeting should be mentioned on the PMDC website. Prof. Dr. Kartar Dawani suggested that instead of putting detailed version of minutes only bullet points and decisions be uploaded. However, for the purpose of record detailed minutes be kept, open to perusal of public.

Mr. Ali Raza clarified that the minutes are detailed because reason of a decision is to be recorded in the minutes. In the past abridged version of minutes was kept but keeping in view that the statutory regulator is required to provide the reasons of every decision and simultaneously maintain transparency, the Council took this initiative to record detailed minutes. He further explained that by giving non speaking order/ decision without detailed reasons parties seek and obtain get injunction based on the ground of a non-speaking decision. He apprised that the courts have recently appreciated that the detailed minutes are of help and injunctions have therefore, reduced.

It was also discussed that names of members viz a viz their opinion be excluded; Dr. Muslim was of the view that a decision is made based on opinion of members hence these should be part of the minutes. Dr. Sulman Jaffar seconded the same and that all observations made by council members should be in cooperated.

The Council unanimously decided to continue the practice of uploading of detailed minutes on PM&DC website.

ITEM 04: POINTS RAISED BY PROF. DR. AAMER BILAL:

The Council considered the following points raised by Prof. Dr. Amer Bilal:

- i. Automation and restructuring of PM&DC:

Mr. Ali Raza (Chairman Information Technology and Systems Committee) apprised the house that major IT reforms have been initiated. There was definitive lack of digital enablement at the PM&DC and steps have been taken on an urgent basis to further improve efficiency by implementing a policy of immediate automation and



digitization of all resources. In collaboration with the NITB and NTC 'E-office' is being implemented at the PM&DC including installation of necessary network and hardware to support an e-office environment which will allow all records to be digitized and all steps taken recorded without permission to edit or modify. NITB has conducted its survey and is to communicate the infrastructure requirement possibly by next week. Verification of the inventory is required before the procurement requirement is issued by us.

With regards to timelines he informed that proprietary software/ERP systems and E-Office are ready to be installed. On receipt of infrastructure requirement by the NITB, a meeting of Information System and Technology Committee will be called.

ii- Adoption of MTI selection and promotion criteria as PM&DC criteria

Prof. Dr. Amer Bilal apprised the house that the MTI Selection and Promotion Criteria was discussed in the Council and timelines need to be decided for its implementation.

Prof. Dr. Saeed Sadiq Hamid opined that the MTI criteria, HEC criteria and the PM&DC criteria needs to be looked into to come up with a proposal in next meeting.

It was discussed and agreed that the Medical Education Committee will have these criteria reviewed. Prof. Dr. Amir Bilal will be co-opted in the Committee. The Committee will frame comparison of the three criteria.

It was directed that the MTI criteria be e-mailed to all members. It was further decided that the same will be brought to table for discussion in the next Council meeting.

iii- Clearance of backlog of Disciplinary cases, both cases of medical negligence and PM&DC employees.

Regarding Clearance of backlog of Disciplinary cases, Prof. Dr. Aamer Bilal briefed that 52 cases of personal hearing have been decided, out of which punitive action has been taken against 27 practitioners. In addition to the usual practice of intimation to the complainant and respondent, this time employer of the respondent, the Provincial Health Care Commission, the Health Secretary, Director General Health as



well as the District Health Administration comprising of DCO, DPO, DHO are also notified of the decisions with the direction to submit compliance report within 07 days.

He further apprised of 104 cases received from Punjab Health Care Commission and backlog of another 10-12 cases which are under court orders/ adjourned cases to be finalized by the end of July. He however put on record that the performance of Complaint Cell is un-satisfactory. The Section is being pushed ever since Prof. Dr. Tariq Iqbal Bhutta himself brought them the addresses and numbers of complainants and respondents in the month of Ramzan but till to date Complaint Cell has contacted only 35 people. He informed that after the Council meeting the Section is going to be reprimanded over this. The Section is to contact the complainants and the respondents and has to prepare their files after which subject experts will be taken on board. The first hearings are scheduled for 28th – 29th & 30th June of 2019 at Lahore and despite daily repeated reminders, required results are not being produced.

Discussion was held on a document circulated by Prof. Dr. Saeed Sadiq Hamid. Prof. Dr. Saeed Sadiq Hamid clarified that the document emphasizes on processes and procedures. Prof. Dr. Kartar Dawani stated that that the document be kept in view while making future decisions.

Dr. Amer referred to a case of PIMS where punitive action was taken against the supervisor/consultant rather than the trainee. He clarified that in cases where breach of processes is involved advisories are also being issued to the administration. He also discussed a social media campaign regarding cases decided by the Disciplinary Committee. The Council endorsed the good work done by the Committee.

Dr. Kartar suggested that an announcement be made for public to file their complaints on a given email address. The Council agreed that the access to filling a complaint be published. On another point raised by Prof. Dr. Umar, it was directed that keeping in view the case of PIMS where supervisor is penalized, an advisory to all hospitals and a public notice be issued for supervisors.

It was opined by Mr. Ali Raza that a meeting may be set up with Provincial Health care commissions to resolve the issues pertaining to health care facilities. Detailed discussion was held on ambit of PM&DC with regards to healthcare facilities and it was agreed that this agenda point be discussed in next meeting.



ITEM 05: DRAFT AMENDMENTS TO THE MEDICAL & DENTAL INSTITUTIONS (RECOGNITION, ELIGIBILITY CRITERIA FOR ENHANCEMENT IN ANNUAL ADMISSIONS AND ACCREDITATION STANDARDS) REGULATIONS, 2018.

The Council considered the draft amendments to the "Medical & Dental Institutions (Recognition, Eligibility Criteria for Enhancement in Annual Admissions and Accreditation Standards) Regulations, 2018 presented by Mr. Ali Raza (Chairman Law & Regulatory and Compliance Committee). He explained that the amendments are proposed keeping in view the proforma revised by the Evaluation Committee and approved by the Council.

The Council considered and deliberated on the amendments detailed as under pointwise:

The "Executive Committee" was agreed to be replaced with Council wherever appearing in the Regulations as there exists no Executive Committee under the 2019 Ordinance.

In Reg.3 [Proviso] was agreed to be added, "Provided that a public-sector medical institution situated in Federal/Provincial governments declared backward area, for the purpose of this regulation, may be recognized for 50 MBBS or 25 BDS students, as the case may be subject to a pro rata reduction in mandatory requirements of hospital beds under the regulations." the reason being the exception of securing well below minimum qualifying marks for a college located in any area of Pakistan would be discriminatory to others as well as being in conflict with the mandatory requirements of ensuring a college is capable of providing basic medical education of recognized standards. The reduction of seats along with pro rata decrease in mandatory requirements fulfills the purpose of allowing backward areas to meet the need of a medical college in the area.

On this point discussion was held on devising a proforma for 50 MBBS and 25 BDS students. The same was agreed upon but subject to the institution shall have to fulfil mandatory requirements and there shall be no compromise of standards.

Amendment in Reg.5(1) was agreed upon. "The renewal and continued recognition of an Institution is subject to verification of the fulfillment of provisions of the Ordinance and regulations made thereunder pursuant to schedule of inspections as may be determined by the Council and provided for under Appendix VIII. The recognition of



an Institution shall be renewed after every five years subject to the Institution having passed the last scheduled inspection. It shall be the responsibility of the Institution to apply to the Council for renewal at least six months prior to the completion of the five-year period. Provided, the Council, for reasons to be recorded, may order a special or surprise comprehensive inspection of any institution at any time". The reason being that the existing regulation is conflicting. It seeks to provide for renewal of recognition but does not set out the application and criteria for the same clearly. Similarly, the wording creates conflicts such as requiring a college to apply 6 months before a scheduled inspection however, Appendix VIII also has 14-day inspections which cannot have a 6-month prior notice. Similarly, while there is a mention of a five-year period for comprehensive inspection there is no period for renewal clearly stated in the existing regulations. Lastly, to avoid arbitrary decisions the power for special or surprise inspections is given to the Council for reasons to be recorded rather than solely to the President.

Reg.5(3) was agreed to be deleted. "The affiliating university shall submit annual inspection report on proforma as provided under these regulations for the first three years and thereafter, every three years" the reason being that the affiliating universities neither have the means nor the inclination to inspect colleges and nor can the PMDC be outsourcing its primary regulatory power of recognizing colleges. Furthermore, the universities act under their respective statute and have to ensure compliance of each affiliated college under its own charter not that of PMDC.

Reg.6. was agreed to be amended "A recognized Institution may apply to the Council for increase in its annual admissions and continuation of recognition in fulfillment and in accordance with the provisions of the Ordinance and regulations made thereunder subject to the qualification criteria provided under Appendix IX. Reasoning: The new policy provides a pre requisite for each college seeking to apply for enhancement of seats by virtue of achieving quality placement in categories A or B. Appendix IX to be added is the categories approved under the new evaluation policy being the pre requisite for a college to apply for enhancement.

Reg.9(3) and Reg.10(3) were agreed to be amended. Reg.9(3) "Owners other than mentioned in clause 9(1)(b) and (d) must get themselves registered with Security Exchange Commission of Pakistan, and submit to PM&DC annual final accounts duly audited by any of the reputable chartered accounting firms having



satisfactory rating under the Quality Control Review Program (QCR Program) of Institute of Chartered Accountants of Pakistan (ICAP). Reg.10(3). "Owners other than mentioned in clause 10(1)(b) and (d) must get themselves registered with Security Exchange Commission of Pakistan, and submit to PM&DC annual final accounts duly audited by any of the reputable chartered accounting firms having satisfactory rating under the Quality Control Review Program (QCR Program) of Institute of Chartered Accountants of Pakistan (ICAP)." The reason being that in both these regulations it's an omission as Trusts are not registered with the SECP but registered with the Registrar Trusts or other defined authorities in different provinces.

Amendment in Reg.12. was also agreed to be amended." Within such period as directed by the Council, and not being before 1st March 2020, all existing recognized institutions shall fully conform to these regulations. Any institution failing to do so shall be proceeded under the relevant law, rules and regulations. Reasoning: The fixed period creates conflicts in earlier proforma of 2012 and the last one of 2018 and will create further conflict with the 2019 proforma. The amendment proposes to provide the flexibility to the Council to fix the period of compliance while, as has been approved by the Council, guaranteeing the colleges that no adverse action will be taken before 1st March 2020 – 8 months from the introduction of the 2019 proforma. This also gives a flexibility to cater for any requirements to add further time in view of analysis of phased inspections and discussions with all stakeholders during this upcoming 8 month period

Amendment in Reg.15(4) was considered with the reasoning. "Every Institution shall establish a Scholarship Fund with a sum of rupees ten million with annual three percent increase. The Scholarship Fund shall be annually audited by a registered chartered accountant firm including the record of each scholarship granted and its basis and reasons and report shall be submitted to PMDC. The fund shall be used for scholarship for deserving students as per the provisions of Regulation 32(2); and New Provision Reg.15(4A). Every Institution shall contribute each year before 1st September an amount equivalent to 1% of the gross fee received by the Institution to the Endowment Fund. The Fund shall be managed by a board in accordance with the Regulations framed by the Council and shall be used for the development and enhancing of medical research in Institutions. The Endowment Fund shall be annually audited by a registered chartered accountant firm and report shall be submitted to PMDC." Reasoning: The existing regulation seeks to provide for two different things; endowment



and scholarships. However, this merged into one fund creates a grey area incapable of being regulated or controlled. In the current wording an institution can grant fulfill requirements of Reg.32 requiring financial aid to 5% of students by spending a minimal amount while using the rest under the garb of development of education. Hence, the scholarship fund is proposed to be separated and the funds used purely to provide financial aid which will also ensure considerable value being provided to deserving students. Simultaneously as approved under the 2019 proforma the Endowment Fund would be a separate fund altogether to be administered through a proper board and regulations for the funding on merit of medical research in the recognized institutions as research is a weak area currently and this will provide much needed support. In effect these moneys contributed by the institutions will be reinvested into the institutions

Discussion was then held on concern of public sector colleges on mandatory budget allocation for the welfare of students. Maj. Gen. (R) Saleem Ahmed Khan, Prof. Dr. Kartar Dawani and Prof. Dr. Umer Farooq supported the same. Prof. Dr. Kartar Dawani stated that presently, HEC has cut their budget by 10%. It will not be possible to allocate funds exclusively for this purpose. It was explained that the budgeting for funds would not be possible for the public sector Medical/ Dental Colleges. The Council deliberated that percentage of students be defined for merit-based scholarship to be provided from any source and/or the same be categorised for both public and private sectors. It was also noted that while considering compliance with this provision it would be taken into account that a public college was providing majority of its students subsidized education funded by the respective governments and therefore, it represents financial aid to students.

It was also agreed that all existing Appendixes would be updated in line with the approved 2019 proforma. It was clarified that these changes are being done in order to avoid conflicts between the proforma and regulations. Minor changes however can be taken in account at a later stage.

The Council decided that the amendments be incorporated in the regulations and be uploaded on the website.



ITEM 06: MIGRATION POLICY

The Council considered the draft policy/proposed structure for migration of students from foreign colleges to Pakistani schools. The Council further perused its earlier decision of 197th Session held on 30th May, 2019.

The Council deliberated on the issue in detail. Members were of the opinion that a Pandora box will be opened by opening up possibilities and allowing any student from foreign college to enter into MBBS/ BDS program and the same will be misused. The possibility that students not being able to seek admission in a Pakistani school as there is cap on the percentage of marks they get in Fsc / O levels , so ending up in substandard schools abroad and later exploiting this provision was discussed at length. The same will later create difficulties for the Council.

The Council unanimously declined the migration policy and decided that no migration will be allowed from foreign countries.

The pending applicants for migration may be informed accordingly.

ITEM: 07 Cases Referred by the Standing Recognition Committee (Medical) to the Council for Policy Decision / Advice, in its Meeting held on 17th May, 2019.

The Council considered the following cases referred by the Standing Recognition Committee (SRC- Medical) to the Council for policy decision / advice, in its meeting held on 17th May, 2019.

- (i). **Consideration of Foreign Postgraduate Qualification of "Board Certified in the Specialty of Sleep Medicine-1997 from American Board of Sleep Medicine, USA" in respect of Dr. Maqbool Arshad PM&DC Regn. No. 1911-P.**

The Council considered the matter regarding foreign Postgraduate Qualification of "Board Certified in the Specialty of Sleep Medicine-1997 from American Board of Sleep Medicine, USA" in respect of Dr. Maqbool Arshad PM&DC Regn. No. 1911-P. The Council perused the recommendations of Standing Recognition Committee (Medical) of its meeting held on 17th May, 2019 and held detailed deliberation on the

case.

The Council observed that the said specialty exists in Aga Khan University and in Shifa International Islamabad. It was pointed out that it's a two-year



fellowship in US, undertaken usually as a second, or even a third fellowship. Holders of this fellowship are mostly related to the field of Anesthesia or Pulmonology and Critical Care. It was however observed that the requisite blue proforma is not received so as to determine its duration and relevance.

The Council also considered the fact that the applicant doctor was called for personal hearing before the Standing Recognition Committee but he did not appear.

The Council decided that since verification of the applicant doctor on the requisite blue proforma has not been received therefore the case will be considered by the Standing Recognition Committee for consideration after receipt of verification.

(ii) **Consideration of Qualification of (i) "Doctor of Medicine in Internal Medicine-2017 and (ii) "Master of Internal Medicine-2013 from Jilin University, China" in respect of Dr. Muhammad Tayyab Hamid Malik PM&DC Regn. No. 79008-P.**

The Council considered the matter regarding qualification of (i) "Doctor of Medicine in Internal Medicine-2017 and (ii) "Master of Internal Medicine-2013 from Jilin University, China" in respect of Dr. Muhammad Tayyab Hamid Malik PM&DC Regn. No. 79008-P. The Council perused the recommendations of Standing Recognition Committee (Medical) of its meeting held on 17th May, 2019.

The Council deliberated keeping in view the verification received from the originator. It was observed that PM&DC does not register Masters/ PhDs in Clinical disciplines. Maj. Gen Saleem apprised the Council that similar cases have been granted exemption to appear in a CPSP Examination keeping in view that applicants have undergone some clinical training.

Keeping in view that the PM&DC regulations do not allow registration of Masters/ PhD degrees in the clinical specialties but relief on account of training can be given to the applicant the Council decided that the applicant will be asked to appear in Intermediate Module Examination of FCPS and then complete two (2) years training to appear in FCPS Part II Examination. To appear in FCPS Part II Examination the applicant shall fulfil all codal formalities/ requirements for the FCPS Examination and be successful in the exam to be registered with PMDC. However, if his research is in relevant subject it will be considered as dissertation.



(iii). **Consideration of Foreign Postgraduate Qualification of "Master of Public Health-2018 from Mahidol University, Thailand" in respect of Dr. Jawad Ahmed Khan PM&DC Regn. No. 5179-B.**

The Council was informed that Dr. Jawad Ahmad Khan PM&DC Regn. No.5179-B has applied for recognition/registration of Foreign Postgraduate Qualification of "Master of Public Health-2018 from Mahidol University, Thailand". His degree verification from the originator has been received. The duration of course is 01 year. The Council perused the recommendations of Standing Recognition Committee (Medical) of its meeting held on 17th May, 2019 and held detailed deliberation on the case.

The Council was apprised that as per verification received from the originator, the duration of course is one (01) year. The Council decided that the qualification be allowed for registration as equivalent to level-II a (non-teaching) as per PM&DC faculty appointment and teaching regulations.

ITEM 08: DRUGS WRITTEN IN GENERIC FORM:

The Council considered the agenda point raised by hon. member Prof. Dr. Kartar Dawani regarding teaching students prescription writing with use of generic names of medicines.

Prof. Dr. Kartar Dawani briefed the house regarding subject matter. He referred to the PM&DC letter circulated to all Medical/Dental Colleges regarding tutoring/educating medical/dental students on prescription writing. He highlighted the utility of generic names of medicines and also pointed out that the use of market names can be exploited by pharmaceutical industry.

He referred to the abstract and conclusion of the article published in Journal of Health Management regarding use of Generic Medicines; (Challenges and Benefits).

Prof. Dr. Shabir Ahmed Lehri concerned that if market names would not be used by the doctors, they will be instead used by pharmacists in medical stores. He further stated that the prerogative being of Drug Regulatory Authority requires to be taken up by the Government with the Drug Regulatory Authority, especially with regards to pricing and profit on manufacturing of drugs.

Prof. Dr. Saeed Hamid clarified that the debate was held on use of chemical names rather than writing Generic name. He highlighted the issue being about inculcating the habits into students where they use chemical names rather than a



particular brand name of a particular drug, which we study in the subject of Pharmacology.

Prof. Dr. Kartar stressed that the desired outcomes can be achieved if an effort in the right direction is initiated by the Council.

In view of points highlighted by members it was agreed that the issue under consideration is beyond the ambit of the PM&DC; the students should however be taught Chemical names rather Brand names in Medical/ Dental Colleges.

On a query raised by Prof. Dr. Muslim the Council agreed to include in the Code/Conduct of Ethics (Regulations) the penalty for exploitation/abuse of drugs in relation to pharmaceutical companies and desired that the Medical Education Committee may suitably amend the regulations.

ITEM 09: W.P.NO.2017/2018 TITLED MUHAMMAD ILYAS VS PM&DC ETC IN THE ISLAMABAD HIGH COURT, ISLAMABAD:

The Council was informed of writ petition No. 2017/2018 Titled M. Ilyas and Others vs PM&DC filed in the Islamabad High Court Islamabad. The Honorable Islamabad High Court Islamabad had disposed of the same vide order dated 6th May 2019 directing that the petitioners be given personal hearing by PM&DC and this exercise be completed within a period of two months.

The Acting President, allowed 3 representatives to appear before the Council. Detailed personal hearing/ representation was given to them.

The petitioners stated that the Govt. of Punjab took this initiative of offering Medical Assistant Course (3 years diploma course after FSc/ HSSC) in 1975 to establish Basic Health units (BHUs) in order to provide medical cover to the rural area population. That as per policy laid down at that time these were to be placed as In-charge of BHUs. That in 1979 they were given Medical Assistant Cadre and were appointed in Basic Health Units (BHU's) as in charge. They further referred to the terms and conditions issued by Government of Punjab in form of a notification stating that they will be in charge of BHU, consultative private practice was allowed after duty hours. They were allowed to issue a certificate of illness, to give narcotic drugs/ Anti Biotics and refer the patient. They further stated that they continued the practice for 35 years and retired from the service at the age of 60. Their BPS was 16 which was subsequently upgraded to 17. Later on, Medical Officers were placed as In charge BHU



On a query regarding cancellation of this permission they informed that theirs was the first and last batch. It was observed that it was a dying cadre. Out of 500 now only 200 Medical Assistants are remaining and many of them are now retired.

The petitioners submitted that while in service they were allowed for private practice and after retirement they were not; the same amounts to discrimination.

With regards to representation in court it was clarified that petitioners are only seventeen but the matter concerns approx. 200 Medical Assistants representing the whole cadre.

They further stated that the Diploma was granted by the Punjab Medical Faculty, Lahore based on FSC/HSSC in comparison to LSMF which was issued on the basis of Matriculation. Further adding to their plea, they stated that at the time they were promoted to BPS 17, their nomenclature was changed to Deputy Medical Officer however LSMF holders were designated as Assistant Medical Officers.

They requested the Council for permission to continue private practice in lieu of their 35 years' service in rural areas.

The Council observed that the holder of a Medical Assistant Course is not registerable under the law, as not being added in any of the schedules of PM&DC Ordinance hence the request of petitioners cannot be entertained. Council registers qualifications of basic and higher level in the field of Medicine and Dentistry that are recognized and registerable under the law as being part of the respective schedule and hence allowing registration and use of title/ abbreviation of Doctor to holders of unrecognized qualification will construe to be a violation of law. However, the holders of these diplomas may continue to provide specific services under a structure permitted by the Government of Punjab subject to such services not in any way being services which only a licensed medical practitioner can provide. Any attempt to provide services which require a pre-condition of grant of license by the PM&DC would be an illegal act and the person providing such services would expose themselves to penal consequences under the 2019 Ordinance.

The Council directed Chief legal Officer to inform the Honourable Court of the decision of the Council and the reasons for the same.



ITEM 10: VISIT OF WFME ASSESSMENT TEAM FOR RECOGNITION OF PM&DC:

President, Prof. Dr. Aamer Zaman Khan apprised the house of finalized date of WFME team. He informed that the Council in its 195th Session held on 18th May, 2019 decided that the inspection will be carried out in the week commencing from 12th August, 2019. Since Eid-vacations were due from 11th -13th August 2019 therefore WFME was requested to reschedule the visit. The dates now settled for the visit are 5th of August, 2019. The Council perused the correspondence made between the WFME and the PM&DC in this regard.

The President informed the Council of the two main activities of the team i-e observing an assessment being done by the PM&DC and the decision made on the basis of that assessment. Any institution from amongst the short-listed ones, that is part of routine inspections planned for the month of August may be considered for WFME site visit. The Council agreed to constitute a task force to oversee the management of visit and for smooth execution of the activities. Following members were entrusted with the responsibility:

1. Maj. Gen. Saleem Ahmed Khan
2. Prof. Dr. Shabir Ahmed Lehri

The following staff of PM&DC will arrange logistics like boarding, lodging and catering etc.

1. Dr. Shaista Zeeshan (Focal Person)
2. Dr. Iqbal Khattak
3. Dr. Azhar Ali Shah
4. Dr. Sitara Hassan

The Council desired that details of members be shared with the Task Force. It was directed that details like name, passport, visa of members of WFME be shared with Maj. Gen. Saleem Ahmed, Principal, Army Medical College, Rawalpindi for clearance.

ITEM 11: INCLUSION OF MATTERS OF AJK MEDICAL COLLEGES IN UPCOMING MEETING OF PM&DC (14-06-2019):

The Council perused the letter received from Principal / Chairman Joint Admission Committee, AJK Medical College, Muzaffarabad, wherein they requested



representation before the Council to present opinions of Principals of 03 Public Sector Medical College of Azad Jammu & Kashmir (AJ&K Medical College Muzaffarabad, Mohtarma Be'Nazir Bhutto Shaheed Medical College Mirpur and Poonch Medical College Rawalakot). President informed that a decision has already been made by the Council in this regard and conveyed to the relevant forums. Mr. Ali Raza clarified that the PM&DC is not the authority to decide the Admitting University for the AJK and it is the prerogative of the Government of AJK and Government of AJK has been given clarity on the regulations.

Principal of AJ&K Medical College Muzaffarabad, Mohtarma Be'Nazir Bhutto Shaheed Medical College Mirpur and Poonch Medical College Rawalakot appeared before the Council.

They informed that since 2012 MD-CAT for the region of AJ&K is being conducted by the UHS. Further a Joint Admission Committee for the AJ&K is notified by the AJ&K Government. Finalization of the last admissions was allowed by the court, since MDCAT was already undertaken by the UHS when NUMS was announced as the Admitting University for the AJ&K. Keeping in view the peculiar circumstances of the AJ&K, the 11 units of AJ&K comprising of refugees, nominees from Indian held Kashmir, reciprocal and special seats and that the admissions on these seats is a complicated/ cumbersome exercise which is prone to litigation, the Council is requested to either allow UHS to be their Admitting University or the Joint Admission Committee be declared as the authority to conduct MD-CAT. It was further informed by them that the seats for the AJ&K are reserved in many Colleges all over Pakistan.

It was clarified that as per Admission Regulations 2018 the power to notify an Admitting University rests with the Government of AJ&K and each year an Admitting University is to be notified by the AJ&K Government. It was further explained to them that the Government of AJ&K has been asked vide letter No.45-Ad-R/Council-2018/317957 dated 12th June, 2019 to notify any university in AJ&K or any university in Pakistan, subject to the university in Pakistan agreeing to act as an agent of the AJ&K Government obtaining the necessary NOC from its respective controlling government authority, to act as the Admitting University for AJ&K. Their plea to allow them for conduct of their entry test with the UHS, Lahore is not the prerogative of PM&DC and even otherwise the issue being in the domain of the AJ&K Government, it has to be



raised by the AJ&K Government directly with PM&DC if they require any clarity or clarification on the PM&DC regulations.

ITEM 12: DRAFT OF ADVERTISEMENT FOR HEAD OF VARIOUS DEPARTMENTS OF PM&DC RECEIVED FROM PROF. DR. SULMAN JAFFAR, MEMBER OF COUNCIL

Dr. Umer Farooq presented the draft advertisement for the posts of Heads of various departments and informed the Council that the same has been approved by the President PM&DC. The Council had a detailed deliberation on it. Most of the members were of the view that the advertisement should be done after deciding about the current staff. As PM&DC is already over staffed and adding more staff at this stage will not do any good to the organization. Dr. Saeed Hamid and Dr. Kartar opined that we should move slowly with new recruitments and there is no sense in filling in the seats until an employee shows an unsatisfactory performance and there is a valid reason for removal. The Council was informed that the HR Committee has done the Performance evaluation of most of the employees and this is an objective tool to decide the future of the employees. It was decided that those employees who have shown exceptional performance and which is duly reflected in their Evaluation Performa should be rewarded as recognition of their hard work to promote the healthy culture of competition. HR Committee shall look into different options in this regard. The Council was informed that the HR committee would deliberate and finalize the service rules as soon as they get the response on the draft sent to Law and Regulatory Committee couple of weeks back . The status of the employees can only be ascertained after the rules are finalized and approved.

Some of the council raised their objection on the HR committee for doing the frequent transfers/postings as well as suspending the employees. At this point Dr. Umer and Dr. Sulman informed the council that the HR committee is not involved in any such transfers/postings, suspensions or terminations and they were done without any knowledge of the committee. At this point the council members reiterated that the approved TORs of the HR committee clearly states that any such actions should be routed through the HR Committee. The Council members further resolved that no such activity related to Human Resource be initiated without involving the HR Committee.

Prof. Dr. Kartar Dawani opined that if rules clearly says that: all transfers and postings are to be done through HR committee and HR committee confirms that so



far they have not been consented, then it is violations of SOPs. Responsibility shall be fixed.

Mr. Muhammad Ali Raza stated that in terms of comments of Prof. Dr. Kartar Dawani regarding postings he should be aware that the postings to his information have been done by the President as the competent authority under the existing Service Rules hence, there is no violation or requirement to fix responsibility. The Council appears to have simply taken the view that all future postings notwithstanding the service rules be referred to the HR for comments first.

ANY OTER ITEM

ITEM 1: INSPECTION REPORT OF FRONTIER MEDICAL COLLEGE, ABBOTTABAD AND PAK RED CRESCENT MEDICAL COLLEGE, LAHORE.

Mr. Muhammad Ali Raza apprised the Council that the inspections of Frontier Medical College, Abbottabad & Pak Red Crescent Medical College, Lahore were conducted on court orders, the Council may consider the inspection reports so that the court may be apprised. Acting President, PM&DC opened the sealed inspection reports and the Council deliberated and decided as under:

A: COMPREHENSIVE INSPECTION OF FRONTIER MEDICAL COLLEGE, ABBOTTABAD:

The inspection of Frontier Medical College, Abbottabad was conducted on 10th June, 2019 as per orders/directions of Islamabad High Court, Islamabad in W.P. No.233/2019 dated 7th May, 2019. The inspection was carried out on 2012 proforma.

The recommendations of the inspection team and remarks of convener were perused. The college scored 816 / 1000 marks.

On a point raised by Prof. Dr. Umar Farooq regarding expired contracts of faculty of attached teaching hospital (King Abdullah Hospital/ DHQ Manshera) the Council decided to seek clarification from the College Administration and Health Department.

On receipt of clarification the inspection report along with response from the College Administration and Health Department will be placed before the Council.



Meanwhile the court will be informed the decision of Council is pending until queries sought are answered and will be communicated to the court in due course of time.

B: COMPREHENSIVE INSPECTION OF PAK RED CRESCENT MEDICAL COLLEGE, LAHORE:

The Council was informed that the inspection of Pak Red Crescent Medical College, Lahore was conducted on 11th June, 2019 in compliance of order dated 27-05-2019 passed by the Honorable Lahore High Court, Lahore in W.P. No.32085/2019. The Council was further informed that in an earlier round of litigation, the Honorable Court had provisionally allowed the College admissions for the academic year 2018-19.

The Council perused the Inspection Report whereby College had scored 589.75/1000 marks, therefore falling in category Z1, which is not approved for continuation of recognition.

The Council observed that earlier the College was inspected on 1st March 2018 whereby the College had scored 444.4/1000 marks. The College is till date miserably non-compliant of PM&DC Regulations and criteria and is therefore liable for closure under section 23 of PM&DC Ordinance. The Council after due deliberation approved the Inspection Report and keeping in view of observations of the Inspection team and scoring parameters unanimously decided issuance of show cause and granting of personal hearing in terms of section 23(2), under which the College may submit its explanation to the Council and may request for a hearing if it so desires and if it fails to satisfy the Council it shall be proceeded for closure under Section 23 of PM&DC Ordinance, 2019 subject to a scheme to be approved by the Council.

The Council further decided that as part of adjustment process, students of 1st year of Pak Red Crescent Medical College will be adjusted in Colleges with existing vacancies in order to not overburden colleges with students over and above the allocated strengths. Therefore, in principle it was decided that as part of adjustment process in respect of 1st year students first preference shall be given to colleges where there exist vacancies in 1st year. For remaining students, the adjustment process shall be as per previous policy of alphabetical adjustment of students.

The college authorities shall be called for personal hearing at the next Council meeting to be held on 1st July, 2019. Meanwhile, the certified lists of students be obtained from the UHS to finalize the adjustment plan.



The Council directed that the counsel appearing on behalf of PM&DC be apprised accordingly to inform the Honorable Lahore High Court, Lahore. Needful be done by the Section without awaiting confirmation of minutes.

ITEM 02: MINUTES OF THE FINANCE AND AUDIT COMMITTEE MEETING OF PM&DC HELD ON 29TH MAY, 2019 AT PM&DC, HEAD OFFICE ISLAMABAD:

The Council considered the minutes of Finance and Audit Committee of PM&DC held on 29th May, 2019 at PM&DC Head Office Islamabad. Prof. Dr. Syed Shoaib H. Shah, Chairman, Finance & Audit Committee briefed the Council regarding minutes of Finance and Audit Committee meeting.

Members deliberated on the recommendations made by the Committee the recommendations at Sr.1 & 2 of item No.1 of minutes (Remuneration, TA/DA for Council members) and unanimously approved the same. Regarding recommendation at Sr. 3, in view of austerity drive initiated by the Government, the Council decided that word "five-star hotel" be replaced with "reasonable accommodation upto the level of a four star hotel". Regarding payment of daily allowance/ honorarium to members attending meetings of Council and other committees, the same was referred to Finance and Audit Committee for a review/ reconsideration in the light of previous practice.

Regarding item No.2. (Pre-qualification of External Auditor), Mr. Shakeel, Treasurer PM&DC apprised the house that the Purchase Committee has analyzed and prepared a comparative statement which will be finalized by the Finance and Audit Committee.

Prof. Kartar Dawani submitted that Prof. Dr. Syed Shoaib Hussain Shah's presentation he raised issue of inspection Fees. He remarked. "One Principal visited him and informed that last year he has paid 3.8 millions in the head of inspection fee to PM&DC. Now again PM&DC is demanding 0.75m in the same head." And he further said: there shall be a clear policy of PM&DC that inspection fee shall be collected once every three or 5 years. Frequently charges will be huge burden on colleges and he in Public sector cannot afford it. These need to be added.

Mr. Muhammad Ali Raza with to inspection fee, it was clarified that the PM&DC has the right to inspect a licensee at any time. The PM&DC does not change licensing or affiliation fee, as is otherwise paid by colleges to the universities, otherwise the inspection cost would be covered by such affiliation / regulatory fee which is why its



charged separately. Furthermore, with the clarity in the amended regulations as to when a college would be inspected based on its prior evaluation result in the future this fact stands determined and all colleges have clarity on this now. The only exception being an inspection directed by the Council midstream in the event of a complaint or for reasons which come to the council's notice. I hope this clarifies the issue.

Regarding item No.3 (Approval of budget for FY 2019-20) Mr. Shakeel, Treasurer briefed that the estimates of budget were presented in the last meeting of Council, however keeping in view the revised demand regarding expenditure on future inspections, received from Chairman Evaluation Committee, bifurcation of expenditure on account of inspection related and non-inspections related cost was done. The same has now been reconsidered and approved by the Finance and Audit Committee. He further briefed that in the existing allocation of budget the head "Computer Equipment for MIS Development" does not include the cost of IT equipment which will be incorporated after consultation with MIS/IT Committee.

In view of above discussion, the Council approved the recommendations of Finance and Audit Committee.

ITEM 03: ELIGIBILITY CRITERIA AGAINST THE FOREIGN QUOTA SEAT AND DECISION REGARDING APPOINTMENT PROMOTION CRITERIA OF NON-MEDICAL DOCTORS INCLUDING DOCTOR OF VETERINARY MEDICINE:

A: Maj. Gen. Saleem Ahmad, Principal, Army Medical College, Rawalpindi inquired about the eligibility criteria against the foreign quota seats, it was clarified that same has been incorporated in the MBBS and BDS (Admissions, House Job and Internship) Regulations, 2018 (as amended on 30th May, 2019). It was also clarified that the clause of regarding province of domicile and preferences for public sector medical and dental intuitions in any other province has also been included in these regulations.

B He also pointed out that NUMS has intimated PM&DC that holding of Entry test for admission of MBBS/BDS for Medical/Dental Colleges on same date by all Provincial Medical Universities and Federal Medical University will have some repercussions. The Acting President, clarified that same will be addressed/ discussed in the Admission Board Meeting.

C: Maj. Gen. Saleem Ahmad, Principal, Army Medical College, Rawalpindi inquired about the decision regarding appointment/promotion criteria of Non-Medical doctor i.e. DVM in a medical/dental college. After due deliberation it was decided that



non-medical doctor cannot be appointed in a medical/dental college including Doctor of Veterinary Medical (DVM) doctor. The Non-Medical doctors already appointed in a medical/dental college cannot be promoted including Doctor of Veterinary Medical (DVM) doctor.

ITEM 04: INSPECTION PROFORMA:

Maj. Gen Saleem Ahmed Khan apprised the Council that corrections have been done in the MBBS Proforma and shall be attached as annexure on the website. Dr. Muslim was entrusted with the responsibility of corrections in the Dental Proforma. He apprised the Council that the proforma carried a lot of mistakes and revised Proforma requires to be uploaded as such replacing the old one. The hon. members sought permission from the Council to upload the amendments in the MBBS Proforma and replace the BDS Proforma. The Council allowed the same.

ITEM 05 RESERVATION OF PAMI

President informed that the following representatives of PAMI met with him:

- i. Prof. Dr. Tariq Sohail
- ii. Prof. Dr. Shabbir A. Nasir
- iii. Prof. Dr. Javed Asghar

Following reservations were submitted for consideration of Council:

1. Regarding Evaluation proforma time may kindly be given because the change of infrastructure should not be completed in 9-10 months. It will be completed in 2-3 years so leverage may be given.
2. PM&DC does not allow the adjunct faculty while PM&DC has incorporated the specialities like Pulmonology, Gastroenterology etc. The leverage may be given in some of the specialities.
3. **Tax was** not included in the fee decided by the Supreme Court of Pakistan i.e. Rs. 9,50,000 and by including the same it placed an additional burden on the college whereas the benefit of the tax deducted went to the parent of the student in whose name the tax was deposited.

Maj. Gen. Saleem Ahmad clarified that infrastructure in the revised proforma is almost the same as was in 2012. The faculty requirements are less than that mentioned 2018 proforma or 2012 criteria, except that 4 sub specialities have been included in the proforma. In the revised proforma the processes are identified and the suggestions/ feedback received from PAMI is addressed in the Proforma. It was agreed that PAMI be responded accordingly.



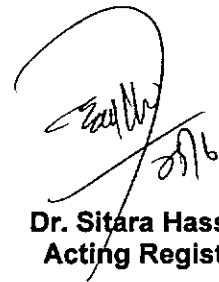
In terms of the tax issue it was pointed out that the necessary amendment has been approved by the Council today and tax has been excluded from the maximum fee component.

As to the issue of time being given it was clarified that as per the policy approved by the Council, the colleges were being not only 8-10 months to comply with the new criteria but they were also being given this period to continue discussions with the Council on addressing any issues such as this. It is not the Council's intention to impose conditions which are radically different to earlier conditions and cant be met in a reasonable time. Therefore, subsequent to the baseline inspections in July 2019 this aspect will be considered and discussed with the colleges once actual data is also available as to how many colleges are deficient in terms of the new requirements and what is a reasonable time to meet such deficiencies and whether the same are critical or non critical to the quality of education.

Announcement:

The next Council meeting will be held on 1st July, 2019.

Meeting ended with mutual vote of thanks.



**Dr. Sitara Hassan
Acting Registrar**