



**MINUTES OF THE FIRST MEETING OF NEWLY CONSTITUTED COUNCIL  
(192<sup>ND</sup> SESSION OF PM&DC) UNDER PM&DC ORDINANCE, 2019 HELD ON  
13<sup>TH</sup> MARCH, 2019 AT PM&DC SECRETARIAT, ISLAMABAD**

With reference to letter No. F.6-12/2015-PM&DC/NHSRC, dated 11<sup>th</sup> March, 2019 received from Ministry of National Health Services, Regulations and Coordination, first meeting of newly constituted Council for the purpose of electing President and Vice President PM&DC (under Section 4 (2) of PM&DC Ordinance 2019) was held on 13<sup>th</sup> March, 2019 at PM&DC Secretariat Islamabad.

Following attended the meeting:

S. #	Name	Clause of sub-section (1) of section 4 of the said Act against which nominated or selected
1.	Prof. Dr. Tariq Iqbal Bhutta	(a)
2.	Prof. Syed Shoaib Hussain Shah	(a)
3.	Mr. Muhammad Ali Raza	(a)
4.	Prof. Aamer Zaman Khan, Punjab	(b)
5.	Prof. Dr. Shehla Baqi, Sindh	(b)
6.	Prof. Dr. Amer Bilal, KPK	(b)
7.	Prof. Dr. Shabir Ahmed Lehri, Balochistan	(b)
8.	Prof. Dr. Khalid Usman, Punjab	(c)
9.	Prof. Dr. Umer Farooq, KPK	(c)
10.	Prof. Dr. Kartar Dawani, Sindh	(c)
11.	Prof. Mirza Khan Tareen, Balochistan	Under (e) to serve as member on rotational basis for first one and half year
12.	Prof. Dr. Saeed Sadiq Hamid	(d)
13.	Prof. Dr. Sulman Jaffar	(d)
14.	Prof. Dr. Muslim Khan, KPK	(e)
15.	Prof. Dr. Zafar Ullah Chaudhry	(f)
16.	Maj. Gen. Prof. Dr. Saleem Ahmed Khan, HI(M)	(g)

17. Dr. Sitara Hassan

Acting Registrar

18. Ms. Sara Rubab Nasir

Chief Legal Officer

Meeting started with recitation of verses from the Holy Quran.



The Council was welcomed by the Acting Registrar and after a round of introduction they were informed of the statutory and first agenda of the meeting being the election of President and Vice President, PM&DC. The Chief Legal Officer (CLO) apprised the house about previous practice of election. It was explained that as per Election Regulations 2015 an election committee alongwith its chairman was to be notified prior to the election and the Election Regulations 2018 prepared by the Adhoc Council, endorsed by the Supreme Court of Pakistan have not been notified. However, the situation has changed under the new Ordinance 2019. She further referred to the letter written to M/o NHR&C regarding advise on this subject and their response stating that the Ministry has no role in the election and requested the house to decide the authority to conduct the election.

Mr. Muhammad Ali Raza explained that both the regulations, made in terms of previous laws, conflict with the current law as they provided for the entire elective process to become member of the Council whereas under the new law it was only the election of President and Vice President to be elected by the Council from amongst its members. He made reference to the repeal and saving provision under Section 49 of the Ordinance 2019 as per which "any existing regulations to the extent that they are in conflict with the provisions of *this Ordinance shall be deemed to have been repealed and shall not be enforced.*" It was agreed that there are no election regulations at present as the previous ones being in conflict are deemed as repealed.

He further referred to the provisions of Ordinance 2019, section 4(2) which states; "After the notification of the members of the Council the Ministry shall forthwith and not later than fifteen days of the issuance of notification, call the first meeting of the newly Council for the purposes of electing the President and Vice-President of the Council. A minimum of eleven members of the Council, shall constitute a quorum for the purposes of the first meeting of the Council or any other meeting wherein an election is to be undertaken" hence the election at the first meeting is mandatory. He further referred to Section 4(3) which defines the eligibility of the candidates; "The President and Vice-President shall be elected from amongst the members of the Council selected under clauses (a), (b), (c) and (d) of sub-section (1)". A further reference was made to Section 5 wherein Mode of election is provided; "An election under sub-section (3) of section 4 shall be conducted by the Council as may be prescribed by the Regulations". Further that, under sub-section (1) of section 42 the Council has been provided the discretion to make regulations for a variety of subjects whereas under sub-section (2) of section 42 which reads as "Notwithstanding anything contained in sub- Minutes of the 192<sup>nd</sup> Session of the Council held on 13-03-2019 at Islamabad



section (1) the Council shall make Regulations which may provide for- (g) election of members of the Council; and". He explained that Section 5 made it clear that it is the Council, which is to conduct the election and decide on its methodology whereas by the use of the word 'may' the applicability of election regulations is relevant where the Council in its discretion has framed such regulations. This is further reinforced by the fact that under sub-section (1) of section 42 the Council has the discretion to make any regulations as and when needed and only under sub-section (2) of the section 42 there are mandatory subject on which regulations are required however, the election of members of the Council as listed under sub-section (g) is not a reference to election of the President and Vice President provided under section 4 and 5 which are specific offices and not a general election of members to the Council therefore, the same does not apply. Hence, a harmonious interpretation of the relevant provisions of the Ordinance 2019 would lead to the conclusion that the Council is empowered to conduct the elections of President and Vice President on the basis of a methodology resolved by the Council. For the record, absence of one of the honourable member was pointed out and it was agreed that quorum is sufficient for further proceedings to be carried out.

It was unanimously decided and resolved that since the election is to be conducted mandatorily at the first meeting and the Council has the power to conduct such elections without first formulating election regulations in order for the Council to conduct election in compliance of Section 5 of the law whereby the members may first nominate themselves or any other member for the office of President and Vice President subject to eligibility under sub-section (3) of section 4 and thereafter, the members shall vote for the nominated candidates by way of a secret ballot.

In furtherance to the above, the Council unanimously resolved to appoint the Acting Registrar as the Chief Election Commissioner to hold the election of President and Vice President.

Procedure for election was initiated by the Chief Election commissioner and nomination papers were distributed amongst the contesting candidates. Nominations were received as under:

Sr. #	Position	Name of Nominee	Name of Proposer
1.	President	Prof Dr Tariq Iqbal Bhutta	Prof. Dr. Amer Bilal
2.	President	Prof. Dr. Syed Shoaib Hussain Shah	Prof. Dr. Shabir A Lehri



3.	Vice President	Prof Dr Aamer Zaman Khan	Prof. Dr. Muslim Khan
4.	Vice President	Prof Shabir A Lehri	Prof. Dr. Syed Shoaib Hussain Shah

Contesting candidates expressed their manifesto before the members.

Formal election process was initiated by the Election Commissioner (Dr. Sitara Hassan). Ballot papers duly signed and stamped were issued. Members casted their vote one after another one through secret balloting. Fair and transparent election process was successfully completed in the presence of all Council members without any objections. Results as under was announced:

Votes casted = 16


President	Votes obtained	Vice President	Votes obtained
Prof. Dr. Tariq Iqbal Bhutta	11	Prof. Dr. Aamer Zaman Khan	10
Prof. Dr. Syed Shoaib H. Shah	05	Prof. Dr. Shabir A Lehri	06

Following were declared as successful by the Election Commissioner.

Sr. No.	Name	Category
1.	Prof. Dr. Tariq Iqbal Bhutta	President
2.	Prof. Dr. Aamer Zaman Khan	Vice President

Election material including remaining ballot paper was sealed. Result declaration was signed. The Council congratulated the office bearers for President and Vice President Notification for onward submission to the Printing Corporation for publication and inclusion part II of Official Extra Ordinary Gazette of Pakistan under Section 4(2) of PM&DC Ordinance, 2019, was directed to be issued.

Newly elected President Prof. Dr. Tariq Iqbal Bhutta chaired later half of the meeting and upon permission by the chair priority agenda was tabled before the members.

  
18/3



Any other items

ITEM 01: CONSTITUTION OF COMMITTEES UNDER SECTION 14 OF PM&DC ORDINANCE, 2019:

In exercise of powers conferred under section 14 of PM&DC Ordinance, 2019 Council formulated following committees for smooth functioning of the Council.

Disciplinary Committee

- |    |                       |          |
|----|-----------------------|----------|
| 1. | Prof. Dr. Amer Bilal  | Chairman |
| 2. | Dr. Shehla Baqi       | Member   |
| 3. | Mr. Muhammad Ali Raza | Member   |
| 4. | Dr. Mirza Khan Tareen | Member   |

Armed Forces Disciplinary Committee

- |   |          |
|---|----------|
| Maj. Gen. Prof. Saleem Ahmed Khan, HI (M)       | Chairman |
| (He can co-opt any members as per requirement.) |          |

Medical Education Committee

- |    |                             |          |
|----|-----------------------------|----------|
| 1. | Prof. Dr. Saeed Sadiq Hamid | Chairman |
| 2. | Dr. Shehla Baqi             | Member   |
| 3. | Prof. Dr. Muslim Khan       | Member   |

Standing Recognition Committee (Medical)

- |    |   |          |
|----|---|----------|
| 1. | Prof. Dr Zafrullah Ch                     | Chairman |
| 2. | Prof. Dr. Umar Farooq                     | Member   |
| 3. | Prof. Dr. Nadeem Samad Sheikh             | Member   |
| 4. | Prof. Dr. Khalid Usman                    | Member   |
| 5. | Maj. Gen. Prof. Saleem Ahmed Khan, HI (M) | Member   |

Standing Recognition Committee (Dental)

- |    |                             |          |
|----|-----------------------------|----------|
| 1. | Prof. Dr Muslim Khan        | Chairman |
| 2. | Prof. Dr. Mirza Khan Tareen | Member   |

Law and Regulatory Committee

- |    |                         |          |
|----|-------------------------|----------|
| 1. | Mr. Muhammad Ali Raza   | Chairman |
| 2. | Prof. Dr. Sulman Jaffar | Member   |
| 3. | Prof. Dr. Kartar Dawani | Member   |



### Evaluation Committee

Under Section 15(3) of PM&DC Ordinance, 2019, Council constituted the Evaluation Committee

- |    |  |          |
|----|--|----------|
| 1. | Prof. Dr. Amer Bilal                           | Chairman |
| 2. | Prof. Dr Khalid Usman                          | Member   |
| 3. | Prof. Dr. Umar Farooq                          | Member   |
| 4. | Maj. Gen. Prof. Dr Saleem Ahmed<br>Khan, HI(M) | Member   |
| 5. | Prof. Dr. Muslim Khan                          | Member   |

It was agreed that the TOR's and proceedings of all committees will be placed before the Council for approval. The committees may co-opt members / subject experts according to the need. It was also agreed that remaining committees as are found necessary shall be formed in the next meeting.

Prof. Dr. Shabir Lehri recorded his note of dissent over formulation of committees and suggested the Council should wait and consider the scope of each committee before deciding who is best suited for respective committees, however majority of members strongly recommended earlier constitution of committees.

The President pointed out that the members were being asked at this time to volunteer for Committees and this was primarily due to the immediately required committees to ensure urgent issues can be catered for while further committees can be formed after further deliberations. He also pointed out that each Committee would have the right to seek the assistance of experts by co-opting any person as required.

Maj. Gen. Prof. Dr Saleem Ahmed also noted that such co-opted persons would be there to assist the Committees but would not carry any voting rights in the Committees decision-making process.

Mr. Muhammad Ali Raza pointed out that the Committees would only act in terms of any powers delegated by the Council and other than any specific decision making powers, which had not yet been delegated, must place their recommendations before the Council for a final decision by the Council. He also suggested that the Law and Regulatory Committee will attempt to formulate the necessary TOR's of the committees formed and as may be further necessary before the next meeting to ensure there is no delay in the working of the Committees.



ITEM 02: EXTENSION IN TIME OF ADMISSION UNDER REGULATION 9(22) OF MBBS AND BDS (ADMISSION, HOUSE JOB AND INTERNSHIP) REGULATIONS, 2018:

The Council was informed that the letter/order dated 25-12-2018 of the PM&DC, "granted one month extension to the admitting universities under regulation 9(22) of MBBS and BDS (Admission, House Job and Internship) regulations, 2018 to complete the admission process for session 2018-19."

The Chief Legal Officer explained that the aforementioned letter dated 25-12-2018 has been impugned through the W.P No. 375/2019 titled "PAMI vs PM&DC" before the Honourable Islamabad High Court and the interim order passed by the Honourable Court directing that all admissions shall be subject to the final decision of the Honourable Court in this matter is being misconstrued and it may result in the admission process being further delayed. This delay, besides violating the spirit of 2012 Regulations, is bound to disturb the whole academic year.

The Council deliberated on the matter at length. It was discussed that the admitting universities were mandated to complete admission process of all medical/dental colleges via central induction by 31<sup>st</sup> December, 2018. Further that in light of 9(22) of Admission Regulations the last date of admission was extended by the Council for a period of one month. That the frequent upgradation of students as per their preference has caused delay by the admitting universities in completion of their admission process. It was agreed in principle that the hardship being faced by students requires immediate redressal as their future and academic calendar is primary importance.

The Council discussed the reasons for the delay in the admissions by the Universities and recognized that this is due to the central induction program being implemented for the first time and hence numerous issues are cropping up as part of the general evolution of a new system and which will be required to be catered for on an urgent basis to ensure these bottlenecks are removed for future admission process next year.

The Council was advised that while NUMS has almost completed its admission process the biggest issue was arising in Baluchistan and also there were issues in Sindh including certain parties had impugned the process in court. The Council agreed that it was of utmost importance that the admissions were completed, as otherwise students would stand to suffer for no fault of theirs. Since it is part of the PM&DC's responsibility to assist the universities in complying with regulatory frameworks specially new ones such as central induction the Council also agreed to a suggestion put



forth by Maj. Gen. Prof. Dr. Saleem Ahmed Khan and supported by Prof. Syed Shoaib Hussain Shah who was dealing with the consequences of ongoing delay in the admissions, that in the event the Universities are unable to complete the placement of students through the central induction process by the final deadline of the Council and under its direct supervision shall require the relevant University to call the relevant students to put forth their relevant options and complete their placement including any up-gradation that may be required for which a detailed process will be finalized at the next meeting of the Council prior to 31<sup>st</sup> March 2019 deadline.

Considering the importance of the subject matter and after having detailed deliberation The Council unanimously decided to fix 31<sup>st</sup> March, 2019 as the final deadline for the admitting universities to complete their admission process for the session 2018-19 as this is also the maximum deadline provided under the relevant Regulations.

It was stressed that the admitting universities are required to comply with the aforementioned decision of Council in true letter and spirit and are obligated to adhere to the deadline for completion of admission process for all medical / dental colleges for the session 2018-19 positively, failing which strict action shall be initiated in accordance with the law. Legal section was directed to file an application for early hearing and to inform hon. Islamabad High Court, on immediate basis and request for the matter to be concluded on an urgent basis so as to ensure there existed no ambiguity on the finalized admissions of the students.

As a future course of action admitting universities be asked to give their input / feedback that so as the problems faced by them are considered and addressed by the Council.

**ITEM 03: RECOGNITION OF PAKISTAN MEDICAL & DENTAL COUNCIL (PM&DC) WITH WORLD FEDERATION OF MEDICAL EDUCATION (WFME):**

The Council was apprised that an application for accreditation of PM&DC with the World Federation of Medical Education (WFME) has been submitted to the WFME along with initial application fee. It was informed that visit by the WFME assessment team was due on 17<sup>th</sup> March, 2019, which was unfortunately postponed in consultation with Secretary Health Ministry of NHR&C until constitution of Council as per law.

Upon on query raised by a member it was briefed that the WFME team will observe the process of inspection of a college conducted by the assessment /





inspection team of PM&DC and the process of making an accreditation decision by the Council on the basis of assessment.

The Council entrusted Prof. Dr. Aamer Zaman Khan, Vice President PM&DC with the responsibility to supervise the matter of WFME recognition by way of forming a committee for such purpose to be headed by him. However Council directed the Acting Registrar to share all the information/ correspondence/ earlier interaction with WFME with all members.

It was decided that once after consultation with the Vice President next schedule/ date of visit to WFME team be given.

**ITEM 04: SCHEDULE OF NEB EXAMINATIONS FOR THE YEAR OF 2019:**

The house was informed that an MOU has been signed between PM&DC and NUMS for conduct of National Examination Board (NEB) examination as per terms specified in the MOU. Since considerable delay had already occurred the Council allowed NEB section of PM&DC to continue the process of examination as per MOU. The dates of examination may however be negotiated with NUMS.

**ITEM 05: REQUEST FOR SEAT ALLOCATION FOR BALUCHISTAN AND FATA STUDENTS SELECTED BY HEC OVER AND ABOVE AND ADDITIONAL BASIS IN ALL PUBLIC SECTOR MEDICAL & DENTAL COLLEGES OF PAKISTAN:**

The Council was apprised that in compliance of the order of Honorable Supreme Court vide Human Right Case No. 12850-B/2018, students of Baluchistan and Fata selected by HEC were adjusted in public sector medical colleges over and above the allowed strength for the session 2017-18.

The Council considered the request of HEC made vide letter No.1-1/Adv/HRD/HEC/342, dated 8<sup>th</sup> February, 2019 to allocate 04 seats in each public sector medical and dental college across Pakistan for students of Baluchistan and FATA for the academic year 2018-19 and the same for next two academic years and deliberated over the matter at length.

The house was informed that the same matter has been taken up in Senate and National Assembly Standing Committees. Upon query regarding their entry criteria, it was informed that the HEC has already selected these students and unlike rest of the students from all over Pakistan, these students do not appear in the regular MCAT.

After detailed discussion and considering that although there is dire need to enable citizens of Pakistan from challenged and less privileged areas to achieve



quality medical education to ensure service for less privileged rural committees it needs to be also balanced with the issue of merit and entrance examinations approved by PM&DC, the Council unanimously decided to approve the request of the HEC for session 2018-2019 only, as one time dispensation, with the direction to inform the admitting authorities to complete these admissions on immediate basis. However, as a future course of action a meeting will be set up with HEC representatives to discuss the Council's concerns in order for the formulation of a comprehensive policy for subsequent years and a committee will be formed for the same.

The Council directed that all concerned including Standing Committees and respective health departments be informed accordingly.

**ITEM 06: PLACEMENT OF AFGHAN STUDENTS IN PUBLIC SECTOR MEDICAL / DENTAL COLLEGES UNDER THE PROJECT TITLED "AWARD OF SCHOLARSHIPS TO 3000 AFGHAN STUDENTS (PRIME MINISTER DIRECTIVES)" AND ALLOCATION OF MEDICAL SEATS FOR SCHOLARSHIP FOR LEAST DEVELOPED COUNTRIES OF OIC:**

The Council was apprised regarding subject matter and was informed that pursuant to a directive of the Prime Minister in letter No. IPC's U.O.No..10-8/2012-FS-II, dated 16<sup>th</sup> October, 2012, permission to accommodate Afghan students (125 students each year) for a period of 3 years i.e. 2018-2019, 2019-2020, 2020-2021 over and above the fixed seats had been sought from the PM&DC and such permission was granted by the PM&DC for the previous year whereas now Higher Education Commission (HEC) vide its letter No. 8129/HEC/HRD/AFG/2019 dated 22th January, 2019 has requested for exemption of SAT-II as previously granted by the Council for these Afghan students being granted scholarships by the Government of Pakistan.

Mr. Muhammad Ali Raza pointed out that these Afghan Nationals had filed a petition in Islamabad High Court vide W.P. 2710/2018 titled Mansoor & Others vs HEC to seek exemption of NEB examination to practice/work in Pakistan. He pointed out that this was a serious issue because if the Afghan students being accommodated on these special terms have somehow been misled to believe that they have acquired a right to be granted licenses to practice in Pakistan by PM&DC then this needs to be immediately rectified and resolved. He further pointed out that while the grant of scholarships was the prerogative of the Government of Pakistan, the PM&DC being an autonomous regulator could not be directed to increase the already fixed maximum seats or accommodate without proper admission examination and for this the Council must first apply its independent mind to the multiple issues involved whereafter it would be proper for the Council to issue an advice to the Government of Pakistan under its advisory role

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as to the reasonable and acceptable terms for grant of such proposed concessions to any category of foreign students as the Council must ensure and protect the interests of not only Pakistani students but also the merit, transparency and sanctity of its processes.

After having deliberated the issue and considering that over and above seats are already allowed by the Council for these Afghan Nationals, request of HEC regarding exemption of SAT II only for this year 2018-2019 was unanimously approved subject to the HEC being required to acquire a written undertaking, to be provided to PM&DC, from these Afghan students that they shall not demand from PM&DC issuance of a license to practice in Pakistan after completion of their degree.

It was unanimously agreed that as the request had been acceded to only for admissions in the current academic year, pursuant to the advice to be issued on this subject by the Council to the HEC and the Federal Government, a meeting may be set up with HEC and Federal Government representatives to discuss a way forward for subsequent years.

**Other Items with the Permission of Chair:**

**ITEM 07: PREPARATION AND CIRCULATION OF MINUTES OF COUNCIL MEETINGS:**

The Council directed the Acting Registrar that the Minutes of the Council meeting must be protected in the form of video / audio and the minutes of the meeting of the Council should be prepared within 48 hours to be circulated to all members through email. Members of Council will send their observation within 48 hours. The finalized minutes will be placed before the President for provisional approval and shall be immediately thereafter, uploaded on official website. The minutes shall be in addition in the usual course be placed before the next meeting of the Council for formal approval.

The Council also recommended that arrangements be made to ensure that minutes were prepared in real time from the next meeting onwards to save time in finalizing the same and with the purpose of ensuring that decisions of the Council are available for the public on an immediate basis rather than any delays in communicating the same.

**ITEM 08: TRANSPARENCY AND RESPONSE TIME BY THE PM&DC:**

Mr. Muhammad Ali Raza suggested that pursuant to the best practices in terms of transparency and governance the PM&DC should follow a practice of placing detailed minutes of the Council meetings, all decisions and directives of the Council and even quarterly accounts and major procurements etc. on its web site. He further



suggested that one of the standing complaints is the delay in response whether it be communications and decisions or completion of regulatory processes like issuance of licenses etc. and therefore, the Council must seek to focus on improving its response time as an institution.

It was also pointed out by Prof. Dr. Amer Bilal that there was a dire need to install proper IT MIS systems to ensure efficiency in operations and responses, which were currently lacking.

The Council upon discussion decided that the Council shall follow the principles of transparency specially in terms of disclosure of its minutes of all meetings, decisions, policies, directives, accounts etc. It was further agreed that systems be put in place to regulate the response time on all fronts.

### ANNOUNCEMENTS

(A) The President informed the Council that the President, College of Physicians & Surgeons Pakistan (CPSP) announced that all pending court cases against PM&DC shall be immediately withdrawn by the CPSP. The Council appreciated the good will gesture and thanked the CPSP for the same and assured that the PM&DC will work with all governments and organizations including CPSP in the future to achieve the much-desired improvement in the medical sector of Pakistan for the benefit of all stakeholders.

(B) The President requested the Council that in view of the many urgent matters which had to be dealt with and the heavy responsibility on the Council to deliver its mandate it was necessary to have more frequent meetings in the immediate future. Prof. Dr. Shabir Ahmed Lehri noted that the members of the Council must give their time and effort on priority basis not only to committees but also should be prepared to commit extensive time to Council Meetings irrespective of the disruption in their professional and personal lives and distances to be traveled if the Council wants to deliver on its expectations. The members unanimously agreed.

It was decided that the next meeting of the Council shall be held on 25<sup>th</sup> March 2019 (Monday) at 11.00am.

Meeting came to an end with a vote of thanks to the Chair.

Dr. Sitara Hassan  
Acting Registrar