

Case against medical colleges' affiliation with UHS

PU cancelled affiliations on governor's orders

By Our Correspondent

PUNJAB University informed the Lahore High Court that vice-chancellor cancelled the affiliation of medical colleges as per orders of Punjab governor who was directed by President Pervez Musharraf.

"The decision was taken by the VC on March 15 and sent this matter to syndicate who will give their final decision and may strike down the orders of the VC," Dr Basit, counsel of Punjab University, told the full bench of Lahore High Court on petitions of medical colleges students who challenged their affiliation with University of Health Sciences.

Arguing before the court, Dr Basit said he adopted various arguments of amicus-curiae. On question of the court whether governor ordered to disaffiliate the medical colleges, Dr Basit replied that the vice-chancellor was not bound to accept the orders of the governor who is also chancellor of the university, however it is not mostly implemented. He further submitted that they had no objection to establishment of UHS, and Section 37 did not bar anyone including the PU from having affiliation of medical colleges. He said some departments including Pharmacy, DNA Lab, Chemistry, Biochemistry and others have to be closed by PU if PU was barred from establishing their medical faculty or having affiliation of medical colleges. "King Edward Medical College is part of PU and Demont College is dental faculty of KEMC," he added.

He contended that these matters were presented before the president who gave directions to the governor in this regard. "However, the order of the presi-

dent of the country is subject to judicial review," he added. He submitted that President of Pakistan ordered to cancel the affiliation of medical colleges and in future, PU shall not affiliate other medical institutes. "After these orders we 'divorced' medical colleges against their consent. We are well-wisher of UHS and want them to produce their own MBBS graduates," he maintained.

He contended that UHS ordinance was drafted by clerks and the minds of legislators were not utilized. The Punjab cabinet also recommended to refer the ordinance before the assembly but it could not be done due to unknown reasons, he submitted. He said PU gave examinations for MBBS students only because name of PU was recognized all over the world.

Dr Basit negated the allegations about flaws in examination and tampered answer sheets. He submitted that four years ago, PU took disciplinary action against examinations controller on charges of tampering answer sheets. PU removed the said controller but he was appointed by UHS on the same post, he said.

UHS council Najam-ul-Hasan Kazmi said the controller was interrogated by NAB that exonerated him from these charges. Further, he is no more on the post after May 9, he added.

About UHS facilities, Dr Basit submitted that they still could not give examinations, therefore UHS asked the PU to give examination this year. "PU refused on which they obtained the same order from its chancellor Khalid Maqbool," he added.

The other UHS counsel Hafeez Pirzada submitted that everything was not as much bad

as portrayed. He said dispute of students was that they did not want the degree of UHS. They would be graduated of their respective institution while name of any university was merely a formality, he submitted adding the formation of UHS or promulgation of this ordinance was not against the constitution.

When the bench directed Pirzada to argue whether the UHS degree would be recognized in other countries or not, Pirzada submitted that Pakistan was a poor country and could not afford if their medical graduates went abroad. The state spends millions of rupees for making them doctors so that they may render their services for the country, he said. They should give priorities to Pakistan and go to villages where the poor had health problems, Pirzada added.

On question of Justice Tasadduq Jilani if the students could be stopped in the name of patriotism, Pirzada submitted that they could go on scholarships, but if State had spent money on them, then they should not go. He submitted that UHS wanted to share the burden of PU as PU was creating every thing but specializing in none.

UHS Counsel Najamul Hasan Kazmi submitted that World Health Organization had asked them to proceed, while saying that they recognized the UHS.

Basit submitted that the question was not of recognition of the university but recognition of MBBS degree, and this could not be checked until their graduates approached foreign countries.

He concluded his arguments, but the court adjourned the hearing for next day while arguments of Hafeez Pirzada were in progress.