

**IN THE SUPREME COURT OF PAKISTAN**  
(ORIGINAL JURISDICTION)

**PRESENT:**

Mr. Justice Ejaz Afzal Khan.  
Mr. Justice Tariq Parvez.

**H. R. C. NO. 14158-G OF 2016 AND H.R.M.A. NO. 16 OF 2016 AND H.R.M.A. NO. 17 OF 2016 AND H.R.M.A. NO. 21 OF 2016.**

(Alleged gross corruption in supply of Oxygen. Nitrogen gas and theft of medicine from hospital).

In attendance :                      Dr. M. Arshad.  
   Dr. Sartaj Ali.  
   Dr. Aftab Ali Malik.  
   Syed Zulfiqar Abbas Naqvi, ASC.  
   Dr. Iftikhar Naru.  
   Syed Nayyab Gardezi, Standing Counsel.  
   Dr. Waqar.  
   Aysha Farooq, J.S. CADD (Health)  
   Farhan Sikandar, S.O. CADD.

Date of hearing:                      28.07.2016

**ORDER**

The concern raising factor in this case, at the time of taking suo motu action was the price of oxygen cylinder which according to the person filing complaint was procured in the Poly Clinic for a sum of Rs.22,000/- in spite of the fact that it was available in PIMS for an amount of Rs.7500/- and in private hospitals for an amount of Rs.3000/- but CMAs submitted by the senior doctors and citizens disclosed many revealing facts about the state of hospitals, pharmacies and the mode and manner of giving treatment to the ailing humanity. A great deal of facts has been brought to light but there are many things which need to be highlighted with details and the data from all the concerned quarters. It is by now extensively known that each District Headquarters Hospital in the country is equipped with latest machines and laboratories but unfortunately almost all of them are out of order. Result is that every ailing poor man has to pay in thousand to the laboratory outside the hospital even for diagnosis and detection of the disease he is suffering from. We in the first instance would direct the law officer appearing on behalf of Federation to provide us the

data about the price of oxygen cylinder from 2013 upto date and its varying prices in Polyclinic, PIMS and private hospitals. How so gross and glaring irregularities escaped the piercing eyes of audit and other establishments set up for their prevention and punishment? Would health be a privilege for the rich and a cry for the moon for the poor in the Islamic Republic of Pakistan when every passing day takes the means of treatment of even an ordinary fever beyond his reach? Would the hospitals despite being in public sector continue to be managed by the vested interest for adding to the riches of those who are already filthy rich; who would take stock of such state of thing and make effort to bring it to an end and who would tweak ears of those who despite doing odious and obnoxious things enjoy immunity and impunity. Task is of Himalayan proportion but someone has to do it before the poor perishes once and for all.

2. How are the life saving drugs dealt with and how are the pharmacies in the hospitals managed are some of the important aspects to be attended and inquired into. We would, thus, direct the law officer to collect data in this behalf of the hospitals at least in the capital and submit a detailed report before the next date of hearing. Dr. Muhammad Arshad, the mover of CMA. No. 16/2016 is also directed to provide the necessary details in the matter which is being pored over by this Court. Dr. Waqar is also eager to provide data in this behalf. He too is directed to submit a CMA setting out all the irregularities he happens to be posted with. CMA. No. 17 of 2016 may further be vouched and documented to lay bare the necessary details. We also direct the Advocates General of the Provinces to collect details from the Chief Executives of the hospitals as to the state of laboratories and the other equipments installed therein to show whether they are in functioning order or otherwise. The needful be done within two weeks. **Relist on 12.08.2016.**

Judge

Judge