

Immediate
By TCS

No.F.4-59/2016-DRAP/NHS,R&C
Government of Pakistan
Ministry of National Health Services, Regulations & Coordination
LG&RD Complex, Sector G-5/2, Islamabad

“SAY NO TO CORRUPTION”

Islamabad, the 28th August, 2017

The Chairman,
(Mr. Sohail Muzaffar),
Transparency International of Pakistan,
4-C Mezzanine Floor, Khayaban-e-Ittehad Phase-VII,
Defence Housing Authority,
Karachi.

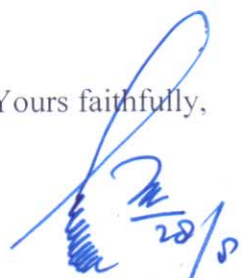
Subject: **VIOLATION OF RULES BY DRAP ON POSTING OF**
INEXPERIENCED AND NEWLY APPOINTED ASSISTANT
DIRECTORS AS FEDERAL INSPECTOR DRUG IN MOH,

Dear Sir,

I am directed to refer to your letter No.TL.17/2407/5A dated 24th July, 2017 on the subject mentioned above and to forward the detailed para-wise comments / reply of Drug Regulatory Authority of Pakistan (DRAP) under Ministry of National Health Services, Regulations & Coordination (NHS,R&C) on the subject case, for perusal / necessary action, if any, please.

Enclosed: As above.

Yours faithfully,


(Muhammad Saeed Awan)
Section Officer (Admn-I)
Ph # 051-9245792



F. No. 15-1/2017-CEO [DRAP]
Government of Pakistan
(Drug Regulatory Authority of Pakistan)
T.F Complex, 7th Mauve Area G-9/4, Islamabad.

Tele: +9251-9107316
Fax: +9251-9107318

“SAY NO TO CORRUPTION”

Islamabad the 4th August, 2017

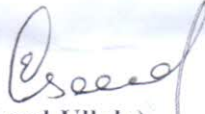
Subject: - **VIOLATION OF RULES OF DRAP ON POSTING OF INEXPERIENCED AND NEWLY APPOINTED ASSISTANT DIRECTORS AS FEDERAL INSPECTOR OF DRUGS IN MOH**

Dy.No. 2023 SO (Admin)
Dated: 7-8-17

I am directed to refer to the Ministry letter no. F 1-1/2017-DRAP/NHS&RC dated 31st July, 2017 on the subject cited above, with reference to the enclosed Transparency International s letter no TIL17/2407/5A dated 24th, July, 2017.

2. It is stated that the comprehensive reply of the subject letter has already been sent to the SPS to Secretary, M/o NHS,R&C on dated 1st August, 2017 for perusal of the Secretary NHS,R&C and for onward submission to Transparency International, and is also enclosed herewith for your kind information, please.

Enclosed: (11 pages)



(Asad Ullah)
Assistant Director
Office of the Chief Executive Officer

Section Officer (Admin -I/DRAP)
Ministry of National Health Services, Regulation & Coordination,
LG-RD complex, G-5/2,
Islamabad.

No. F. U. 59/2076-DRAP

In file - pl.

Ant


07-08-2017
S.O(A-I)

Handwritten: 24 July 2017
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Government of Pakistan
Drug Regulatory Authority of Pakistan
TF Complex, 7 Mauve Area, G-9/4, Islamabad

“SAY NO TO CORRUPTION”

Subject: **VIOLATION OF RULES BY DRAP ON POSTING OF INEXPERIENCED AND NEWLY APPOINTED ASSISTANT DIRECTORS AS FEDERAL INSPECTOR DRUG IN MOH.**

I am directed to refer to the Transparency International Pakistan's letter No. TL17/2407/5A dated 24th July, 2017 (**Annex-A**) addressed to Secretary, Ministry of National Health Services, Regulations and Coordination (NHSR&C) on the subject cited above and to state that the complaint forwarded by the Transparency International Pakistan is fallacious and based on misreading of the relevant rules and exceptions provided thereunder.

2. The Standing Committee of National Assembly on Health, in its meeting held on 23-01-2017, has taken notice of shortage of Federal Inspectors of Drugs (FIDs) as only fifteen (15) FIDs were working in whole of Pakistan. The Committee advised the DRAP to increase the number of FIDs to strengthen the market surveillance and frequent inspection of pharmaceutical manufacturing facilities. The World Health Organization (WHO) also recommended to bring 30-50 FIDs in the field keeping in view the number of drugs manufacturing units nationwide. However, the recruitment of new Deputy Directors could not be completed due to stay order issued by the Islamabad High Court in Writ Petition No. 2960/2016. The notification of new FIDs along with their area jurisdiction was issued by the M/o NHSR&C (**Annex-B**) as per provisions provided under the rules (**Annex-C**) whereas this fact is totally missing in the Transparency International's letter. After addition of new FIDs their number has increased from fifteen (15) to twenty-one (21). The claim that these appointments were made by the CEO, DRAP against the law is misconceived and against the facts.

3. The subject complaint is motivated by malafides as the DRAP is actively taking actions against fake, substandard and spurious drugs in the country. However, reply of the assertions in complaint is given hereunder in tabulated form:-

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| Sl. | Complaint | Reply |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | DRAP Authorities recently issued an illegal office order, Reference No. F-1-1/2017 Addl Dir. (QA<) dated 17 th May, 2017 issued by Hamza Zahid Malik, Assistant Director (Admin), about posting of 6 Asst. Directors (RO-12) as Federal Inspector Drug. | The notification dated 17 th May, 2017 for appointment of six (06) Assistant Directors (RO-12) as Federal Inspector of Drugs (in addition to their own duties) was issued by the M/o NHR&C with approval of the Minister of State for NHR&C. The DRAP has issued posting/transfer order of the above referred officers (Annex-D). |
| 2 | The Office Order is unlawful & against the Drug Act, 1976. | The information is misquoted by the complainant. The appointment was made by the Federal Government in exercise of powers conferred by section 2(XVI) and Schedule V of DRAP Act, 2012 read with section 17 of Drugs Act, 1976 while in accordance to that office order was issued. |
| 3 | The Office Order relates with the Assistant Director recruited last year only by DRAP and have been given the additional duties to act as Federal Inspector of Drugs which cannot be performed by these fresh graduate with no experience at all. | <p>The matter already explained in detail at paragraph 1. The officers who have been given look after charge of FIDs are qualified professionals having requisite qualification. Three of them have higher post graduate qualification (M.Phil degree) in relevant fields. These officers are capable to analyze, inspect and give advice as well as to report the GMP compliance by the pharmaceutical manufacturing companies. Furthermore, they are working under the guidance of Additional Directors</p> <p>It is further stated that these officers have been given partial functions and restricted powers in specific area of jurisdiction mentioned under clauses (a) to (e) of Schedule V of DRAP Act 2012 read with Section 18 of Drugs Act 1976 whereas the powers under clauses (f) to (j) will remain with the Additional Directors of the respective field office.</p> |
| 4 | This official orders has endangered and has put the life of innocent people at risk due to the following requirements of DRAP Act, 2012. | <p>The facts are misreported and fabricated by the complainant. As mentioned supra, the newly posted FIDs have been given powers of clauses (a) to (e) of Schedule V of DRAP Act 2012 read with Section 18 of Drugs Act 1976.</p> <p>None of the powers mentioned in the complaint are assigned to these FIDs as they are with the Additional Directors of the respective field office. The matter already explained in detail at paragraph 1 and these have been appointed in the larger public interest to strengthen the inspection further against the violation of law involved in heinous crimes of spurious drugs.</p> |

