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Research Report

POTENTIAL THREATS OF ORDINARY INVESTIGATION AND LITIGATION MODEL OF THE NATIONAL ACCOUNTABILITY BUREAU ON THE PHARMACEUTICAL AND HEALTHCARE SYSTEM IN PAKISTAN.

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Abstract

Free, fair and ethical process of conduct with the assigned responsibility to completed it with given resources, schedule and environment is called accountability. It is also a confession of an employ to admit an error made in assigned obligations. United State Agency for International Development (USAID), the federal agency, administers civilian foreign aid, defines measures of government accountability by some key factors including a free and fair political justice system; protection of human rights; a vibrant civil society; public confidence in the police and courts, and security sector reform. So, accountability is about employees taking responsibility and ownership for their decisions, actions, performance, and behavior. That also covers the intention, dedication, trust, and commitment to do the right thing for a particular project, institution, state, or business. Unfortunately, corruption is embedded within the health systems. Throughout my academic and research career, the Ministry of Health, public health professionals, and provincial health departments have been able to see deep-rooted dishonesty and fraud. So, the magnitude of the problem of corruption can be outlined, how it happens, what are potential contributing factors and how it is started. We can also describe the people's fears around the topic, methodologies to address the corruption, and responsibilities of communities irrespective of their level of involvement. Policymakers, funding agencies, and researchers are needed to get involved in the discussion as an important component. Corruption represents a functional reality in many low and middle income countries of the world. That is identified and confirmed multiple times, methods and scientific patterns. That is consistently hurting the quality of healthcare facilities and valuable professionals, financial and technical resources. So, a strong intervention of law enforcement agencies, health authorities, federal and provincial government needed to protect public resources, enforce rule of law and secure the system by exploring the damage happened because of undesired corruption in UOS Pharmaceutical Laboratories, University of Sargodha, Pakistan. That will also help to develop and deploy more effective strategies at the local and international levels. Moreover, the corruption may be intentionally undermined in terms of its capacity, contribution to economic growth, health, and scientific development to grant the relief to responsible culprits. However, the direct and deep intervention of the government institutions including Governor House, Chief Minister House, National Accountability Bureau, Anti-corruption, Health Dept., DRAP, FIA may potentially help to potted the resources, prevent scamming and control the corruption. This will strengthen

the essential components of the healthcare system in Pakistan and other developing countries of the world.

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Introduction

Accountability is the honest and ethical process of conduct with the responsibility or accepting the assigned responsibility for something that has been completed within assigned resources, time frame, and environment.¹ It is also a confession of an employee to admit an error made in assigned obligations. The U.S. Agency for International Development (USAID), the federal agency, administers civilian foreign aid and defines measures of government accountability by some key factors including a free and fair political justice system, protection of human rights, a vibrant civil society, public confidence in the police and courts, and security sector reform.² Therefore, accountability is about employees taking responsibility and ownership for their decisions, actions, performance, and behavior. This also covers the intention, dedication, trust, and commitment to do the right thing for a particular project, institution, state, or business.³

Unfortunately, corruption is embedded within the health systems. Throughout my academic and research career, the Ministry of Health, public health professionals, and provincial health departments have been able to see deep-rooted dishonesty and fraud. However, despite being one of the most significant obstacles to enforcing universal health coverage globally, corruption is rarely discussed openly. Therefore, the magnitude of the problem of corruption can be outlined: how it happens, what are potential contributing factors, and how it is started. We can also describe the people's fears about the topic, methodologies to address the corruption, and responsibilities of communities, irrespective of their level of involvement.⁴ The intellectuals, policy makers, funding agencies, and researchers are needed to get involved in the discussion as an important research area with regard to the development of innovative drugs or design the treatment for particular mortal diseases. Corruption must be no longer an open secret all over the world. This will help ensure healthy lives, improve health standards, and achieve sustainable development goals.⁵

The Procedure and Model of Accountability

Accountability procedures and models are used to characterize and compare different factors in the health care system. This plays a primary role to assure the safety and quality of patients' health care. This also requires the health care worker and patients to justify their obligations and responsibilities for respective professional and scientific activities.⁶ The whole procedure of accountability is composed of three main components as follows:

1. In addition to particular position, point, place, or loci of accountability, health care consists of about 11 entities or parties that can be held responsible.

2. In the domains of accountability, the parties can be held accountable for as many as six activities, namely, professional competence, legal and ethical conduct, financial performance, adequacy of access, public health promotion, and community benefit.
3. The procedures of accountability include formal and informal procedures for evaluating compliance with domains and for disseminating the evaluation and responses by the responsible parties.

In contrast, different accountability models need different criteria, domains, loci, and protocols.⁷ This will help us compare and characterize the following three dominant models of accountability:

Professional model: In this model, the health care worker and patient participate to decide and be held accountable.

Economic model: The market is brought into the health care system and held accountable, which is mediated through choice.

Political model: Health care workers and patients interact as members or citizens in a community. The clinicians are accountable to a governing board elected by the members of the community, i.e., the board of a managed care plan.

However, no particular model of accountability may be suitable for a specific health care system. Therefore, advocating a model of accountability in which the professional guidelines are available to strengthen the clinician and patient relationship may perfectly work. However, a political model can be used to manage patients' care plans and integrated health care networks.⁹ The economic and political models work in associations between the management of patient care plans and groups, i.e., businesses, professional associations, government, and employers.

Chinese pattern of Handling Corruption

China grows massively after controlling the corruption in the public and private sectors. This created an inconsistency of enormous proportions associated with how this development could happen despite the well-documented vast corruption.⁴ The revolution evolved from the reforms introduced to hurt petty theft, all forms of corruption, and illegal possession of land, mines, and state-owned enterprises during the 1990s. However, currently, the techniques of corruption have also become more sophisticated because of the information technology and software engineering over the past 20 years. The high growth and high corruption model has come with high risks of growth and enormous inequality.^{3,4} Therefore, the problem has not diminished; China's government, political leadership, and official authorities have continued anti-corruption campaigns with the same intensity and standards to assure the same velocity of grow and to develop the country.¹⁰

Proposed Federal Actions for Patient Safety in the United States

The role of the government has been and continues to be a favorite American pastime. There is a structure deployed to deal with all health care irregularities and corruption in the United States. These 10 roles give us more understanding regarding the scheme to improve the health care quality and safety in the United States.¹¹ The proposed federal actions to reduce medical errors and enhance patient safety are provided to illustrate these 10 roles:

1. Purchase health care.
2. Provide health care.
3. Ensure access to quality care for vulnerable populations.
4. Regulate health care markets.
5. Support acquisition of new knowledge.
6. Develop and evaluate health technologies and practices.

7. Monitor health care quality.
8. Inform health care, decision-makers.
9. Develop the health care workforce.
10. Convene stakeholders across the health care system.

Thus, it is the responsibility of the U.S. government to protect the interests of American citizens by delivering high-quality health care services. The current market may not be able to ensure access to quality health care for all Americans. Therefore, the government must secure the benefits of its civil society by supplementing the market to fill the gaps.¹² This can be introduced by regulating the market if needed. Hence, the final goal of high-quality medical and pharmaceutical patient care can be achieved by bridging and connecting the local, state, and federal governments and the private sectors all over the United States. The general principles of assigning the role of government in a specific section within a rapidly changing environment and decentralizing the delivery system need a collective and combined effort. This will help assure the standard health care services in the public and private sectors.¹³

National Accountability Bureau, Pakistan

The National Accountability Bureau (NAB) is an autonomous and constitutionally established federal institution responsible to build efforts against corruption and to prepare critical national economic intelligence assessments against economic terrorism for the government of Pakistan. It is headed by Justice (R) Javed Iqbal as its chairman. The NAB is empowered to undertake any necessary prevention and awareness, in all means, in addition to enforcing its operations against economic terrorism and financial crimes. Since it was established by Pervez Musharraf (former President of Pakistan and Four Star General) on November 16, 1999, its sphere of operations has been expanded and extended. The constitution grants power to launch investigations, conduct inquiries, and issue arrest warrants against individuals suspected of financial mismanagement, economic terrorism, and corruption in public, private, state, defense, and corporate sectors. The NAB directs cases to the accountability courts, established by Ordinance No. XIX, powers extended to conduct inquiries at higher levels by Article 270AA of the Constitution of Pakistan. With its chief headquarters located in Islamabad, the NAB has four regional or provincial offices, as well as four offices in the capital territories of Pakistan. Thus, in a wider sense, accountability implies a willingness to be judged on performance or acceptance of responsibility for one's actions. It also implies a willingness to be transparent, allowing others to observe and evaluate whenever needed.

Model corruption Case in Pakistan

A drug manufacturing project was deployed at the University of Sargodha (UOS) along with the start of the undergraduate degree program of Pharm-D in 2005. Unfortunately, the project of about Rs. 0.8 billion failed because of the corruption of Dean Pharmacy and partner of the firm M/s University of Sargodha Pharmaceutical Laboratories. Therefore, an investigation and strict disciplinary action against this corruption was requested to Governor of Punjab and Chancellor of the UOS, Lahore, under application no. 379/627 dated April 25, 2022. The case is filed to recover the damage from the responsible culprit. Furthermore, in continuation of the Higher Education Commission's letter no. 05-48/A&C(Affairs)/2016/7151 dated July 1, 2016, forward the matter to the concerned university for comments; letters no. 171/Pharm/ 2017 dated January 24, 2017, regarding "Explanation of Letter No. UOS/Pharm/4692 Dated 17.1.2017," letter dated November 25, 2015, diary no. UOS/Pharm/1998, VCD no. 16311 dated November 26, 2015, and letter no. nil, dated March 15, 2016, VCD submitted in the office of the Vice Chancellor, UOS, the author of this article is ambitious to continue the struggle against corruption. The Dean Pharmacy, UOS, has played a major role to purchase the substandard and used machinery for the UOS Pharmaceutical Laboratories. The equipment was purchased from a supplier located in Industrial Area, Saggian Bypass, Lahore, Pakistan. Manufacturing license no. 000859/167 dated June 12, 2017, granted by Chairman Central Licensing Board, Government of

Pakistan, under the Drug Act 1976. Unfortunately, the potential profitable and excellent drug manufacturing project of approximately Rs. 0.8 billion was failed because of the corruption of aforesaid officers. The granted license was then voluntarily surrendered by the UOS under letter no. UOS/PIU/1666 dated November 19, 2018, and the facility was shut down. Finally, strict disciplinary action against the corruption of the Dean Pharmacy, UOS, is requested.

M/s UOS Pharmaceutical Laboratories was granted license no. 000859 dated June 12, 2017, to manufacture the drugs by the way of formulation at the premises of University Road, Sargodha. The license permits the manufacture of drugs registered under the Drugs Act 1976. The license, in addition to the conditions specified in the rules made under the Drugs Act 1976, is subjected to the following conditions:

- i. The license will be in force for 5 years from the date of issue unless suspended or canceled earlier.
- ii. The license authorizes the sale by way of wholesale dealing and storage for sale by the licensee of the products manufactured under this license, subject to the conditions applicable to licenses for sale.
- iii. Names of the approved expert staff.

The license was issued with the signature of the then secretary and Chairman, Central Licensing Board, Government of Pakistan, Islamabad, Pakistan.

Refer to the letter number UOS/PIU/1666 dated November 19, 2018, of the UOS with the subject of "Cancellation of Drug Manufacturing License No. 000859 (formulation) of M/S UOS Pharmaceutical laboratories, Sargodha" and personal hearing letter dated February 19, 2019, Ministry of National Health Services, Regulations & Coordination, Drug Regulatory Authority of Pakistan, the government of Pakistan has undertaken the matter. The case was placed before the 269 meetings of the Central Licensing Board held on February 26, 2019. The Central Licensing Board considered all facts and requests of the UOS and decided to "cancel" the license. A lecturer of the Faculty of Pharmacy, UOS, appeared before the Board and contended that due to a change in management at the University, decision has been taken to shut the facility and, therefore, request has been submitted for voluntarily cancellation of Drug Manufacturing License by way of the formulation. It was further contended that University may be allowed to avail the facility for research purposes. The Board after hearing the representative of the University decided to cancel the Drug Manufacturing License No. 000859 by way of Formulation in the name of M/s UOS Pharmaceutical Laboratories, Sargodha, under Section 41 of the Drugs Act 1976 read with Rule 12 of the Drugs (Licensing, Registering, and Advertising) Rules 1976. The Board also decided to seek a detailed proposal from the University for the future utility of the facility.

Thus, the above-said manufacturing license was canceled with immediate effect under the Drugs Act 1976 and rules framed there. Manufacturing of Drugs in the name of said license and at said Premises is prohibited and punishable offense under Sections 23 and 27 of the Drugs Act 1976 and rules framed thereunder. The UOS Pharmaceutical Laboratories was advised to submit a detailed proposal for the future utility of faculty at the earliest.

Institutional Effort to Protect Corrupt Officer

The irregularities and blunders were initially highlighted by the author within the department by filing the case within institutional under letters no. 171/Pharm/2017 dated January 24, 2017, regarding "Explanation of Letter No. UOS/Pharm/4692 Dated 17.1.2017." Later, the case was officially taken to the next level within the institution, with three applications submitted in the office of the Vice Chancellor, UOS, under VCD no. 16311 dated November 26, 2015, VCD no. 7157 dated May 19, 2015, and VCD no. 4023 dated March 15, 2016. In addition, the letter dated November 25, 2015, diary no. UOS/Pharm/1998, VCD no. 16311 dated November 26, 2015, letter no. nil, dated March 15, 2016, and VCD and letter no. UOS/Acad/910 dated December 7, 2016, regarding the appearance in Dean Committee, UOS, were submitted in the Office of Vice Chancellor, UOS. The case was also filed with Higher Education Commission, confirmed by the letter no.

05-48/A&C(Affairs)/2016/7151 dated July 1, 2016, and forward the matter to the concerned UOS for comments.

Pathetic Action of Local Accountability Bureau (NAB)

In continuation of the compliant ID NABL20190712180572 dated July 12, 2019, filed in the Office of the NAB, Lahore Regional Office, NAB (L), NAB Complex, Thokar Niaz Baig, Multan Road, Lahore, Pakistan (T: +92 42-111-NAB-NAB 111-622-622, punjab@nab.gov.pk chairman@nab.gov.pk), we would like to continue our struggle against corruption. The case was forwarded to the Chairman of Higher Education Commission, Islamabad, under letter no. 1(33)HQ/complaints/DA/04/19/ NAB-L, diary no. 2128/19, for further action. Another application has been recently submitted in the Office of the NAB, Lahore, under case no. 381/629 dated May 10, 2022, to investigate and recover the resources drained because of the failure of this project. The irregularities and corruption of Dean Pharmacy have played a major role to flop this innovative and novel project. Therefore, this application is filed to arrest the culprits regarding the failure of a drug manufacturing project worth approximately Rs. 0.8 billion, after 18 years of its deployment.

In addition, the aforesaid officer has illogically and non-technically established a partnership firm M/S “UOS Pharmaceutical Laboratories, University of Sargodha.” This was another successful strategy of corrupt officers (Dean Pharmacy) to assure the failure of a project of about 0.8 billion (80 crore). The firm was established under registration no. RF/S6D/02 on January 8, 2016. Form “C” [Rule 9 (a)] was issued to acknowledge the registration of firm. Articles of the agreement were made on December 23, 2015, by and between the Dean Faculty of Pharmacy, Registrar UOS, and Sargodha. In contrast, the partners have constituted the firm styled of “UOS Pharmaceutical Laboratories,” the UOS on certain terms and conditions. The Registrar of Firms, District Sargodha, thereby acknowledged the receipt of the statement prescribed under Section 58(1) of the Partnership Act 1932. The statement has been filed and the name of “the firm M/S UOS Pharmaceutical Laboratories, University of Sargodha” was entered in the Register of Firms. The Dean Pharmacy has also played a major role to purchase the substandard and used machinery for the UOS Pharmaceutical Laboratories. The equipment was purchased from VarioTech, Plot 9, Industrial Area, Saggian Bypass, Lahore, under the purchase order no. UOS/RC/11-412 dated March 21, 2011, UOS/RC/10-160 dated May 25, 2010, UOS/RC/11-616 dated October 18, 2011, UOS/RC/11-615 dated October 18, 2011, and UOS/RC/11-624 dated October 21, 2011.

Manufacturing license no. 000859/167 dated June 12, 2017, was granted by Chairman Central Licensing Board, Government of Pakistan, under the Drug Act 1976 (). Unfortunately, the potential profitable and excellent drug manufacturing project of approximately Rs. 0.8 billion was failed because of the corruption of aforesaid officer. The granted license was then voluntarily surrendered by the UOS under letter no. UOS/PIU/1666 dated November 19, 2018, and the facility was shut down (DRAP letter dated March 13, 2019,). Therefore, strict disciplinary action against the corruption of the Dean Pharmacy, UOS, is requested. The damage should be recovered from the culprit.

Conclusion

Corruption represents a functional reality in many low- and middle-income countries of the world, which is identified and confirmed by multiple times, methods, and scientific patterns. It is consistently hurting the quality of health care services and wide valuable professionals, financial, and technical resources. Thus, a strong and straight intervention of law enforcement agencies, health authorities, and federal and provincial government are needed to protect public resources, establish rule of law, and secure the current system by exploring extent of damage and corruption in UOS Pharmaceutical Laboratories, UOS, Pakistan. This will also help develop and deploy the effective anti-corruption strategies at the local and international levels. Moreover, corruption may be undermined in terms of its capacity, contribution to economic growth, health, and scientific development. However, the direct and deep intervention of the law government institutions including Governor House, Chief Minister House, National Accountability Bureau, Anti-corruption, Health Department, DRAP, and

FIA may help preserve the resources, prevent scamming, and control the corruption. This will strengthen the essential components of the health care system in Pakistan and other developing countries of the world.

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