

572/20

6/7/2021

**BEFORE THE DRUG COURT KHYBER PAKHTUNKHWA PESHAWAR**

COMPLAINANT : [REDACTED]


FILED : November 02, 2018

REGISTERED THROUGH : Muhammad Saif-ur-Raza  
Provincial Drug Inspector Haripur.

STB


1. Zahid Shuaib S/O [REDACTED]  
M/S Harijpur District  
At Old Sabzimanai, Haripur.
2. Ishtiaq Akbar  
M/S Brains Pharma  
Office No. 4-5 Lower Ground Floor, Qasbi Park, 11th Mile, Feroz Road,  
Islamabad.
3. Munammad Umar S/O Muhammad Azeez  
M/S Phyticon International (Private) Ltd  
At 339 S. Jinnah Road, Islamabad.

Documents	Date	Page No.
Amliani	22.11.2018	01-02
Case Summary	22.11.2018	03-05
Gazette Notification-Prevention of Inspector	05.02.2019	06
Transfer Notification-Prevention of Inspector	05.02.2019	-
Gazette Notification-Prevention of Inspector-Complainant	05.11.2017	08
Transfer Notification	19.03.2019	09
Government Analyst Notification Form 5	05.01.2019	10-11
Form 7	14.01.2019	12
PQC-3 Sample Report	14.01.2019	13
3 and 4 Sample Report	15.09.2018	14
Form 3 (DTL Report)	19.09.2018	15
Show Cause to accuse at court	24.10.2018	17
Show Cause Reply from [REDACTED]	24.10.2018	18
Show Cause Reply from [REDACTED]	24.10.2018	19
Show Cause to accuse at court	21.11.2018	23
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Letter to PDCI Peshawar	30.01.2019	27
PQC-3 Analytical Memo	07.12.2018	25-28

  
 Muhammad Saif-ur-Raza  
 Provincial Drug Inspector  
 District Haripur

CHALLAN FORM

1. Name and Designation of complainant: Muhammad Shakeel Nawaz (The Provincial Drug Inspector Haripur)
2. Name and Address of the person (Store from whom the medicines was taken):  
1. Iqbal Shah S/O Tahir Shah,  
M/S Haripur Distributor  
At Old Sabzmandi Haripur.  
2. Ishfaq Akbar  
M/S Dains Pharmacy  
Ginnah Road Chowk, District Office Ghosia Plaza, IJ  
Principal Road Islamabad.  
3. Muhammad Umar S/O Muhammad Azeem  
M/S Phytocon International (Pvt) Ltd  
At 339 Sunder Industrial Estates Lahore.
3. Date of search and seizure of medicines: 11.08.2010
4. Name of medicine and Manufacturer Company, Manufacturer Name: Besilyte Tablets  
Phytocon International (Pvt) Ltd  
Muhammad Umar S/O Muhammad Azeem
5. Name of Pharmacist, member of Pharmacy: 1.
6. Section of Law Contrivention: 23(i)(a)(ii) of The Drugs Act, 1976.
7. Section of Law under which offence punishable: 23(i) of the same Act.
8. Summary of the case (To be Produced an evidence to the court): Attached
9. Name of the Prosecution Officer:  
1. Wazir Zafar, (Deputy Provincial Drug Inspector Haripur)  
2. Mohammad Hafeez (Sanitary Petrol DHO Office Haripur)  
3. Muhammad Shakeel Nawaz (The Provincial Drug Inspector Haripur)
10. Offence committed by the person (Name of the person):  
Sale of Drugs or Unregistered or the Violation of Section 23(i)(a)(ii) The Drugs Act, 1976.

  
Muhammad Shakeel Nawaz  
Provincial Drugs Inspector  
District H. R. P. U. S.

①

Document No. 12- HR

Date: 11.03.2016.

**IN THE COURT OF CHAIRMAN DRUG COURT ( KPK) PESHAWAR**

Serve Through : Muhammad Shakeel Nawaz  
Provincial Drugs Inspector Haripur

Veres : 1. Zahid Shah S/O Tahir Shan  
M/S Haripur Distributor  
Gali No. 5, Subramandi Haripur.  
2. Shahid Khan  
Gali No. 5, Subramandi  
Office No. 40 Lower Ground Floor, Ghosia Plaza, IJ  
Principal Road, Islamabad.  
3. Muhammad Amir S/O Muhammad Azam  
Shahid Khan, Subramandi, Haripur  
Shahid Khan, Subramandi, Haripur

Charge : 2(a) of THE DRUGS ACT, 1976

Penalable : 27 of the said Act

Respectfully

I have honor to state that my predecessor Mr. MehtabAfsar, Gazette Notified Provincial Drug Inspector was transferred to Haripur vide notification no SOH-III/7-202/2015 dated July 28,

2015. My predecessor along with Mr. Dilip Kumar (Sub-Inspector, Police, District - Haripur) on Aug 11, 2016 inspected premises of Zahid Shah S/O Tahir Shah M/S Haripur Distributor at Gali Subramandi, Haripur and took sample of Bevilyle Tablets, B.N - BTM-001 for the purpose of Test and analysis.

My Predecessor MehtabAfsar sent sample portions of said premises to the notified Government Analyst / Provincial Drugs Testing Laboratory vides FORM 67 No.184-HR dated Haripur 11.03.2016.

My predecessor MehtabAfsar sent me a notification of avert report I-1-10-10 on Provincial Drug Control Board KP Post dated 11.03.2016 vide No. 138-10-10-10 dated 11.03.2016 under the provision of the clause (i) of section 23 of the said act of the Drugs Act, 1976.



My predecessor Mehtab Afsar sent portion of samples to manufacturer through Pakistan Post dated 15.08.2016 under the provision of the clause (ii) (v) of the sub-section (3) of the section 19 of The Drugs Act, 1972.

The Government Analyst Provincial Quality Control Board Khyber Pakhtunkhwa after perusal of clinical trial samples of Brains Pharma Pvt. Ltd. (Peshawar) - Brainopatic issued Final Verdict Test Report No. P/QC/K-44190-001 Dated Peshawar, Pk, 09.2016.

My predecessor Mehtab Afsar issued show cause notice vides letter No.467-HR-PDI, Dated 08.12.2016 to Zaid Shah S/O. Zahid Shah of M/S Haripur distributor, At Old Sabzmandi, Haripur. In reply he submitted invoice no.242 of Brains Pharma, Islamabad.

My predecessor Mehtab Afsar issued show cause notice vides letter no.482-HR-PDI dated 08.12.2016 to Ishtiaq Akbar of Brains Pharma Islamabad at Office No.4-5 Lower Ground, Summar Industrial Plaza III Principal Road, Summar Industrial Estate Islamabad. In response they submitted invoice no. ST-12-115 dated 08.12.2016 Summar Industrial Estate, Lahore.

My predecessor Mehtab Afsar issued show cause notice vides letter no.497-PDI dated 08.12.2016 to Munam and Umar S/O. Muhammad Umar of M/S Summar Industrial Estate at 639 Summar Industrial Estate Lahore. In response Dr. Shauqunn challenged the final report of Government Analyst.

On 20.01.2017 my predecessor Mr. H. J. Khan sent case to Provincial Quality Control Board under section 19(G) of the Drugs Act, 1972 vides case no. 581-HR.

A meeting of the Provincial Quality Control Board Khyber Pakhtunkhwa was held on 27.01.2016 at 10:00 AM in computer room of Health Department. All members were absent however the case was discussed and discussed and a decision was taken to refer the case to Honorable Drug Control Board Islamabad.

Secretary Provincial Quality Control Board Peshawar sent meeting minutes of PQCB vides letter No. SO-Drugs/HR/2-15/2017 Dated 12.02.2017 Dated 12<sup>th</sup> February 2017.

Mr. Muhammad Shakeel Nawaz notified provincial Drug Inspector was transferred to Haripur vide notification no. SOH-III/7-262/2018 dated March 19, 2018.

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Stock of unregistered drugs is subject of Section 201(A)(iv) of The Drugs Act, 1976.

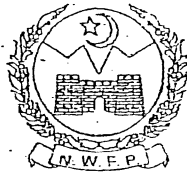
and are under sign after receiving inventory quality control about meeting minutes  
copies compliant against the following:

- Zahid Shah S/O Tahir Shah
- M/S Haripur Distributor
- M/Old Sabziman, Haripur
- Janjag Akbar
- M/S Brains Pharma
- Office No. 4-5 Lower Ground Floor, Ghosia Plaza, II Principal Road, Islamabad.
- Muhammad Umar S/O Muhammad Azam
- M/S Phycoo International Pvt. Ltd.
- 10000 Sander, Islamabad, Pakistan

- Mehnoo Akbar (the producer for manufacturing suspended drug)
- Muhammad Hafeez Saifullah, M/Old Sabziman, Haripur
- Muhammad Shakeel Nawaz (Principal Drug Inspector Haripur)

Signature  
 Principal Drug Inspector  
 District Haripur

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P.III  
GAZETTE

## North-West Frontier Province

Published by Authority

PESHAWAR, WEDNESDAY, 29TH OCTOBER, 2008.

### GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE HEALTH DEPARTMENT.

#### NOTIFICATION

Dated 26th May, 2008.

No. SO(D)H/2-43/2008/DIs--- In exercise of power conferred under section 17 of the Drugs Act, 1976, and in super cession of all previous notifications issued in this behalf, Provincial Government of the North West Frontier Province is pleased to appoint the following persons as Drug Inspectors for the areas mentioned against each with immediate effect and till further orders.

S. No.	Name with posting of Drug Inspector	Area of jurisdiction
01	Mr. Sabir Ali, Chief Drug NWFP	NWFP alongwith FATA
02	Mr. Muhammad Humayun Khan, Senior Drug Inspector Kohat.	District Kohat & Orakzai Agency
03	Mr. Muhammad Israr Rahi, Senior Drug Inspector Peshawar	District Peshawar & Khyber Agency
04	Mr. Muhammad Usman, Senior Drug Inspector Abbottabad	District Abbottabad & District Mansehra
05	Mr. Afrasyab Drug Inspector, Haripur.	District Haripur
06	Mr. Sherzada Drug Inspector, Swabi	District Swabi
07	Mr. Akbar Jan Drug Inspector, D.I. Khan	District DI Khan, District Tank & S.W. Agency
08	Mr. Dil Nawaz Drug Inspector, Peshawar	District Peshawar & Khyber Agency
09	Mr. Fida Muhammad Drug Inspector, Swat	District Swat
10	Mr. Muhammad Ali Drug Inspector, Bannu	District Bannu & N.W. Agency
11	Syed Asad Halimi Drug Inspector, Nowshera	District Nowshera
12	Mr. Abbas Khan Drug Inspector, Mardan	District Mardan
13	Mr. Muhammad Aurangzeb Drug Inspector, Karak	District Karak
14	Mr. Imranullah Khan Drug Inspector, Hangu	District Hangu & Kurram Agency
15	Mr. Nasrullah Khan Drug Inspector, Lakki Marwat	District Lakki Marwat
16	Mr. Muhammad Tayyab Abbas Drug Inspector, Upper Dir	District Dir Upper & District Chitral
17	Mr. Mehtab Afsar Drug Inspector, Bunner	District Bunner
18	Mr. Muhammad Younas Khattak Drug Inspector, Shangla	District Shangla & District Kohistan

3

SYED AQIB ALI SHA  
Provincial Drug Inspector

(7)

GOVERNMENT



# KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 24TH NOVEMBER, 2017

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

## NOTIFICATION

No. SO (Dh) 2-43, 2017, Dis. 11/11/17  
The Government of Khyber Pakhtunkhwa hereby notifies the names of Drug Inspectors and mentioned in column 1 against each sub-division as follows:

Sl. No.	Name of Drug Inspector	Place of Posting
01.	Mahmood Shahzad, Drug Inspector	District Peshawar
02.	Sajid Noor, Drug Inspector	District Peshawar
03.	Muhammad Waqas Salim, Drug Inspector	District Peshawar
04.	Sana Ullah, Drug Inspector	District Peshawar
05.	Nasir Ahmad, Drug Inspector	District Peshawar
06.	Muhammad Waqar, Drug Inspector	District Peshawar
07.	Inam Ullah, Drug Inspector	District Peshawar
08.	Muhammad Salim, Drug Inspector	District Peshawar
09.	Mr. Yahya Khan, Drug Inspector	District Peshawar
10.	Rhushal Khan, Drug Inspector	District Peshawar
11.	Muhammad Shoaib Khan, Drug Inspector	District Mardan
12.	Zaheer Rehman, Drug Inspector	District Buner
13.	Muhammad Hamid Ullah, Drug Inspector	District Nowshera
14.	Mr. Manzoor Ahmad, Drug Inspector	District Faisalabad

The Drug Inspectors exercise powers under clause (A) of section 13 of the said Act.

SECRETARY

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**GOVT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

Dated the Peshawar 19<sup>th</sup> March, 2018

**NOTIFICATION**

**No. SOH-III/7-262/2018.** Upon promotion vide this department Notification No. SOH (E-V)4-22/2017, dated: 02-01-2018, The Competent Authority is pleased to order of posting/transfer of the following Senior Drug Inspectors BS-18 with immediate effect in the public interest.

S.No	Name	From	To
1.	Mr. Mehtab Afsar Senior Drug Inspectors BS-18	District Haripur.	District Swat against the vacant post of Senior Drug Inspector BS-18
2.	Mr. Abdul Hafeez Senior Drug Inspectors BS-18.	District Swabi.	District D.I Khan against the vacant post of Senior Drug Inspector BS-18.

2. In addition to the above, Muhammad Shakeel Nawaz, Drug Inspect BS-17, District Abbottabad is hereby posted against the vacant post of Drug Inspector BS-17 in District Haripur vacated by Sr. No. 1 above with immediate effect.

**Secretary to Govt. of Khyber Pakhtunkhwa  
Health Department**

**Endst of even No and Date.**

Copy forwarded for information & necessary action:-

1. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. The District Health Officers, Haripur/Swat/Swabi/D.I Khan & Abbottabad.
3. The District Accounts Officers, Haripur/Swat/Swabi/D.I Khan & Abbottabad.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. PS to Special Secretary Health, Khyber Pakhtunkhwa.
6. PA to Deputy Secretary (Drugs) Health Department.
7. Deputy Director (I.T) Health Department.
8. Officers concerned.

*Signature*  
19.3.18  
9



011  
18/01/2011

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar, the 05<sup>th</sup> January, 2011

NOTIFICATION

No. SO(D)/H/6-24/DTL/Vol-I:- In exercise of powers conferred under Section 16 of the Drugs Act, 1976 and in supercession of Health Department Notification No. even dated 01-02-2008, the Provincial Government is pleased to appoint the following Officers of Provincial Drugs Testing Laboratory, Peshawar, Khyber Pakhtunkhwa, as Government Analysts for all classes of drugs and the areas, mentioned against each, for the purposes of the said Section:

S.No	Name of Officers	Areas
1	Mr. Muhammad Khalid Khan Senior Govt. Analyst (BPS-19).	Districts Peshawar, Charsadda, Nowshera, Mardan, Swabi, Buner, Dir Upper and Dir Lower
2	Mr. Israf Gul Govt. Drug Analyst (BPS-18).	Districts Kohat, Hangu, Karak, Bannu, Lakki Marwat, D.I Khan, Tank, and Chitral
3	Mr. Khalid Javed Govt. Drug Analyst (BPS-18).	Districts Abbottabad, Haripur, Mansehra, Battagram, Kohistan, Swat Shangla and Malakand.

2. Mr. Muhammad Khalid Khan, Senior Govt. Analyst will also be Incharge of the Provincial drug Testing Laboratory for administrative and financial purposes, and will specify and distribute the duties of the Chemists and Assistant Chemists in the Laboratory. He shall exercise the powers of Govt. Analyst for classes of drugs and area, if any, not mentioned in para-1 above.

3. The following modus operandi shall strictly be observed in Drug Testing Laboratory for smooth running of the official business.

- i. The drug samples sent by Drug Inspectors for test/analysis in the DTL will be received by the Incharge Drug Testing Laboratory, Khyber Pakhtunkhwa, Peshawar. The sealed samples received from an Inspector shall be issued to the respective notified Analyst for the purpose of test/analysis.
- ii. After performing tests/analysis on the samples, the Analyst shall maintain record and sign the required number of test report copies with full protocols of tests applied whether the samples are in conformity with law or not.
- iii. The analysis shall be completed in the least possible time in compliance with the order of the august Supreme Court of Pakistan giving top priority to samples of suspected spurious nature and samples taken from Govt. Institutions.
- iv. In case of identification of allopathic ingredients in products other than registered drugs, quantity of the same shall also be indicated. Instead of merely indication of identification of the ingredients.
- v. The signed test reports shall be handed over by Govt. Analysts to the Incharge Govt. Drug Testing Laboratory, Peshawar, who will issue these reports with a covering letter under his signature through Centralized Dispatch to ensure quick availability of data/information of the same laboratory. One copy of test report

10/11

FORM (5)

{See Rule 9 (1)}

Intimation of purpose to person from whom sample is taken.

To

Zalid Shah s/o Tahir Shah (Prop)

I have this day taken from the Premises of

M/s Hamper Distribution

Situated at

Old Sazgi Mandi, Hamper.

Samples of the Drugs Specified below for the purpose of Test / Analysis.

Detail of Samples Drawn

S. No	Name of Drugs	Name of Manufacturer	Reg: No	Batch No	Quantity.	Bill No	Value
1	Muti fish 120	Orbit natural	-	MF-001	06 packs		
2	Biogin 120	Remedies	-	024	06 packs.		
3	Besilyk tablet	intencat	-	BTW-00	20x6 tablets		
4	P.vit.M tablet	phytucon	-	PVM-00	20x6 tablets		
5	Qter song	Orbit natural -		PVM-00	20x6 tablet		
6	Osteron-D tablets	Invatex Pharm		GT-16	20x6 soft gel.		
7	<del>Besilyk tablet</del>	USA		201505	30x6 tablets		

Dated:

11/08/2016.

Inspector of Drugs  
District Hamper.

Certificate

Certified that the Sample (s) of the medicines/drugs the particulars of which are given was taken from my premises in my presence and sealed in my presence.

Certified that a sealed portion of sample of the above medicines/drugs was handed over to me, and I have signed and got a copy of Form-5.

See original in 395-HR.

Signature of the Person Present during Inspection

The sample were taken and sealed in my presence and I signed this Form-5

1. Witnesses PN Hafeez DHQ Hamper

**FORM 7**  
**[See Rule 9(2)]**  
**Memorandum to Analyst**

Serial No.184-HR

**Form** : Provincial Drug Inspector Haripur.  
**To** : The Government Analyst/Provincial Drugs Testing Laboratory.

The portion of sample/container described below is sent here with for test/analysis under the provision of clause (i) of subsection 3 of section 19 of the Drugs Act, 1976.

Sample	Besilyte Tab	Batch Num	BTW-001
Mfg by	Phytocoin International Lahore	Sampling Place	Haripur Distributor Haripur

**And purport to contain** : As mention on the label

**Dated** : Aug 011, 2016



**Provincial Drug Inspector**  
**District Office Health Haripur**

(13)

**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DISTRICT HARIPUR**

---

Dated .Aug 11,2016

NO.110816-PDI-HR

Respectable Secretary Health/Chairman PQCB. Health Department,  
Provincial Secretariat, Khyber Pakhtunkhwa, Peshawar.

**SUBJECT : PORTION(S) OF SAMPLE(S) S.NO 184-HR.**

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Please find here with portion(s) of sample(s) as required under the provision of the clause (ii) of the sub section (3) of the section 19 of The Drugs Act, 1976.

With Regards



Provincial Drug Inspector,  
At DHO Office District Haripur

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OFFICE OF THE PROVINCIAL DRUG INSPECTOR

DISTRICT HEALTH OFFICE, HARIPUR

Dated Haripur the August, 2016

To,

**PHYTOCON INTERNATIONAL (PVT) LTD**  
**339 SUNDER INDUSTRIAL ESTATE, LAHORE – PAKISTAN.**

Subject: **THIRD / FOURTH PORTION OF DRUG SAMPLE.**

Memo:

Received herewith third/fourth portion of the sample of drug as required under the provision of clause (iii) / (iv) of sub section (3) of Section 19 of the Drugs Act 1976 taken from **HARIPUR DISTRIBUTION, SABZI MANDHI DISTRICT HARIPUR** for the purpose of test / Analysis and to Drug Testing Laboratory K.P.K Peshawar.

The detail of which is as under:

S. No	Name of Drugs	Reg: No	Batch No	Manufacturer
1.	BESILYTE CHEWABLE TABLET	NIL	BTW-001	PHYTOCON INTERNATIONAL

You are hereby directed to confirm that the above mentioned drug is manufactured/supplied by you or otherwise, in written form to the undersigned within seven days, after receipt of this letter, failing which it will be presumed that above mention Drug manufactured by you.

PROVINCIAL DRUG INSPECTOR  
 DISTRICT HARIPUR.

No. 68  
 Received Registered Parcel

Registered Insured \_\_\_\_\_  
 Postage \_\_\_\_\_ Rs.  
 Registration Fee \_\_\_\_\_ Rs.  
 Addressed to Phy-TOCON Acknowledgment Fee \_\_\_\_\_ Rs.  
 Insurance Fee \_\_\_\_\_ Rs.  
 Total \_\_\_\_\_ Rs.

Amount in words \_\_\_\_\_

Weight 140g Kg  
 Value Rs. 700-538

Sender's Name & Address Phy-TOCON Industrial Estate

Signature of Booking Official [Signature] Date stamp of booking Office Chhore

RP-51 (PD)  
 Rs. \_\_\_\_\_

140g

15

**FORM-3**  
[See Rule 6]

**CERTIFICATE OF TEST OR ANALYSIS BY THE DRUGS TESTING  
LABORATORY/GOVERNMENT ANALYST.**

- Certified that the samples bearing number PDI - 184/HR.  
Purporting to be a sample Tab: Besilyte, B. No. BTW 001.  
Mfd: by Phytocoin International Lahore.  
Received on 16 - 08 - 2016. with Memorandum No. 184/HR,  
Dated 11 - 08 -2016. from  
Provincial Drugs Inspector Distt: Haripur.

has been tested / analysed and that the result of such test/analysis as stated below: -

2. The condition of the seals on the packet on receipt was as follows: - **Satisfactory.**
3. In the opinion of the undersigned the sample ~~is not~~/is adulterated/Sub-standard/mis branded/spurious as defined in the drug Act, 1976 for the reasons given below: -

  
**GOVERNMENT ANALYST**

Details of results of test or analysis with protocols of test applied)

**Description: -** Brown black black color oblong biconvex with flat edges  
spotted Tablets in alu alu pack.

Average weight = 1.050gm/Tablet.

**Identification: -** Iron elemental and Ascorbic Acid Identified.

Assay :- Elemental Iron = 13.83mg/Tablet.  
Ascorbic Acid = 37.44mg/Tablet.

**Conclusion :-** The above sample of Tab: Besilyte. B. No. BTW 001,  
contains Elemental Iron and Ascorbic Acid.

TRA No. 43136. DTL, Dated Peshawar, the 19 - 09 - 2016.

Forwarded to: -

1. The Inspector of Drugs Haripur DHO Office Haripur.
2. The Chairman, Provincial Quality Control Board, Government of Khyber Pukhtoonkhwa,  
Health Department, Peshawar.

  
**GOVERNMENT ANALYST**

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**FORM-3**  
[See Rule 6]

**CERTIFICATE OF TEST OR ANALYSIS BY THE DRUGS TESTING  
LABORATORY/GOVERNMENT ANALYST.**

Certified that the samples bearing number PDI - 184/HR.

Purporting to be a sample Tab: Besilyte, B. No. BTW 001.

Mfd: by Phytocoin International Lahore.


Received on 16 - 08 - 2016. with Memorandum No. 184/HR,

Dated 11 - 08 - 2016. from

Provincial Drugs Inspector Distt: Haripur.

has been tested / analysed and that the result of such test/analysis as stated below: -

2. The condition of the seals on the packet on receipt was as follows: - **Satisfactory.**
3. In the opinion of the undersigned the sample ~~is not~~ is adulterated/Sub-standard/mis branded/spurious as defined in the drug Act, 1976 for the reasons given below: -

  
**GOVERNMENT ANALYST**  
Peshawar  
Khyber Pakhtoonkhwa

Details of results of test or analysis with protocols of test applied)

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Forwarded to: -

1. The Inspector of Drugs Haripur DHO Office Haripur.
2. The Chairman, Provincial Quality Control Board, Government of Khyber Pukhtoonkhwa,  
Health Department, Peshawar.

  
**GOVERNMENT ANALYST**  
Peshawar  
Khyber Pakhtoonkhwa

**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DISTRICT HARIPUR**

Dated. Oct 04, 2016.

No.467-HR-PDI

Zahid Shah S/O Tahir Shah


Prop: Haripur Distribution Old Subzimandi Haripur.

**SUBJECT: SHOWCAUSE NOTICE**

Undersigned on Aug 11, 2016 inspected your premises and took Sample of Tab Besilyte B.No BTW-001for the purpose of Test /Analysis.

**Government Analyst/Government Drugs Testing Laboratory Peshawar concluded vides FORM-3 that said sample contains Elemental Iron and Ascorbic Acid. (Attached)**

Therefore you are here by directed to explain your position and disclose the name and address of person form whom you have purchased the said Drug; within seven days of the receipt of this letter, failing which legal action will be taken against you under The Drugs Act, 1976.



**PROVINCIAL DRUG INSPECTOR  
AT DHO OFFICE DISTRICT HARIPUR.**

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# BrainsPharma-Islamabad

Office No 4-5 Lower Ground Floor, Ghosia Plaza, U Principal Road, Islamabad

Phone# 051-4410610

NTN #: 2863627-9 STN #: 23-00-9999-404-19

**Sale Invoice**

Print Date:

Sold To: UMAR ENTERPRISES /  
 Code No. *Hasipur Distribution Services*  
 Area: HARIPUR

Invoice No.: 242  
 Dated: 13/04/2016  
 Ref. Invoice No.  
 SDS No.:

License No.: Expiry Date:

Booked By: Counter Delivered By: Counter Prepared By: Irfan

S.No	Code	Description	Pack	Batch No.	Exp Date	Quantity	Bonus	Trade Price	Value	S.Tax	Add Tax	Discount		Total
												%age	Amount	
4 Brains Pharma														
1	ETOD SYP		120ml	ESW-001	Nov-17	95		169.15	16069					16069.3
2	BESILYTE TAB		20s	BTW-001	Nov-17	30		323	9690					9690
3	BESILYTE SYP		120ml	WBS-001	Jan-18	23		169.15	3890.5					3890.45
4	EVD+TAB		30s	ETW-001	Nov-18	105		204	21420					21420
4	IVC+ SYP		120ml	WIS-001	Jun-17	49		148.75	7288.8					7288.75
Total for Brains Pharma						302			58358					58358.5
Total for Invoice No.						302			58358					58358.5

7 less on Purchase

Rs. 58,358 Only

جو ماہ قبل ایکسپائرنگ واپس کر کے رقم بڑھ سے کاٹ لیں اور کسی بھی قسم کی پرچی یا سیٹلز میں سے  
 نیز میڈیسن سیریل نمبر کے حساب سے چیک کر لیں بعد میں کسی بھی کمی یا بقی کی ادارہ ذمہ دار نہ ہوگا

*Handwritten notes:*  
 21/4/16  
 37  
 P-stad

Warranty U/S 23

I, Ishtiaq Akber, being a person resident in Pakistan carrying on business at Office No 4-5 Lower Ground Floor, Ghosia Plaza, U Principal Road, Islamabad, under the name of Brainspharma a distributor / wholeseller / authorized agent on the drugs on this invoice, do hereby give this warranty that the drugs are sold by me, do not contravene in any way the provisions of Section 23 of the drugs Act 1976.

For dated items we must be informed five months prior to expiry.

Please check the value and calculations and inform immediately if any deviation is observed. We do not accept any responsibility afterwards.

*Signature*  
 For Brainspharma-Islamabad

Printed By:

Report ID:

18

Ishtiaq Akbar  
Brims Pharma-Islamabad  
Office No 4-5 Lower Ground Floor Ghosia Plaza  
IJ Principle Road Islamabad

**SUBJECT: SHOWCAUSE NOTICE**

Undersigned on Aug 11, 2016 inspected your premises and took Sample of Tab Besilyte B.No BTW-001for the purpose of Test /Analysis.

**Government Analyst/Government Drugs Testing Laboratory Peshawar concluded vides FORM-3 that said sample contains Elemental Iron and Ascorbic Acid. (Attached)**

Notice vides letter no 467-HR-PDI Dated Oct 04, 2016 was sent to Zahid Shah S/O Tahir Shah Prop: Haripur Distribution Old Subzimandi Haripur. In reply he disclose invoice No.242 of your business premises.

Therefore you are here by directed to explain your position and disclose the name and address of person form whom you have purchased the said Drug; within seven days of the receipt of this letter, failing which legal action will be taken against you under The Drugs Act, 1976.

PROVINCIAL DRUG INSPECTOR  
AT DHO OFFICE DISTRICT HARIPUR.

No. 705

For Insurance Notices see reverse. Rs. Ps.  
Stamps affixed except in case of unsecured letters of not more than the initial weight prescribed in the Post Office Guide or in which no other arrangement is made.

Received a registered letter addressed to \_\_\_\_\_

Initials of Receiving Office \_\_\_\_\_

Insured for Rs. (in figures) \_\_\_\_\_

Insurance fee Rs. \_\_\_\_\_

Name and address of sender \_\_\_\_\_

Weight \_\_\_\_\_

Rs. \_\_\_\_\_

Grams \_\_\_\_\_

19



www.brainspharma.com.pk

The Provincial Drug Inspector,  
D.H.O. office,  
HARIPUR.

Subject: SHOW CAUSE NOTICE.

Reference is made vide your office letter No. 482-HR-PDI dated 08-11-2016 on the subject cited above.

2. Regarding the matter it is informed that the product under discussion has been purchased from M/s Phytocon International (Pvt) Ltd, 339-A Sundar Estate Lahore. Warranty invoice of the manufacturer is enclosed.

3. The matter may, therefore, be probed into with the manufacturer concerned, please.

Regards,

Ishtiaq Akbar Satti

Office #4-5  
Lower Ground Floor  
Ghousia Plaza,  
I.J. Principle Road,  
Near Pindora Chongi,  
Islamabad - Pakistan.  
+92-51-4410610, 0332/0321-5272794  
Email: info@brainspharma.com.pk, ishtiaq@brainspharma.com.pk  
brainspharma@yahoo.com



# PHYTOCON INTERNATIONAL (Pvt) Ltd.

## ORIGINAL SALES INVOICE

Messer

**BRAINS PHARMA**  
OFFICE# 4, 5 LOWER FLOOR GHOUSIA PLAZA NEAR PINDOR  
CHUNGI IJP ROAD  
Tel: Fax:

Dated 17-December 2015  
Invoice No ST/12/413  
Despatch No  
D. S. L. No  
Due Date: 25-12-2015

Batch No	Item Title	Pack	Qty	Bonu s	Gross Rate	Discount		Rate	Net Sale
						%	Amount		
BTW-001	BESILYTE TABLET	20s	2209	0	45.00	0	0.00	45.00	99405.00
ETW-001	EVO+ TABLET	30s	1410	0	47.00	0	0.00	47.00	66270.00
TOTAL AMOUNT									165675.00

### Warranty :

I, M. Umair S/O M. Azeem on Behalf of Phytocon international (Pvt) Ltd. Hereby that above mentioned products have been supplied us under the rules of DRAP ACT (XX1-2012) / SRO (412).

Signature

M. Umair  
Azeem



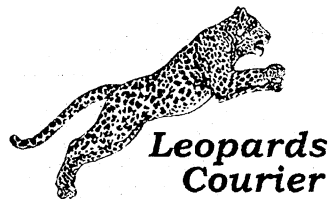
(21)



From: Brains PHARMA

Address: OFFICE # 4, 5 Lower Ground floor OP R.

City: Islamabad Contact: 0321-5272794



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**Imagination!**

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022-3817061  
022-3817700

**Mirpur AK**  
Tel: 058274, 445550  
058274, 444027

**Sialkot**  
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052-4604352  
052-4604110

**Muree**  
Tel: 051-3412130

**Sukkur**  
Tel: 071-5622612  
071-5623135

**Peshawar**  
Tel: 091-2216450  
091-2561489

**Gujranwala**  
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055-3259399


**Jhelum**  
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0514-629995

**Abbottabad**  
Tel: 0992-334022  
0992-330422

**Quetta**  
Tel: 081-2829250  
081-2821423  
081-2868002

**D.I. Khan**  
Tel: 0966-711914  
0966-716396



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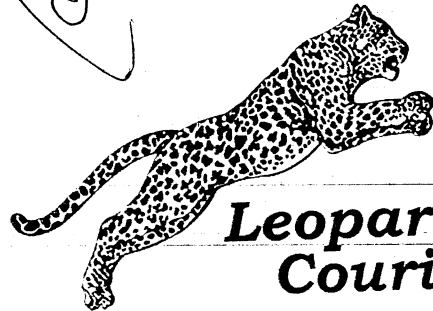
**Faster** *Than Your*  
**Imagination!**

To: OFFICE OF THE PROVINCIAL Drug Inspector

Address: DISTRICT HARIPUR

City: HARIPUR Contact: \_\_\_\_\_

PL



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**111-300-786**

**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DISTRICT HARIPUR**

Dated. Nov 21, 2016.

No.485-HR-PDI

Mohammad Umar S/O Mohammad Azeem  
M/S Phytocon International  
339 Sunder Industrial Estates, Lahore-Pakistan.

**SUBJECT: SHOWCAUSE NOTICE**


Undersigned on Aug 11, 2016 inspected premises of Haripur Distributor Situated at Old Sabzimandi Haripur and took Sample of Tab Besilyte B.No BTW-001for the purpose of Test /Analysis.

**Government Analyst/Government Drugs Testing Laboratory Peshawar concluded vides FORM-3 that said sample contains Elemental Iron and Ascorbic Acid. (Attached)**

Notice vides letter no 467-HR-PDI Dated Oct 04, 2016 was sent to Zahid Shah S/O Tahir Shah Prop: Haripur Distribution Old Subzimandi Haripur. In reply he disclose invoice No.242 of Brians Pharma-Islamabad.

Notice vides letter no 482-HR-PDI Dated Nov 08, 2016 was sent to Ishtiaq Akbar Brians Pharma- Islamabad. In reply he disclose invoice No.ST/12/413 of your premises.

Therefore you are here by directed to explain your; within seven days of the receipt of this letter, failing which legal action will be taken against you under The Drugs Act, 1976.

  
**PROVINCIAL DRUG INSPECTOR  
AT DHO OFFICE DISTRICT HARIPUR.**



**No. 402**

For Insurance Notices see reverse.  
Stamps affixed except in case of Rs. Ps.  
uninsured letters of not more than 40  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgment is due.

Received a registered letter addressed to \_\_\_\_\_ Date Stamp \_\_\_\_\_  
with the word "insured" before when necessary.  
Initials of Receiving Officer \_\_\_\_\_  
[Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_]  
Insurance fee Rs. \_\_\_\_\_ Ps. (in words) \_\_\_\_\_ Kilo Grams \_\_\_\_\_  
Name and address of sender \_\_\_\_\_

**402**



Phytocon International Private Limited

**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DHO OFFICE**  
**HARIPUR KHYBER PAKHTUNKHWA**

Date: 1-12-2016

**SUBJECT: Showcause Notice**

Respectfully sheweth:

1. That PHYTOCON INTERNATIONAL was informed through distributor **M/s Zahid Shah S/o Tahir Shah, Prop: Haripur Distribution Old Subzimandi Haripur** about your official letter no **485-HR-PDI dated 21-11-2016 & TRA No.43136 DTL Peshawar dated 19-09-2016** issue from your office to show cause regarding the DTL report annex with this letter. **(Annex 1)**

Product name	DTL TRA No.	Dated
Tablet Besilyte B. No. BTW 001	43136	19-09-2016

2. That PHYTOCON INTERNATIONAL is a well reputed Nutraceutical Herbal manufacturing company having registered office at 339-A Sundar Industrial Estates, Lahore-Pakistan is serving the health sector since last decade.
3. That PHYTOCON INTERNATIONAL manufactures product as laid by the rule and regulation of Drug Regulatory Authority Pakistan (DRAP). For this purpose PHYTOCON INTERNATIONAL as company and its products has already enlisted under Drug Regulatory Authority Pakistan (DRAP) Act 2012 having enlistment No. **83 (Form-6 attached in Annex 2)**
4. That PHYTOCON INTERNATIONAL rightly claims regarding presence of natural source of all ingredients present in manufactured product regarding the rules and regulation laid by DRAP. As per specifications of said product, DTL Peshawar did not demanded for testing procedure of products.
5. That PHYTOCON INTERNATIONAL denies the presence of any restricted allopathic ingredients in said product. PHYTOCON INTERNATIONAL use only recommended sources under the limitations and guidelines of DRAP for his products and there is no way to identify or differentiate the presence of ingredients as claimed by the DTL report. PHYTOCON INTERNATIONAL has legal right to **challenge the reports of government analyst under Drug Act 1976 under Section 22 Subsection 4 on said bases.**
6. That PHYTOCON INTERNATIONAL request you please send the retained sample to the **NIH Laboratory** for retesting as prescribed by the law to fulfill the legal requirement.

COPY TO

1. Inspector of drugs DHO Office Haripur.
2. The Chairman, Provincial Quality Control Board, Government of Khyber Pakhtoonkhwa, Health Department Peshawar.

Regards,  
Dr. Shabana  
Drug Regulatory officer,  
Phytocon International Lahore.

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# Annex-1

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**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DISTRICT HARIPUR**

Dated Nov 21, 2016.

No 485-HR-PDI

Mohammad Umar S/O Mohammad Azeem  
M/S Phylucon International  
359 Sunder Industrial Estates, Lahore-Pakistan

**SUBJECT: SHOWCAUSE NOTICE**

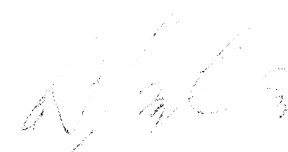
Undersigned on Aug 11, 2016 inspected premises of Haripur Distributor Situated at Old Sabzimandi Haripur and took Sample of Tab Besilyte B.No BTW-001 for the purpose of Test Analysis

Government Analyst/Government Drugs Testing Laboratory Peshawar concluded vides FORM-3 that said sample contains Elemental Iron and Ascorbic Acid. (Attached)

Notice vides letter no 467-HR-PDI Dated Oct 04, 2016 was sent to Zanid Shah S/O Tahir Shah Prop: Haripur Distribution Old Subzimandi Haripur. In reply he disclose invoice No.242 of Brians Pharma-Islamabad.

Notice vides letter no 482-HR-PDI Dated Nov 08, 2016 was sent to Ishtiaq Akbar Brians Pharma- Islamabad. In reply he disclose invoice No.ST/12/413 of your premises.

Therefore you are here by directed to explain your within seven days of the receipt of this letter, failing which legal action will be taken against you under The Drugs Act, 1976

  
PROVINCIAL DRUG INSPECTOR  
AT DHO OFFICE DISTRICT HARIPUR.

**FORM 3**  
[See Rule 61]

**CERTIFICATE OF TEST OR ANALYSIS BY THE DRUGS TESTING  
LABORATORY/GOVERNMENT ANALYST**

Certified that the samples bearing number 1184 HR  
Purporting to be a sample Tab: Besilyte, B. No. BTW 001  
Mfd: by Phytocoin International Ltd.  
Received on 16-08-2016 with Memorandum No. 184 HR  
Dated 11-08-2016 from  
Provincial Drugs Inspector Distt: Haripur.

has been tested / analysed and that the result of such test/analysis as stated below:

- The condition of the seals on the packet on receipt was as follows: - Satisfactory.
- In the opinion of the undersigned the sample ~~is not~~ is adulterated/Sub-standard/mis-branded/spurious as defined in the drug Act, 1976 for the reasons given below: -

**GOVERNMENT ANALYST**

Details of results of test or analysis with protocols of test applied: -

Description: - Brown black color oblong biconvex with flared edges spotted Tablets in alu alu pack.

Average weight = 1.050gm/Tablet.

Identification: - Iron elemental and Ascorbic Acid Identified.

Assay :- Elemental Iron = 13.83mg/Tablet.  
Ascorbic Acid = 37.44mg/Tablet.

Conclusion :- The above sample of Tab: Besilyte, B. No. BTW 001, contains Elemental Iron and Ascorbic Acid.

TRA No. 43136 DTL, Dated Peshawar, the 16-08-2016

Forwarded to: -

- The Inspector of Drugs Haripur D.D.O. Office, Haripur.
- The Chairman, Provincial Quality Control Board, Government of Khyber Pakhtoonkhwa, Health Department, Peshawar.

**GOVERNMENT ANALYST**



FORM-6

[Sec rule 7(16)]

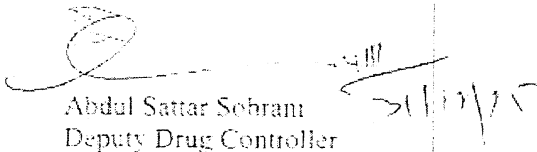
PROVISIONAL CERTIFICATE FOR ENLISTMENT AS MANUFACTURER

E. No. 0083

M/s. Phytocon International (Pvt) Ltd., located at 339-A, Sundar Industrial Estate, Raiwind Road, Lahore is hereby enlisted in the enlistment register as manufacturer (Tablet, Capsule, Oral Liquid, Cream Ointment and Sachet Sections) by the Authority (approved in 6<sup>th</sup> Meeting of EEC) subject to the following conditions namely:-

- a. The manufacturer shall be responsible for the quality, efficacy and safety of all the therapeutic goods manufactured and sold by him.
- b. He shall abide by all the provisions of the Drug Regulatory Authority of Pakistan Act, 2012 (XXI of 2012) except those exempted under the said Act.
- c. He shall immediately recall the defected therapeutic goods within 15 days after intimation to him and report the compliance to the Authority.
- d. He shall be responsible to withdraw the unsafe therapeutic goods from the market if so declared by the Authority. He shall also report adverse affect reports, if any, to the Authority within 15 days period and notify local person for such reporting.
- e. Any other relevant condition imposed by the Authority in future.
- f. This certificate shall not be valid after the date notified by the Authority through official gazette.
- g. Certificate of enlistment shall be surrendered to the Authority within 7 days if it is suspended, revoked, becomes invalid or its holder winds up his business.

Dated 31.12.2015

  
Abdul Sattar Sohrani  
Deputy Drug Controller  
Division of Health and OTC Products  
Drug Regulatory Authority of  
Pakistan

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**OFFICE OF THE PROVINCIAL DRUG INSPECTOR DISTRICT HARIPUR**

---

Case No.395-HR

Dated Haripur Jan 30,2017.

Respectable Secretary Health/Chairman Provincial Quality Control Board  
Provincial Secretariat Government of Khyberpakhtunkhwa, Peshawar.

**SUBJECT: SEEKING ORDERS UNDER SECTION 19(6) OF THE DRUG ACT, 1976.**

السلام عليكم

Undersigned on Aug 11, 2016 inspected premises of M/S Haripur Distributor  
Situating at Old Sabzimandi Haripur and took Sample of Tab BesilyteB.No BTW-001for the purpose  
of Test /Analysis.

**Government Analyst/Government Drugs Testing Laboratory Peshawar concluded vides  
FORM-3 that said sample contains Elemental Iron and Ascorbic Acid. (Attached)**

Notice vides letter no 467-HR-PDI Dated Oct 04, 2016 was sent to Zahid Shah S/O Tahir Shah  
Prop: Haripur Distribution Old Subzimandi Haripur. In reply he disclose invoice No.242 of  
BriansPharma-Islamabad.

Notice vides letter no 482-HR-PDI Dated Nov 08, 2016 was sent to Ishtiaq Akbar Brians Pharma-  
Islamabad. In reply he disclose invoice No.ST/12/413 of Phytocon International 339 Sunder  
Industrial Estates, Lahore-Pakistan.

Notice vides letter no. 485-PDI-HR dated Nov 21, 2016 was sent to Mohammad Umar S/O  
Mohammad Azeem of Phytocon International .In response Dr.Shabana challenged the test report  
of Government Analyst.

Sale/Stock of Unregistered Drug is violation of section 23(1)(a)(vii) of The Drugs  
Act,1976.Therefore undersigned seek orders as to the action to be taken in respect of such  
contraventions.

With regards



**Provincial Drug Inspector  
At DHO Office –Haripur.**





PROVINCIAL QUALITY CONTROL BOARD  
KHYBER PAKHTUNKHWA, HEALTH DEPARTMENT

NO. SO(Drugs)/HD/2-15/2018 (294<sup>th</sup> PQCB)  
Dated Peshawar the, 27<sup>th</sup> February, 2018

To

The Provincial Drug Inspector,  
Office of the District Health Officer,

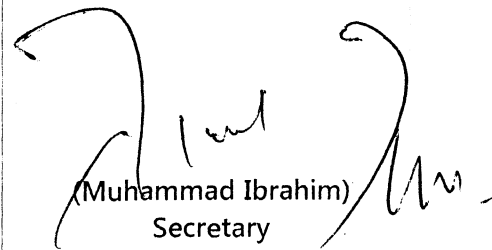
Haripur.

Subject:- MINUTES OF THE MEETING OF PROVINCIAL QUALITY CONTROL BOARD KHYBER PAKHTUNKHWA.

I am directed to refer to your complaint vide memo No. 395-HR dated 30/01/17 and to enclose herewith minutes of the meeting of Provincial Quality Control Board, Khyber Pakhtunkhwa held on 23/01/2018 at 10:00 AM for favour of further necessary action at your end under intimation to this Board within one week for lodging FIR And within fortnight in cases to be instituted in the Drug Court.

The Board shall be kept informed of the progress of the case and the final outcome/decision of the Court shall be intimated to this Board giving reference of this letter and the copy of decision of the Court shall be produced along with your comments/recommendations for further immediate necessary action (within fortnight at the maximum).

Encl: As above.

  
(Muhammad Ibrahim)  
Secretary  
Provincial Quality Control Board  
Khyber Pakhtunkhwa, Peshawar

Endst: No. & Date Even.

Copy along with minutes forwarded to the Chairman Drug Court, Khyber Pakhtunkhwa, Peshawar for information.

Secretary  
Provincial Quality Control Board  
Khyber Pakhtunkhwa, Peshawar

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# MINUTES OF THE 294<sup>th</sup> MEETING OF THE PROVINCIAL QUALITY CONTROL BOARD KHYBER PAKHTUNKHWA PESHAWAR, HELD ON 23-01-2018 AT 10:00 AM.

The subject meeting was held on 23-01-2018 at 10:00 AM in the C/Room of Health Department, Peshawar under the chairmanship of Mr. Nadir Khan Rana, Special Secretary Health/Chairman Provincial Quality Control Board, Khyber Pakhtunkhwa. The meeting was attended by the following members of the Board:-

- 1- Dr. Fazal Nasir, Professor Pharmacy Department representing Chairman Pharmacy Department, Peshawar University, Peshawar.
- 2- Dr. M. Abid Shah, representing Head of Pharmacology Department, KMC, Peshawar.
- 3- Mr. Hakim Abdul Waheed, M/S Afghani Dawakhana, Peshawar as member PQCB.
- 4- Mr. Akbar Jan, Chief Drugs Inspector, Khyber Pakhtunkhwa as member PQCB.
- 5- Mr. Naseer Ahamd, Section Officer (Drugs), Health Department as member.
- 6- Muhammad Ibrahim, Deputy Secretary (Drugs), Health Department as Secretary PQCB.

Mr. Ismail, Chairman PCDA representing Chemist & Druggist Association Khyber Pakhtunkhwa participated in the meeting in capacity as observer member.

After affording opportunity of hearing to the accused parties, the following decisions were made by the Board.

131.	Haripur	<p>1- Zahid Shah S/O Tahir Shah Prop: M/S Haripur Distributor old sabzimandi Haripur.</p> <p>2- Ishtiaq Akbar Brains Pharma Office NO.4-5 Lower Ground floor Ghosia Plaza IJ Principle Road, Islamabad.</p> <p>3- Muhammad Umar S/O Muhammad Azeem M/S Phytocoin International Pvt Ltd Islamabad.</p>	<p>sale of unregistered drugs i.e Tab; Besilyte B.No.BTW001 Mfg: by M/S Phytocoin International Lahore.</p>	<p>Section 23 (1)(a)(vii) of the Drugs Act, 1976.</p>	<p>All accused were absent however, the case was discussed at length and the following decision was made by the Board.</p> <p><b>Decision:</b> The Drug Inspector concerned to refer the case to the Drug Court for judicial trial.</p>
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