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SINDH ORDINANCE No.V OF 1995

THE PEOPLE'S MEDICAL COLLEGE AND HOSPITAL NAWABSHAH ORDINANCE, 1995.

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SINDH ORDINANCE No.V OF 1995

THE PEOPLE'S MEDICAL COLLEGE AND HOSPITAL NAWABSHAH ORDINANCE, 1995.

[3rd September, 1995]

An Ordinance to reconstitute and re-organize the Medical College and Hospital Nawabshah.

Preamble

WHEREAS, it is expedient to provide for the reconstitution and re-organization of the Medical College and Hospital Nawabshah and for matters ancillary thereto;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance:—

CHPATER I

PRELIMINARY

Short title and commencement

1. (1) This Ordinance may be called the People's Medical College and Hospital Nawabshah Ordinance, 1995.

(2) It shall come into force at once.

Definitions.

2. In this Ordinance, unless there is anything repugnant in the subject or context—

(a) "Board" means the Board of Governors of the Medical College;

(b) "Chairman" means the Chairman of the Board;

(c) "Chief Executive Director" means the Chief Executive Director of the Medical College;

(d) "existing Medical College and Hospital" means the Medical College and Hospital Nawabshah functioning immediately before the coming into force of this Ordinance;

(e) "Government" means the Government of Sind;

(f) "Medical College" means the People's Medical College and Hospital Nawabshah;

(g) "Member" means a member of the Board;

(h) "prescribed" means prescribed by Statutes, Regulations or Rules;

(i) "Principal" means the Principal of the Medical College;

(j) "regulations" means regulations made under this Ordinance.

CHAPTER II

ESTABLISHMENT OF THE MEDICAL COLLEGE

Establishment of the Medical College.

3. (1) A Medical College to be called the People's Medical College and Hospital Nawabshah shall be established by reconstituting and reorganizing the existing Medical College and Hospital.

(2) The Peoples Medical College and Hospital as reconstituted in accordance with the provisions of this Ordinance shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and shall by the name specified in sub-section (1) sue and be sued.

(3) The headquarters of the Medical College shall be at Nawabshah.

Administration of the affairs of the Medical College.

4. The general direction and administration of the Medical College and its affairs shall vest in a Board to be called the Board of Governors which may exercise all powers and do all acts and things as may be necessary for the promotion and fulfilment of the objectives of the Medical College.

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5. (1) The Board shall consist of— **Board**

(i)	The Governor of Sindh	Chairman
(ii)	Mr. Abdul Sattar Keeio or his representative not below the Secretary.	Vice Chairman
(iii)	The Chief Secretary, Sindh or his representative not below the rank of Secretary.	Member
(iv)	One Member of the Provincial Assembly of Sindh from Nawabshah nominated by Government.	Member
(v)	Federal Secretary Health or his representative not below the rank of Joint Secretary	Member
(vi)	Federal Secretary Finance or his representative not below the rank of Joint Secretary.	Member
(vii)	Federal Secretary Planning or his representative not below the rank of Joint Secretary.	Member
(viii)	Federal Director General Health	Member
(ix)	Additional Chief Secretary (Dev) Sindh.	Member
(x)	Secretary Health Sindh.	Member
(xi)	Secretary Finance, Sindh.	Member
(xii)	One eminent person from medical profession, Nawabshah nominated by Government.	Member

(xiii)	A representative of the Agha Khan University.	Member
(xiv)	Deputy Commissioner, Nawabshah.	Member
(xv)	Chief Executive Director.	Member/ Secretary

(2) The Board may associate such other experts as it may consider necessary.

(3) The members other than ex-officio members shall, unless Government otherwise direct hold office for a period of two years; provided that such member shall be eligible for re-appointment.

(4) Any member other than ex-officio member may by writing under his hand addressed to the Chairman resign his office.

(5) No member shall be entitled to any remuneration or free medical treatment at the Medical College.

(6) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of the Board.

Duties and functions of Chairman and members

6. (1) The Chairman and members shall discharge such duties and perform such functions as are assigned to them by or under this Ordinance.

(2) Until the Board is duly constituted, the Chairman shall, exercise the powers, discharge the duties and perform the functions of the Board.

Meetings of the Board.

7. The meetings of the Board shall be held as frequently as possible but not less than four times a year at such times and places and in such manner as the regulations may provide:

Provided that, until regulations are made in this behalf, the meetings of the Board shall be convened by and held as directed the Chairman.

Executive Committee.

8. (1) There shall be an Executive Committee consisting of the following:—

(i)	The Chief Executive Director	Chairman
(ii)	The Principal of the Medical College.	Member
(iii)	The Medical Superintendent of the Medical College.	Member
(iv)	One Professor nominated by the Board.	Member

(2) The Executive Committee may coopt any person as its members for specified period or purpose.

(3) The Executive Committee shall prepare short and long term development programmes for the Medical College and submit the same to the Board for approval.

(4) The Executive Committee shall perform such other functions as may be assigned to it by the Board.

CHPATER III

OBJECTIVES OF THE MEDICAL COLLEGE AND POWERS OF THE BAORD

Aims and Objects.

9. The objectives of the Medical College shall be as follows:—

(a) in improve teaching and medical facilities available in the Medical College;

(b) to impart medical educational including training research demonstration at the under graduate and post graduate level of the highest standard;

(c) to provide training facilities in various discipline to the teachers, doctors, nurses and para-medical staff of the Medical College and similar other institutions;

(d) to introduce modern medical and management techniques in the medical College;

(e) to associate itself with other institutions for better discharge of its functions and responsibilities;

(f) to provide best health facilities to the people;

(g) to undertake such other activities as would ensure effective and efficient operation of the Medical College.

Powers of the Board.

10. (1) Subject to the other provisions of this Ordinance the Board may take such measures and exercise such powers as may be unnecessary for carrying out the purposes of this Ordinance.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), the Board shall—

(a) exercise control over and supervise the functioning of the Medical College;

(b) consider and approve the budget estimates, annual reports and audited statements of accounts of the Medical College;

(c) incur any expenditure necessary for carrying out the purposes of this Ordinance in accordance with the approved budget;

(d) acquire, hold, control, administer and dispose of the property and the fund of the Medical College including funds for specific purposes;

(e) enter into and perform all such contracts as it may consider necessary;

(f) arrange for the audit of the accounts of the Medical College;

(g) raise funds and borrow money on such terms as may be approved by Government;

(h) appoint Academic Council headed by the Principal of the Medical College with such members as may be appointed by it for academic work;

(i) have power to delegate any of its power to the Chief Executive Director or any other officer of the Medical College; and

(j) frames regulations as are necessary for carrying out the purposes of this Ordinance.

CHAPTER IV

ESTABLISHMENT

Chief Executive Director General.

11. (1) Government shall in consultation with the Board appoint a whole-time Chief Executive Director Possessing such qualifications and on such terms and conditions as it may determine.

(2) The Chief Executive Director shall be the chief executive of the Medical College.

(3) Subject to the directions of the Chairman and in accordance with the guidelines and policies laid down by the Board, the Chief Executive Director shall——

(i) supervise and control administration of the Medical College;

(ii) be responsible for, and have the authority necessary for overseeing and implementing in an expeditious manner the decisions of and scheme and programmes approved by the Board;

(iii) keep in its custody the record and seal of the Medical College;

(iv) prepare report of the activities of the Medical College for the information of the Board and Government;

(v) submit budget estimates and revised budget estimates to the Board;

(vi) incur expenditure within the approved budget;

(vii) execute deeds and documents on behalf of the Board;

(viii) perform such other functions and duties as may be assigned to him by the Board or Chairman.

Appointment of Officers, Advisors and employees.

12. (1) For efficient functioning of the Medical College, teachers, Doctors, officers and other staff possessing such professional, technical, ministerial qualifications and experience, may be appointed in such manner and on such terms and conditions, as may be prescribed.

(2) The teachers, officers and staff so appointed shall be liable to such disciplinary action and in such manner as may be prescribed.

CHPATER V

FINANCE

Fund

13. There shall be a separate fund of the Medical College which shall consist of—

(a) grants received from any Government;

(b) aid and loan obtained from any source;

(c) income from investment and deposits;

(d) donations and endowments;

(e) receipt from such sources as may be approved by the Board;

Budget.

14. The Board shall be prepared and approved in the manner as may be prescribed.

Account.

15. The funds shall be kept in a Scheduled Bank approved by the Board.

Operation and maintenance of accounts.

16. (1) The accounts shall be operated and maintained in such manner and form as may be prescribed.

(2) The accounts shall be audited by the Accountant General Sindh.

CHAPTER VI
MISCELLANEOUS

Assets and liability.

17. All funds, properties, right and interest of whatever kind, used, enjoyed, possessed owned or vested in, or held in trust by or for existing Medical College and Hospital and all liabilities legally subsisting against the said Medical College and Hospital shall stand transferred to the Medical College as reconstituted under this Ordinance.

Terms and conditions of service of persons transferred to the Medical College.

18. All persons in the service of Government serving in the existing Medical College and Hospital in any capacity immediately before the commencement of this Ordinance shall notwithstanding anything contained in any law or terms and conditions of their service stand transferred for service under the Medical College on such terms and conditions as may be determined by the Board:

Provided that such terms and conditions shall not be less favourable them those admissible to them immediately before their transfer:

Provided further that the persons so transferred shall until the terms and conditions of service are determined shall be governed by the terms and conditions as were admissible to them immediately before such transfer.

Requisition of Government.

19. Government may require the Board to furnish to it any information, return, statement or statistics regarding any manner concerning the Medical College and the Board shall comply with such requisition.

Annual report.

20. The Board at the close of every financial year shall prepare annual report of its activities and performance and submit the same to Government.

Public Servant.

21. All persons acting or purporting to act in pursuance of any provision of this Ordinance shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code.

Jurisdiction barred.

22. No Court shall have jurisdiction to grant any injunction or make order or entertain any proceedings in relation to anything done or intended to be done under this Ordinance.

Indemnity.

23. No suit or legal proceedings shall lie against Government, Medical College, or any other person in respect of anything done or intended to be done under this Ordinance.

Regulations.

24. The Board may make regulation for carrying out the purposes of this Ordinance.