

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 28TH OCTOBER, 2014.**

NO.PAS/Legis-B-34/2014-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

**THE POSTGRADUATE COLLEGE OF
MEDICAL SCIENCES SINDH BILL, 2014.**

SINDH BILL NO. 34 OF 2014.

**A
BILL**

to establish a Postgraduate College of Medical Sciences
in the Province of Sindh.

Whereas it is expedient to establish a Postgraduate College of Medical Sciences in the Province of Sindh for maintaining high principles of medical professions, promoting specialist medical practice of the Province, arranging postgraduate medical training for matters ancillary thereto;

Preamble

It is hereby enacted as follows:-

1. (1) This Act may be called the Postgraduate College of Medical Sciences Sindh Act, 2014. Short title, extent and commencement
- (2) It shall extend to the whole of the Province of Sindh.
- (3) It shall come into force at once.
2. In this Act, unless there is anything repugnant in the subject or context- Definitions.
 - (a) "College" means the Postgraduate College of Medical Sciences Sindh established under section 3;
 - (b) "Council" means the Council of the College constituted under section 7;
 - (c) "Dean" means Head of a Specialty College;
 - (d) "Degree or Diploma" means degree or diploma as approved by Pakistan Medical and Dental Council or Sindh Medical and Dental Council;
 - (e) "Fellow" means a Fellow of the Postgraduate College of Medical Sciences Sindh and Fellow of College of Physicians and Surgeons of Pakistan and Registered with Sindh Medical and Dental Council;
 - (f) "Government" means the Government of Sindh;
 - (g) "prescribed" means prescribed by rules and regulations made under section 20;
 - (h) "Schedule" means schedule to this Act; and
 - (i) "Specialty College" means Postgraduate College for concerned Specialty in Schedule I.

3. (1) As soon as, may be after the commencement of this Act, there shall be established a College, to be called the Postgraduate College of Medical Sciences Sindh. Establishment of the College.
- (2) The College 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 said name, sue and be sued.
- (3) Dow University of Health Sciences shall provide Three Acres of Land for construction thereof, free of cost.
- (4) Dow University Hospital will be the affiliated Hospital of Postgraduate College of Medical Sciences Sindh.
4. The persons who have passed the Fellowship examination and are admitted as Fellows by the Council including Fellows of Federal College of Physician and Surgeons (Pak) who are registered with Sindh Medical and Dental Council, residents and practicing in the Province of Sindh, shall be called the Fellows of the College. Fellows of the College.
5. All postgraduates under training in Sindh for Fellowship of Pakistan College of Physicians and Surgeons at the time of promulgation of this Act, subject to their consent as per prescribed conditions shall be allowed to join the College for further examination and training which shall be on the same guidelines as provided to them other than federally administered institutions. Allowing postgraduates of FPCPS (Pak) to join PCPS (Sindh)
6. The following shall be the functions of the College :- Functions of the College.
- (i) to promote specialist practice of medicine and allied, surgery and allied, gynecology and obstetrics and such other specialties for securing improvement in teaching and training in hospitals and hospital methods;
 - (ii) to arrange postgraduate medical, surgical and other specialists training;
 - (iii) to hold and conduct examinations for grant of different degrees or diplomas in specialties of Medicine and Surgery and other specialties;
 - (iv) to provide for research

- (v) to bring together the physicians, surgeons and other specialists of the Province of Sindh periodically for scientific discussions and practical demonstrations of various subjects;
- (vi) to do all acts and things as it may consider necessary to carry out the purposes of this Act;
- (vii) all postgraduate slots in Sindh recognized by the College will be approved by the Sindh Medical & Dental Council after a joint inspection;
- (viii) College will ensure that all specialists in different disciplines are available to the people and doctors are suitably trained;
- (ix) shall maintain a profile of specialists available and the requirement of the Province in different specialties;
- (x) to hold a unified entrance exam at an appropriate time including medical or dental colleges to enter postgraduate training all over Sindh and create available slots for doctors as per requirement of the Province;
- (xi) will determine the standard and criteria for entrance in training slots and create a matching system;
- (xii) to make necessary provisions for the purpose of CME and recertification for its Fellows;
- (xiii) to hold equivalence exam of doctors holding postgraduate degree local or foreign as and when directed by Government;
- (xiv) to sign Agreement and Memorandum of understanding (MOU) with professional bodies, universities and hospitals to promote teaching research and training;
- (xv) to promote, approve and regulate the Specialty Colleges as prescribed within the Framework of this Act;
- (xvi) to devise a methodology to provide equivalence to all Postgraduate Medical Qualifications, both in basic and Clinical Medical Sciences;

- (vii) to make arrangement for joint degree or diploma programs in collaboration with local or foreign postgraduate institutes; and
- (viii) any other function as approved by the Council.

7. (1) There shall be constituted a Council of the College The Council, consisting of sixteen members, in the prescribed manner:

Provided that the first Council shall be appointed by Government for a period of two years from amongst the fellow who have at least twenty years standing in teaching -

- (a) ten members to be elected from amongst the Fellows in a prescribed manner;
- (b) one member of the Sindh Higher Education Commission (Ex-officio);
- (c) Secretary, Health Department, Government of Sindh (Ex-officio);
- (d) two members who shall be eminent educationist but not be doctors one of whom will be a woman; and
- (e) President, Sindh Medical and Dental Council.

(2) A member of the Council shall, subject to his continuance as a Fellow, hold office for a period of four years and shall be eligible for re-elections.

(3) A casual vacancy in the office of the members of the Council shall be filled by appointment or election accordingly, as the member whose vacancy is being filled was appointed or elected and the person so appointed or elected shall hold office for the unexpired period of the term of his predecessor.

8. (1) The members of the Council shall elect, in the prescribed manner from amongst themselves a President, a Vice Presidents: Election of office bearers.

Provided that the first President shall be appointed by Government from amongst the members of the Council.

(2) In the absence of the President, the Vice President shall perform such function as may be prescribed.

(3) The President and Vice President shall hold office for a period of two years but each shall continue in office after the expiry of his term till his successor is elected and shall be eligible for re-election.

(4) The President will not have more than two terms in aggregate.

(5) Any disputes relating to the election under subsection (1) shall be referred to Government for decision within forty five days and whose decision thereon shall be final.

(6) The President will be a full time officer.

9. (1) The Council shall, with the approval of Government, appoint a Secretary, Registrar and Treasurer from amongst persons eligible for appointment: Appointment of Secretary, officers and staff of the Council.

Provided that the Council may, if it thinks fit, require the Registrar to perform the functions of Secretary and the Treasurer or any of them.

(2) The Council may also appoint such officers and staff as may be necessary for the efficient performance of its functions, with the approval of Government.

(3) The Council shall, with the previous sanction of Government, determine the terms and conditions of service and fix the pay and allowances of the officers and employees.

10. (1) The general direction and administration of the affairs of the college shall vest in the Council which may exercise all such powers and do all such acts and things as may be exercised or done by the College. Powers of the Council.

(2) In particular and without prejudice to the generality of the foregoing power, the Council may-

- (a) lay down the powers and functions of the officers of the College;
- (b) hold examinations for the grant of degrees and diplomas and admission to Fellowship of the College;
- (c) appoint Boards of Examiner to conduct examination in different subjects;
- (d) appoint Committees of the Council and lay down the powers and functions of such Committees;
- (e) appoint auditors of the College;
- (f) admit as Fellows the persons who have passed Fellowship examination and signed the prescribed pledge;
- (g) all Fellows with major qualifications if approved by Pakistan Medical and Dental Council or Sindh Medical and Dental Council and included in the second schedule of this act will qualify to become Fellow of the College, after evaluation or examination as per prescribed criteria;
- (h) admit, subject to rules made in this behalf, distinguished persons other than doctors as honorary Fellows of the College;
- (i) lay down fees, subscription and other charges for Fellowship or Diploma, or membership and for such other matter as it may think fit; and
- (j) do all such acts and things may be necessary for the performance of the functions of the College.

11. (1) Where the Council is of the opinion that a Fellow is guilty of misconduct or of any conduct derogatory to the dignity of a Fellow and the interest of the College requires his expulsion from the Fellowship of the College, the Council may expel such Fellow by a resolution at a meeting specially called for the purpose by not less than two-thirds of the total number of members of the Council.

Expulsion of
Fellows.

(2) The Council may also expel a Fellow for any other reason by a resolution at a meeting called for the purpose passed unanimously by all the members of the Council.

(3) The notice of every meeting called under sub-section (1) or sub-section (2) shall be given to the Fellow who is proposed to be expelled together with a statement of charges against him and every such Fellow shall be entitled to submit an explanation of his conduct in writing and also to attend the meeting of the Council and show cause against his expulsion.

12. (1) There shall be an Executive Committee of the Council consisting of the President, Vice President, Treasurer, Secretary and two members elected by the members of the Council from amongst themselves.

The Executive Committee.

(2) The Executive Committee shall exercise and perform such powers and functions of the Council in the management and conduct of the affairs of the college as may be entrusted to it by resolution of the Council or as the President may, in the case of emergency, require the Executive Committee to exercise and perform.

13. (1) All receipts of the College from any source whatever shall constitute the College Fund which shall be applied, subject to any rules made in this behalf, by the Council to meet all expenditure for the administration and management of the affairs of the College.

Funds.

(2) The Council shall make disbursement of college funds by cheques signed by the Treasurer and the Secretary or by one member of the Executive Committee and the Secretary or by any two members of the Executive Committee.

14. The common seal of the College shall be deposited at the office of the Council and shall not be used except by the authority of the Executive Committee and in the presence of two members of the Executive Committee and the Secretary each of whom shall append his signatures to the documents on which the common seal is affixed.

Common Seal.

15. The Council shall maintain in the prescribed manner the accounts of all receipt and expenditure of the College and such account shall be audited annually by such auditors as may be appointed by it in this behalf. Accounts and Audit.
16. (1) The Council shall, before the close of every financial year, prepare an annual report of the working of the council and statement of the estimate of the receipts and expenditure of the College for the next succeeding financial year and present at the annual meeting of the college the report and the statement which may be discussed at the meeting and send a copy to Government. Budget and Annual Report.
- (2) At the end of the annual meeting of the College, the Council shall approve the estimate of receipts and expenditure, with or without modification.
17. (1) The Council shall, before the close of every financial year, call at such time and place as it may think fit the annual meeting of the College - Meeting of the College.
- (a) to receive and consider the annual report presented by the Council;
- (b) to receive and discuss the statement of the estimate of receipt and expenditure of the College for the next succeeding financial year; and
- (c) to transact such other business as the Council and the Fellows may think fit.
- (2) The Council may also from time to time call general meetings of the Fellows for the purposes of providing information or for discussion of matters concerning the welfare of the College and the Fellows and such other matters within the scope of the objects of the College as the Council may think fit to present at such general meeting.
18. The President and other members of the Council and every officer and employee of the College acting or purporting to act under this Act, shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860). The President of the Council to be public servant
19. No suit, prosecution or other legal proceedings shall lie against the College, Council or any person for anything which is in good faith done or intended to be done under this Act. Bar to suits.

20.

The Council, with the approval of Government, may make rules & regulations for carrying out the purposes of this Act.

Power to make rules and regulations.

STATEMENT OF OBJECTS AND REASON

In view of the eighteenth amendment, the subject "health" is devolved to the Provinces. In order to regulate the matters relating to the Physicians and Surgeons, it is expedient to establish the Postgraduate College of Medical Sciences Sindh, at provincial level and enact a law in the matter.

MEMBER-IN-CHARGE

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

