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PART-IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

Karachi, the 26th November, 1995.

No. PAS/Legis-B-15/95.—The People's Medical College and Hospital Nawabshah Act, 1995 having been passed by the Provincial Assembly of Sindh on the 18th September, 1995 and assented to by the Governor of Sindh on 7th November, 1995 is hereby published as an Act of the Legislature of Sindh.

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

SINDH ACT NO XIII OF 1995.

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 26th November, 1995).

AN

ACT

*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;

It is hereby enacted as follows:—

CHAPTER I PRELIMINARY

Short title and commencement.

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

(2) It shall come into force at once.

Definition.

2. In this Act, 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 Act.

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

(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 regulations;

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

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

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 Act shall be a body corporate having perpetual succession and 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.

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 due fulfillment of the objectives of the Medical College.

Administ
tion of the
affairs of the
Medical
College.

5. (I) The Board shall consist of—

Constituti
on of the Board

- | | |
|---|----------------------|
| (i) The Governor of Sindh | Chairman |
| (ii) Mr. Abdul Sattar Keerio | 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 an 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 Act.

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

Meeting 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.

CHAPTER III

OBJECTIVES OF THE MEDICAL COLLEGE AND
POWERS OF THE BOARD

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

Aims and
Objects.

- (a) to 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.

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

(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 Act 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 agreements, contracts, leasing agreements, and arrangements and permission from Government Organizations, institutions, banks, including any other foreign or local donor agency or financial institutions and execute mortgage deeds for carrying out the purposes of this Act;"
- (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 establish Faculties and Teaching Departments;
- (j) undertake research in the field of medical sciences and other allied disciplines;
- (k) have power to delegate any of its power to the Chief Executive Director or any other officer of the Medical College; and
- (l) frame regulations as are necessary for carrying out the purposes of this Act.

CHAPTER IV

ESTABLISHMENT

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.

Chief Executive
Director
General.

(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 records and seal of the Medical College;
- (iv) prepare reports 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) subject to regulations, have power to appoint officers and staff for a period not exceeding six months;
- (ix) perform such other functions and duties as may be assigned to him by the Board or Chairman.

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.

Appointment of Officers Advisors and employees.

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

CHAPTER V

FINANCE

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

Funds

- (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) receipts from such sources as may be approved by the Board;

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

Budget.

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

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

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 Act.

Asset and liability.

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 Act shall not with standing 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 than 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 matter concerning the Medical College and the Board shall comply with such requisition.

Annual Reports.

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 Act 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 any order or entertain any proceedings in relation to anything done or intended to be done under this Act.

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 Act.

Regulation

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

Repeal

25. The People's Medical College and Hospital Nawabshah Ordinance 1995 is hereby repealed.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

KADIR BAKHSH UMRANI

Secretary
Provincial Assembly of Sindh.

KARACHI PRINTED AT THE SINDH GOVERNMENT PRESS