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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 2ND APRIL, 2012.

NO.PAS/Legis-B-09/2012- The Syed Abdullah Shah Institute of Medical Sciences Bill, 2012 having been passed by the Provincial Assembly of Sindh on 5th March, 2012 and assented to by the Governor of Sindh on 21st March, 2012 is hereby published as an Act of the Legislature of Sindh.

**THE SYED ABDULLAH SHAH INSTITUTE OF
MEDICAL SCIENCES ACT, 2012.**

SINDH ACT NO. X OF 2012.

**AN
ACT**

to provide for the establishment of an Institute known as the Syed Abdullah Shah Institute of Medical Sciences, Sehwan.

WHEREAS it is expedient to provide for the establishment of an Institute of Medical Sciences, at Sehwan and for matters connected therewith or ancillary thereto; Preamble.

It is hereby enacted as follows: -

1. (1) This Act may be called the Syed Abdullah Shah Institute of Medical Sciences Act, 2012. Short title and commencement.

(2) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context -

- (a) "Academic Council" means the Academic Council of the Institute;
- (b) "Board" means the Board of Governors of the Institute;
- (c) "Chairperson" means the Chairperson of the Board;
- (d) "Director" means the Director of the Institute;
- (e) "Government" means the Government of Sindh;
- (f) "Institute" means the Syed Abdullah Shah Institute of Medical Sciences;
- (g) "Member" means a member of the Board;
- (h) "prescribed" means prescribed by regulations;
- (i) "regulations" means regulations made under this Act;
- (j) "Selection Board" means the Selection Board of the Institute; and
- (k) "student" means student of institute.

Establishment of the Institute.

3. (1) An Institute to be called Syed Abdullah Shah Institute of Medical Sciences at Sehwan, shall be established by reconstituting and re-organizing the Taluka Hospital Sehwan, Rural Health Centre Arazi, Rural Health Centre Bhan, Rural Health Centre Jhangara and all Basic Health Units of Taluka Sehwan.

(2) The Institute shall be a body corporate having perpetual succession and a common seal with power among others to acquire, hold and dispose of any property, both moveable and immoveable, vesting in it and shall, by the name specified, sue and be sued.

Property and persons.

4. (1) All properties, rights and interest of whatever kind used, enjoyed, possessed, owned or vested in, or held in trust by the Taluka Hospital Sehwan, Rural Health Centre Arazi, Rural Health Centre Bhan, Rural Health Centre Jhangara and all other Basic Health Units of Taluka Sehwan and all liabilities legally subsisting against them shall stand transferred to the Institute.

(2) All persons serving in the Hospital, Centers, and Basic Health Units referred to in sub-section (1) shall -

- (i) be entitled to receive from the Institute for the period of their services under the Institute, pay and allowances which shall not be less than those admissible to them immediately before their transfer to the Institute; and
 - (ii) be governed by such regulations as the Institute may make; provided that such regulations shall not be less favourable than the rules applicable to them immediately before their transfer to the Institute.
- (3) The Institute shall, in respect of the persons transferred under sub-section (1) -
- (i) exercise all such administrative and financial powers as were exercisable by Government or and authority subordinate to it;
 - (ii) initiate disciplinary proceedings against any such person and refer the case of such person to government for further action.
- (4) The persons transferred under sub-section (2) shall be entitled to receive from Government their entire services, including the service under the Institute, pension and amount of commutation of pension in accordance with the rules applicable to them.
- (5) The General Provident Fund accumulations of the persons transferred under sub-section (2) shall continue to contribute towards their Provident Fund account:

Provided that temporary advances from such Fund may be sanctioned by the Institute in accordance with the rules applicable to them.

5. The Functions of the Institute shall be as follows:-

**Functions of the
Institute.**

- (i) to undertake treatment and acquire latest physical facilities necessary for carrying out investigation of general diseases in the field of medical sciences,
- (ii) to develop methodology and standardize technique for the investigation and treatment of various general diseases;

- (iii) to undertake teaching, training and refresher courses in the principles of Medical Sciences with emphasis in Nursing, Paramedics, Medics and bio-medics;
- (iv) to undertake postgraduate teaching programmes such as postgraduate Diploma, Master of Surgery and Doctorate of medicines;
- (v) to carry out and promote research, surveys, experiments and demonstrations in the field of medical sciences, diseases pattern, their prevention and treatment;
- (vi) to publish research papers, studies and such other works as are completed at the Institute or are prepared in collaboration with any other similar institute or agency, local or foreign or which are otherwise of substantial value to the Institute;
- (vii) to organize seminars and conferences and to promote co-operation with national and international agencies, organization intuitions and universities in activities falling within the purview of the Institute; and
- (viii) to undertake all such activates or do such other acts and things as may be necessary to further the objectives of the Institute.

Institute open to all.

6. The Institute shall be open to all persons of either sex of whatever religion, race, creed, caste, colour or domicile who are academically qualified for admission to the courses of study offered by the Institute and no person shall be denied the privilege on the ground only of sex, religion, race, creed, caste, colour or domicile.

Patron.

7. (1) The Governor of Sindh shall be the Patron of the Institute.

(2) The Patron may cause an inspection or inquiry to be made on his own motion in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person or persons to inquire into or carry out inspection of -

- (a) the institute, its buildings, laboratories, libraries and other facilities;
- (b) any institution, department or hostel maintained by the institute;
- (c) the adequacy of financial and human resources of the Institute;

(d) the teaching, research, curriculum, and other academic matters of the Institute; and

(e) such other matters as may be specified by him related to the Institute.

(3) The Patron shall on receipt of report under sub-section (2), communicate to the Board his views with regard to the result of visitation and shall, after ascertaining the views of the Board, advise the Board on the action to be taken by it.

(4) The Board shall, within such time as may be specified by the patron communicate to him such action, if any, as has been taken or may be proposed to be taken upon the result of the visitation.

(5) Where the Board does not, within the time specified, take action or the action taken is not to the satisfaction of the patron, the patron may issue such directions as he deem fit and the Chairperson shall comply with such directions.

8. (1) The general direction and administration of the institute and its affairs shall vest in the Board consisting of the following:- **Administration of the affairs of the Institute.**

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| (i) Minister Health or in his absence the person nominated by Government; | Chairperson |
| (ii) MPA of the local area; | Vice Chairperson |
| (iii) President of the Patients Welfare Society of Syed Abdullah Shah Institute of Medical Sciences; | Member |
| (iv) Deputy Commissioner Jamshoro or his nominee; | Member |
| (v) Secretary Health or his nominee; | Member |
| (vi) two nominees of the Patients Welfare Society of Syed Abdullah Shah Institute of Medical Sciences; | Members |
| (vii) one nominee of the Academic Council; | Member |
| (viii) one person of eminence in the field of Medical Sciences nominated by Government; | Member |
| (ix) Director. | Member/Secretary |

Provided that in the absence of Vice-Chairperson, the President of the Patients Welfare Society of Syed Abdullah Shah Institute of Medical Sciences shall act as Vice-Chairperson.

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

(3) A Member other than ex-officio Member may resign his office in writing addressed to the Board and thereupon he shall cease to hold office.

(4) A Member other than ex-officio Member, shall cease to hold office if he does not attend three consecutive meetings of the Board without any valid reason.

(5) Unless a Member ceases to hold office, the term of office of member, other than ex-officio member, shall be three years.

(6) When a person is appointed to be a member by virtue of holding an office, he shall cease to be such member when he ceases to hold that office.

**Power and
Functions of the
Board.**

9. (1) The Board shall exercise administrative and financial powers in respect of the Institute as may be necessary for its proper and efficient functioning.

(2) In particular and without prejudice to the generality of the forgoing provisions, the Board shall have the powers -

- (i) to hold, control and administer the property, funds and resources of the Institute and borrow or raise money for the purpose of the Institute;
- (ii) to exercise supervision and over all control over the Institute;
- (iii) to consider and approve annual research programme, annual reports and audit statements of account of the Institute;
- (iv) to create, suspend or abolish such posts of teaching and non teaching staff of the Institute as may be necessary;
- (v) to appoint and prescribe terms and conditions of the services of the teaching and non-teaching staff of the institute;
- (vi) to institute professorships, associate professorships, assistant professorships, senior registrarship and lectureships and any other posts;
- (vii) to consider and approve annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another and to appoint auditors;

- (viii) to cause proper books of accounts to be kept for all sums of money received and expended by the Institute and for assets and liabilities of the Institute;
- (ix) to lay down its own rules of procedure;
- (x) to frame regulations;
- (xi) to appoint committees or sub-committees as deemed fit for carrying out the purpose of this Act; and
- (xii) to delegate any of its powers to the Director, excepting the approval of budgetary estimates.

10. (1) The Board shall meet at least twice in a year with a gap of at least three months on the dates to be fixed by the Director in consultation with the Chairperson: **Meetings of the Board.**

Provided that the Chairperson may convene a meeting at any time.

(2) The Chairperson shall preside over the meeting.

(3) In the absence of the Chairperson, the meeting may be presided over by the Vice Chairperson and in the absence of both, by the member appointed by the members present.

(4) The quorum for a meeting shall be one third of the total number of members, a fraction being counted as one, but no quorum shall be necessary for the meeting held in lieu of the meeting which was adjourned for want of quorum.

(5) The Chairperson shall have and exercise a casting vote in the case of a tie.

(6) The Director being the Secretary of the Board shall record the minutes of meeting which shall be submitted by him at the next meeting for confirmation.

11. The Director to be appointed by the Board on the prescribed terms and conditions, shall possess prescribed qualification from a University established by law in Pakistan or a University of International repute and shall have experience in the field of management of Medical Sciences institutions for at least ten years: **Director of the Institute.**

Provided that the person holding office of the Medical Superintendent of the Taluka Hospital Sehwan immediately before the commencement of this Act shall be the first Director of the Institute.

