

**SINDH ACT NO. XIII OF 1995
THE PEOPLE'S MEDICAL COLLEGE AND HOSPITAL NAWABSHAH ACT, 1995.**

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[26TH November, 1995]

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

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

Preamble.

It is hereby enacted as follows:-

CHAPTER-I
PRELIMINARY

- 1.** (1) This Act may be called the People's Medical College and Hospital Nawabshah Act, 1995. **Short title and commencement**
- (2) It shall come into force at once.
- 2.** In this Act, unless there is anything repugnant in the subject or context— **Definition.**
- (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 Principal of the Medical College;
- (j) "regulations" means regulations made under this Act.

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CHAPTER II
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. **Establishment of the Medical College.**
- (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. **Administration of the affairs of the Medical College.**
- 5.** (1) The Board shall consist of— **Constitution 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 Health Secretary or his representative not below the rank of Joint Secretary. Member

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| (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 offices 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.

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(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.

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

Duties and Functions of Chairman and members.

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

Meeting of the Board.

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

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

Executive Committee.

- | | | |
|-------|--|----------|
| (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.

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CHAPTER III
OBJECTIVES OF THE MEDICAL COLLEGE AND
POWERS OF THE BOARD

- 9.** The objective 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;

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- (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 for academic work;
- (hh) follow the admission policy formed by Government for its own medical college;
- (i) have power to establish Faculties and Teaching Department;
- (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; provided that until, a whole time Chief Executive Director is appointed Government may in the like manner and subject to the

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like conditions appoint any person to act as Chief Executive.

1. In section 10, in sub-section (2), clause (hh) inserted by Sindh Act No. VI of 1996 (2.6.96).
2. In section 11, in sub-section(2),the full stop at the end shall be replaced by semi colon and thereafter provision shall be added by ibid.

(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 over-seeing and implementing in an expeditious manner the decisions of the 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.

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(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 **Funds.**
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) receipts from such sources as may be approved by
the Board;
- 14.** The Budget shall be prepared and approved in the **Budget.**
manner as may be prescribed.
- 15.** The funds shall be kept in a Scheduled Bank **Accounts.**
approved by the Board.
- 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 **Asset and**
kind, used, enjoyed, possessed owned or vested in, or **liability.**
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.
- 18.** (1) The persons serving in the existing medical college **Terms and**
and hospital in any capacity immediately before the **conditions of**
coming into force of this Act may opt to serve in the **service of Persons**

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Medical College;

**transferred to the
Medical College.**

(2) The option under sub-section(1) shall be made and submitted to Government within thirty days of the commencement of the People's Medical College (Amendment) Act, 1995;

1. Section 18 excluding the provisos substituted by Act No. VI of 1996

(3) On receipt of option under sub-section(2), Government may transfer the persons concerned for service under the Medical College on such terms and conditions as Government may determine:

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.

- 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. **Requisition of Government.**
- 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. **Annual reports.**
- 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. **Public Servant.**
- 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. **Jurisdiction barred.**
- 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. **Indemnity.**

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- 24.** The Board may make regulation for carrying out the **Regulation.** purposes of this Act.
- 25.** The People's Medical College and Hospital **Repeal.** Nawabshah Ordinance, 1995 is hereby repealed.