

THE BALOCHISTAN SENIOR CITIZENS ACT, 2017

(Baln Act III of 2017)

CONTENTS

SECTIONS

Preamble.

1. Short title, extent and commencement.
2. Definitions.
3. Establishment of the Senior Citizens Welfare Council.
4. Composition of the Council.
5. Procedure and meeting of the Council.
6. Member/ Secretary of the Council.
7. Powers and Functions of the Council.
8. Privileges to Senior Citizens.
9. Senior Citizens Welfare fund
10. Audit.
11. Power to make rules.
12. Exemption.

13. Removal of difficulties.

'THE BALOCHISTAN SENIOR CITIZENS ACT, 2017

Preamble.

Short title, extent
and
commencemen
t.

Definitions.

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(Balochistan Act III of 2017)

[8% June, 2017]

An Act to provide for the well-being, comfort and other benefits to the Senior Citizens in Balochistan and to make provisions for the welfare of the Senior Citizens.

WHEREAS the Constitution of the Islamic Republic of Pakistan, 19737, enjoin on the state to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race. Therefore, it is expedient to make provision for the well-being, comfort and social security to the Senior Citizens living in the Province of Balochistan;

It is hereby enacted as follows: —

1. (1) This Act may be called the Balochistan Senior Citizens Act, 2017.

(2) It shall extend to the whole of Province of Balochistan, except Tribal Areas.

(3) It shall come into force at once.

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

(a) "Act" means the Balochistan Senior — Citizens Act, 2017;

(b) "Chairperson" means The Chairperson of the Council;

(c) "Council" means The Balochistan Senior Citizens Welfare Councils established under section 3 of this Act;

(d) "Senior Citizens" means a citizen of Pakistan of the age of 60 years or above and a permanent

resident of Balochistan;

(e) "Retired" means a _ person retired from Government Service or any other such job in Public are Private Sector, on attaining the

This Act was passed by the Provincial Assembly of Balochistan, on 20" May, 2017; assented to by the Governor of Balochista

on 7" June, 2017; and published in the Balochistan Gazette (Extraordinary) No. 106, dated 8" June, 2017.

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That is the Constitution of Islamic Republic of Pakistan, 1973; published in the Gazette of Pakistan on 12" April, 1973; and came into force with effect from 14" August, 1973.

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Establishment of
the Senior
Citizens
Welfare
Council.

Composition of the
Council.

retirement age whatsoever it may be;

(f) "Government" means the Government of
Balochistan;

(g) "Allowance" means a Senior Citizens Social

Security Allowance;

(h) "Welfare" includes all such services relating to
social, economic, boarding, lodging and legal
protection of Senior Citizens;

(i) "Welfare packages/grants" welfare and social
security packages / grants announced for welfare
of the Senior Citizens by the Provincial
Government on the recommendations of the
Senior Citizens Council;

(Gj) | "Prescribed" means prescribed under the rules;
and

(k) "Rules" means the rules made under section 11 of
this Act.

3. (1) The Government shall establish a Council for the

purposes of this Act, to be known as Balochistan Senior
Citizens Welfare Council, which shall be constituted by the
Provincial Government and shall exercise the powers conferred
upon, and to perform the functions assigned to it, under this
Act;

(2) The Council shall be an independent, non-profit
body corporate by the above said name, having perpetual
succession and a common seal, with power, subject to the
provisions of this Act, to enter contracts, acquire, purchase,
hold and dispose of both movable and immovable property and
shall by its name, sue or be sued;

(3) The Council shall be provided with necessary trained
human resource which shall be responsible for providing
secretariat support to the Council and to perform such other
functions as may be assigned to them.

4. (1) The Government shall constitute the council which shall consist of, —

(a) Chairperson: An eminent Senior Citizen of good standing who has_ rendered services for the cause of senior citizen to be nominated by the Chief

(b)

Minister/Government for a period of 3 years extendable for a period of three years;

Vice Chairperson: Approved by the Council; and

Members: —

i. Secretary, Social Welfare, Government of Balochistan.

ii. A representative from Finance Department.

(Not below the rank of Deputy Secretary)

iii. A representative from Planning and Development Department.

(Not below the rank of Deputy Secretary)

iv. A representative from Health Department.

(Not below the rank of Deputy Secretary)

Vv. A representative from Home Department.

(Not below the rank of Deputy Secretary)

vi. A representative from Law Department.

(Not below the rank of Deputy Secretary)

Vii. All Divisional Commissioners in Balochistan.

(Officer Not below the rank of Deputy Secretary)

viii. | Director General, Social Welfare

Department.

ix. Director, Bait-ul-Mal.

x. Chief Executive, Trust for

Voluntary Organizations (TVO).

Xi. President of the Association for the Welfare of Retired Persons.

xii. President Senior Citizen Association Balochistan Member/Secretary.

xiii. Four representatives of NGOs (two from Seniors Organizations and two from other NGOs preferably working for senior citizens) nominated by the Chairperson.

(2) The office of the Council shall be at Quetta.

(3) The Council has power to co-opt members from among persons who are experts in their respective fields, for advice on particular projects and matters under consideration.

(4) The members of the Council, except the ex-officio members, shall be nominated office for a term of three years and extendable for another term of three years if approved by the Council.

(5) A member of the Council, other than an ex-officio member, may tender his resignation to Chairperson.

(6) The membership of ex-officio member may cease to exist in case he, —

(a) is guilty of misconduct;

(b) is adjudged an insolvent;

(c) is unfit to continue in office by reason of infirmity of mind or body;

(d) is convicted and_ sentenced to imprisonment for an offence which involves moral turpitude; or

(e) lack of interest or absence for three or more consecutive meetings of the council.

(7) Any casual vacancy in the office of a member, other than an ex-officio member, shall be filled by a person nominated by the Government and the person so nominated shall hold office for the remaining period of the term of his

Procedure and
meeting of the
Council.

Member/ Secretary
of the Council.

Powers and
Functions of
the Council.

predecessor.

5. (1) The Council shall regulate its own procedure
which will be approved in a meeting of the Council.

(2) The meetings of the Council shall be held
at least four times a year, and shall be presided over by the
Chairperson or, in absence, by the Vice chairperson and in the
absence of both of them by a member nominated by
Chairperson for purpose or a member chosen for the purpose by
the present members.

(3) One third of the total members shall
constitute the quorum and no quorum shall be necessary for the
adjourned meeting.

(4) All decisions of the Council shall be
taken with simple majority of the Council; the Chairperson shall
have a casting vote in case of tie.

(5) Decision of the Council shall be recorded by the
Secretary / member of the Council, who shall circulate such
decisions for confirmation to each member and the Chairperson
within fifteen days of each meeting.

(6) Secretary/Member shall be responsible for
implementation of the decisions of the Council under the
direction, supervision and control of the Chairperson.

6. Secretary / Member shall be the head of the secretariat
of the Senior Citizen Welfare Council, Balochistan, and
perform his functions under the direct control and supervision
of the Chairperson.

7. Powers and Function of the Council shall be;

(a) to formulate policy proposal on aging in the light
of Provincial commitment on the welfare of
older persons and submit it to the Government
for approval from time to time;

(b) to conduct research and compile data on various aspect of aging for the wellbeing of Senior citizens for policy / plan formulation;

(c) to work towards introduction of geriatrics as part of the syllabus of medical universities / colleges and institutions;

(d) to propose arrangements in hospitals for better

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Privileges to Senior 8. (1)

medical attention to Senior citizens;

to create facilities including clubs, for better social inter-action among Senior citizens;

to arrange workshops to educate Senior Citizens about life changes required for a healthy and stratifying old age;

to formulate proposals to accommodate the requirements of Senior Citizens in urban and tural planning and development schemes;

mobilization of financial resources for welfare of the Senior Citizens;

to approve appointments of all employees of the Council Secretariat and other institutions established for welfare and protection of Senior Citizens under the Council Act;

to constitute committees, assessment boards and study group to assess and carry out welfare activities for Senior Citizens;

to coordinate with government, non-government and international social and welfare

organizations at national level;

to make regulations/rules for proper functioning of the Council including regulations for appointment of different categories of employees under the administrative control of the Council;

to publish reports and other material for guidance and welfare of Senior Citizens;

to grant awards to the Senior Citizens in the fields of their expertise; and

to create awareness in the public through organizing seminars, workshops, conferences and use of mass media.

The Senior Citizens will be allowed the

Citizens. following privileges on the basis of senior citizen card: —

(a) Senior Citizens will be allowed free of charge entry to public museums, libraries, parks and recreation facilities projected for Senior Citizens in Province

and Federal controlled;

(b) financial supports will be given to families that have the responsibilities of looking-after their senior citizens including parents;

(c) The hospital authorities will provide the following facilities in the hospitals, —

(i) separate counters for Senior Citizens in Hospital;

(ii) concession in medical and medicine charges; and

(iii) | separate medical wards; and

(d) in all the Public Offices, Banks, Railway Stations separate counters for Senior Citizens will be provided or given priority over others.

(2) The following measures shall also be taken for the welfare of the Senior Citizen: —

(a) establishment of Senior Citizen homes to accommodate homeless, deserted and indigent aged persons;

(b) inclusion of the subject Geriatrics in the curriculum of medical universities / colleges;

(c) voluntary organizations will be encouraged and assisted to organize services such as day care, multi service citizens, reach out services, supply of disability related aids and appliances; and

(d) recognize the services of prominent Senior Citizens through celebrations whenever required.

Senior Citizens 9. (1) There shall be a fund established by the Welfare fund Government to be known as the Senior Citizens Welfare Fund, which shall consist of, —

(a) all grants, budgetary allocations made by the Government;

Audit.

(b) Donations, non-endowments, contributions made by the private individual organizations within country and abroad; and

(c) All sums received by the Council from any other source including Pakistan Bait-ul-Mal, Profits Investment from funds, funds generated by different motivated campaigns and received from any lawful sources.

(2) Funds of the Council shall be maintained in a scheduled Bank with prior approval of the Government/Finance Department; and the same may be invested only in scheduled banks or other National Saving Banks “Blue Chip” Secure scheme. No investment will be made in stock market shares or used for speculation in any manner.

(3) The Fund shall be administered by the Council, which shall make such allocations for specific activities, as it may deem appropriate in line with the fulfillment of functions of the Council, as per sections 8 and 9 of this Act.

(4) The Government shall make annual budgetary allocations for the establishment and other charges of the Council. The accounting procedure for this fund will be prepared in consultation with Finance Department and Accountant General Balochistan.

(5) The Accounts of the Council shall be maintained in such form and manner as may be approved by the Council from time to time.

10. (1) The Accounts of the Fund shall be Audited by the Auditor General of Pakistan or such other authority as the Provincial Government may appoint in this behalf. The Accounts of the Council shall be maintained in such form and manner as may be prescribed and shall be audited yearly by an auditor to be appointed by the Provincial Government, being a person who is a Chartered Accountant with the meaning of Chartered Accounts Ordinance, 1961 (X of 1961).

(2) The Secretary / Member shall after the end of every financial year, submit to the Council an audited annual statement of accounts of the Council together with the report of the auditor.

Power to make
rules.

Exemption.

Removal of
difficulties.

(3) The Secretary Member shall be personally liable
for utilization of funds of the council according to aim, objects
and purposes of the Council.

11. The Government of Balochistan may, by notification in
the official gazette, make rules for carrying out the purposes of
this Act.

12. The Senior Citizens Welfare Fund shall be exempted from
all kinds of taxation or levies under any law in force for the
time being. All donations made to the fund shall also be
exempted from all taxes.

13. If any difficulty arises in giving effect to any provision
of this Act, the Provincial Government may, by notification in
the official gazette, make such provisions, not inconsistent
with the provisions of this Act, for the purpose of removal of
such difficulty.