

THE PUBLIC WELFARE HOSPITAL SUI
ACT, 2018 (AMENDMENT-2024)

(Baln Act III of 2018)

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1 THE PUBLIC WELFARE HOSPITAL SUI

ACT, 2018 (AMENDMENT-2024)

(Balochistan Amendment Act III of 2024)

Preamble.

Short title and
commencement.

Definitions.

[10% May, 2018]

An Act to provide for the establishment of
Public Welfare Hospital Sui for the provisions of
modern health care facilities to the people of the area
at their door steps at the level of Basic Health Care
Hospital.

WHEREAS, it is expedient to make provisions
for the establishment and efficient management of
the 50 Bedded PPL Welfare Hospital Sui and to
provide for matters connected therewith or ancillary
thereto;

It is hereby enacted as follows: -

1. (1) This Act may be called the Public Welfare
Hospital Sui (Amendment) Act, 2024.

(2) 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 Public Welfare Hospital
Sui Act, 2018;

(b) "Board" means the board of the Public
Welfare Hospital, as constituted under
section 6 of this Act;

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

(d) "Hospital" means the Public Welfare
Hospital Sui;

1 This Act was passed by the Provincial Assembly of Balochistan on 30 April, 2018; assented to by the Governor of Balochistan on 10 May, 2018; and first published in the Balochistan Gazette (Extraordinary) No.

(e) "Chief Executive Officer" means the Chief Executive Officer of the Hospital;

(f) "Prescribed" means prescribed by rules made under this Act;

(g) "Rules" means the rules prescribed under this Act; and

(h) "Special Selection Committee" means the special selection committee, constituted under section, 10 of the Act.

Establishment of 3. (1) The Government may, by a notification in Hospital.

Objects.

Administration of Hospital.

the official gazette, establish a hospital at Sui by the name and title of "the Public Welfare Hospital Sui".

(2) The Hospital shall be a body corporate by the name of "Public Welfare Hospital Sui" and shall have perpetual succession and a common seal, with power to acquire, hold and dispose of any movable and immovable property as prescribed, and may sue or be sued by the said name:

Provided that the disposal of land and any structure thereon shall be subject to approval of Government.

4. The objects of the Hospital shall be, —

(a) to undertake all functions required for providing basic health facilities to the people; and

(b) to perform such other functions as are assigned to it by the Government.

5. The administration and management of the affairs of the Hospital shall fully and completely vest in the Board constituted in accordance with the provisions of this Act, which shall have all powers not expressly vested in any Authority or officer under the Act and all other powers not expressly mentioned in the Act that are necessary for the performance of its

Board of
Governors.

functions.

6. (1) The Board of the Hospital shall be the principal governing body of the Hospital and shall

comprise of the following members and_ the

Chairperson: —

(a) Minister, Health Chairman

Department.

(b) Secretary, Health Member

Department.

(c) Sitting MPA from District Member

Dera Bugti.

(d) Addl: Secretary, Finance Member
Department.

(e) Chief Planning Officer, Member
Health Department.

(f) Deputy Commissioner, Member
Dera Bugti.

(g) 3 Senior Serving Officer of | Members.

PPL as notified by PPL

from time to time.

(h) 2 bonafide residents of District Dera

Bugti who are well educated, credible,

reputed non-controversial local social

activists/professionals having strong

management/ finance/ medical/

association, never involved in activities

of moral turpitude or militancy/

terrorism, with no financial benefit

derived from the above referred

hospital directly or indirectly, be

notified for a period of three years

only. Thereafter, two new members

shall be nominated for a period of next

Functions of the
Board of
Governors.

three years by the board in its annual
meeting.

(ij) CEO, Public Welfare Hospital, Sui
shall be the Member / Secretary to the
Board of Governors.

(2) No act or proceeding of the Board shall
be invalid merely on the ground of the existence of
any vacancy or defect in the constitution of the
Board.

(3) The quorum for a meeting of the Board
shall be at least five and the Chairman of the Board
shall preside over the meetings. However, in his
absence any other member selected by the members
from amongst them may preside over the meeting of
the Board.

(4) The Government may remove a non-
official member of the Board, without assigning any
reason, before the expiry of the tenure.

(5) Any non-official member of the Board
may, by a notice writing under his hand addressed to
Government, resign his office.

(6) To regulate the meetings of the Board of
Governors, the Board may make its rules by
regulations.

7. The function of the Board of Governors shall be
as under, —

(a) Overall supervision and management of

hospital functions /operations;

(b) management and approval of annual
hospital Budget;

(c) to constitute Special Function
Committees such as_ Recruitment,
Purchase, Operations & Management,
Finance, Audit etc. comprising and

Chief Executive Officer.

Appointment of officers and employees.

headed by Board members;

(d) to accord approval of the recommendations of the Special Committees;

(e) making operational policies, procedures and guidelines for various functions;

(f) maintenance, construction of hospital buildings and premises, purchase of equipment/machinery and legal matters of hospital etc.; ![***]

(g) perform any other function in the interest of hospital operation and management etc. 2[and]

3[(h) to enter into an agreement to outsource management of the hospital to any private party in the best interest of general public.]

8. (1) The Board shall appoint a whole time Chief Executive Officer of the Hospital possessing such qualifications and on such terms and conditions, notwithstanding anything contained in any other law, as it may determine, from a panel of three individuals recommended by the Board as far as due selection process based on merit.

(2) The Chief Executive Officer shall exercise such powers and perform such functions as may be prescribed.

9. The Government or, as the case may be, the Board may appoint such persons in the service of Hospital as may be necessary, on _ the recommendations of the Special Selection Board; constituted by Board of Governors:

1 Omitted for the word “and” by the Provincial Assembly of Balochistan on 12th September, 2024; and assented to by the Governor Balochistan, on 18th September, 2024; and published in the Balochistan Gazette (Extraordinary) No. 108, dated 23 September, 2024.

2 Inserted by ibid.

3 Added a new clause (h) by ibid.

Special
Selection
Committee.

Committees.

Institutional

private practice.

Delegation of
powers.

Fund.

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Provided that Government or, as the case may be, the Board may temporarily fill up an existing vacancy on adhoc basis for a period of six months or till the arrival of the new incumbent recommended by the Special Selection Board, whichever is earlier.

10. (1) As soon as may be, after the commencement of this Act, Government shall constitute a Special Selection Committee which shall recommend appointment of persons in the service of Hospital.

(2) The Special Selection Committee shall consist of such number of members as may be determined by Government.

(3) The terms and conditions of service of the members shall be such as may be prescribed.

11. The Board of Directors may constitute such committees as it may deem necessary for giving effect to the provisions of this Act.

12. The Procedure for institutional private practice shall be as prescribed.

13. The Board may delegate to any member or a committee any of its powers, duties or functions.

14. (1) There shall be a fund, to be known by the name of the Public Welfare Hospital Sui; Hospital Fund, which shall vest in the Hospital and to which shall be credited all sums received by the Hospital.

(2) Fund sources will be, —

- (a) annual Grant in Aid from PPL;
- (b) annual Grant in Aid from

Government of Balochistan;

(c) earnings of the Hospital; and

(d) any other Donations etc. received

(with the prior approval of the

Budget, Audit
and Accounts.

Annual Reports.

Rules.

Board).

(3) The fund shall be kept in such custody
and shall be utilized and regulated in such manner
as may be prescribed.

15. (1) The budget of the Hospital shall be
approved by the Board and its accounts shall be
maintained and audited in such manner as may be
prescribed.

(2) The Government may order financial,
medical and managerial monitoring and audit on
quarterly basis, through a third party nominated by
Government and paid for by the Hospital, and the
Board shall comply with the directions, which may be
issued thereon.

16. (1) The annual performance reports of the
Hospital shall be submitted to the Government within
three months of the conclusion of the calendar year
to which the report pertains.

(2) The Government shall cause a copy of
the report to be laid before the Provincial Assembly.

17. (1) The Government may make rules for
carrying out the purposes of this Act.

(a) the Hospital fees and _ other
charges;

(b) the maintenance of the register of
the outdoor patients and _ the
patients admitted in the Hospital;

(c) the procedure for admission,
transfer to other hospitals and
discharge of the patients from
Hospital;

(d) the establishment of different
departments, wards, operation
theatres, ICUs, laboratories, offices,
dispensaries, stores, washing-

(e)

(g)

(h)

6)

(k)

(1)

(m)

yards, kitchens, etc.;

the powers and duties of Doctors, officers, staff and other employees of the Hospital;

conditions under which the Hospital may enter into arrangements with other institutions or public bodies for purposes of teaching, training research, advisory or medical services;

the scales of pay, appointment and other terms and conditions of the service of the doctors, officers, staff and other employees of the Hospital;

the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for Hospital employees;

efficiency and discipline of Hospital employees;

the constitution and procedure to be followed by the Committees in carrying out functions in terms of the Act;

constitution, functions and powers of the different authorities of the Hospital;

the contents of and the manner in which the Annual Report to be

presented before the Board and the Government, shall be prepared; and

all other matters which by the Act are to be or may be prescribed.

Regulations.

Removal of
difficulties.

18. The Board may make regulations, not inconsistent with the provisions of this Act and the rules framed thereunder, for carrying out the purposes of this Act.

19. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may give such directions as it may consider necessary for the removal of such difficulty.