

SINDH ACT NO. XIII OF 1995

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

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[26<sup>TH</sup> November, 1995]

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

WHEREAS it is expedient to provide for the Preamble. 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

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

(2) It shall come into force at once.

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

(a) "Board" means the Board of Governors of the Medical College;

(6) "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.

CHAPTER II

ESTABLISHMENT OF THE MEDICAL COLLEGE

(1) A Medical College to be called the People's Establishment of Medical College and Hospital Nawabshah shall be the Medical established by reconstituting and reorganizing the College. 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.

The general direction and administration of the Administration of Medical College and its affairs shall vest in a Board to be the affairs of the called the Board of Governors which may exercise all yedical powers and do all acts and things as may be necessary

for the promotion and due fulfillment of the objectives of College.

the Medical College.

(1) The Board shall consist of— Constitution of the Board.

(i) The Governor of Chairman Sindh.

(ii) Mr.Abdul Sattar Keerio. = Vice Chairman

(ii) The Chief Secretary, Member Sindh or his representative not below the rank of Secretary.

(iv) One Member of the Member

Provincial Assembly of Sindh from Nawabshah

nominated by Government.

(v) Federal Secretary Member Health or his representative not

below the rank of Joint

Secretary.

(vi) | Federal Secretary Member  
Finance or his  
representative not  
below the rank of Joint  
Secretary.

(vii) Federal Secretary Member  
Planning or his  
representative not  
below the rank of Joint  
Secretary.

(viii) Federal Director Member

General Health.

(ix) — Additional Chief Member  
Secretary (Dev.) Sindh.

(x) | Secretary Health, Sindh Member

(xi) | Secretary Finance, Member  
Sindh

(xii) One eminent person Member

from medical profession,  
Nawabshah nominated  
by Government

(xiii) A representative of the Member  
Agha Khan University.

(xiv) Deputy Commissioner, Member  
Nawabshah.

(xv) Chief Executive Member/Secretary  
Director.

(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.

(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.

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.

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

(i) The Chief Executive Chairman  
Director.

(ii) The Principal of the Member  
Medical College.

(iii) The Medical Member

Superintendent of the  
Medical College.

(iv) One Professor nominated Member  
by the Board.

(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.

Duties and  
Functions of  
Chairman and  
members.

Meeting of the  
Board.

Executive  
Committee.



CHAPTER III

OBJECTIVES OF THE MEDICAL COLLEGE AND  
POWERS OF THE BOARD

9. The objective of the Medical College shall be as Aims and follows:- 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 Powers of may take such measures and exercise such powers as Board. may be necessary for carrying out the purposes of this Act.

(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 depose 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;"

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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 it 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

(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.

(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

Chief Executive  
Director General.

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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

There shall be separate fund of the Medical College which shall consist of:--

a) grants received from any Government;

b) aid and loan obtained from any source;

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(c) income from investment and deposits;

(d) donations and endowments;

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e) receipts from such sources as may be approved by

the Board;

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

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

(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

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.

(1) The persons serving in the existing medical college and hospital in any capacity immediately before the coming into force of this Act may opt to serve in the

Funds.

Budget.

Accounts.

Asset and

liability.

Terms and  
conditions of

service of Persons



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23.

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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.

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.

The Board at the close of every financial year shall prepare annual report of its activities and performance and submit the same to Government.

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.

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.

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.

transferred to the  
Medical College.

Requisition of  
Government.

Annual reports.

Public Servant.

Jurisdiction  
barred.

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.