

EXTRAORDINARY

REGISTERED NO. S-2771



# THE BALOCHISTAN GAZETTE

PUBLISHED BY AUTHORITY

NO. 80 QUETTA THURESDAY JUNE 28 2012.

**BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.**

## **NOTIFICATION.**

Dated Quetta, the 28<sup>th</sup> June, 2012.

No.PAB/Legis: V (03)/2012. *Nawab Shaheed Ghous Bakhsh Raisani Memorial Hospital, Bill No. 3 of 2012, having been passed by the Provincial Assembly of Balochistan on 20<sup>th</sup> June, 2012 and assented to by the Governor, Balochistan on 26<sup>th</sup> June, 2012 is hereby published as an Act of the Balochistan Provincial Assembly.*

**NAWAB SHAHEED GHOUS BAKHSH RAISANI MEMORIAL HOSPITAL**

**ACT 2012 ACT NO. III OF 2012**

**AN**

**ACT**

*to provide for the establishment of Nawab Shaheed Ghous Bakhsh Raisani Memorial Hospital, Mastung for the provisions of modern medical facilities to people of the area at their door steps at level of tertiary care hospital. Further to become an extended part of existing teaching hospital attached with Medical colleges.*

**Preamble.**

Whereas it is expedient to make provisions for the establishment and efficient management of the Nawab Shaheed Ghaus Bakhsh Raisani Hospital and to provide for matters connected therewith or ancillary thereto, it is hereby enacted as follows:-

**Short title and commencement.**

1. (1) This Act may be called the Nawab Shaheed Ghaus Bakhsh Raisani Hospital Act, 2012.
- (2) It shall come into force at once.

**Definitions.**

2. In this Act, unless there is anything repugnant in the subject or context-
  - (a) "Act" means the Nawab Shaheed Ghaus Bakhsh Raisani Hospital Act, 2012;
  - (b) "Board" means the Board of Governors of the Nawab Shaheed Ghaus Bakhsh Raisani Hospital, Mastung, as constituted under section 6 of this Act;
  - (c) "Government" means the Government of Balochistan;
  - (d) "Hospital" means the Nawab Shaheed Ghaus Bakhsh Raisani Hospital, Mastung;
  - (e) "Medical Superintendent" means the Medical Superintendent of the Nawab Shaheed Ghaus Bakhsh Raisani Hospital, Mastung;
  - (f) "Prescribed" means prescribed by rules made under this Act; and
  - (g) "Rules" means the rules prescribed under this Act.

**Establishment of Hospital.**

3. (1) The Government may, by a notification in the official gazette, establish a hospital at Mastung by the name and title of "the Nawab Shaheed Ghaus

Bakhsh Raisani Hospital, Mastung".

(2) The Hospital shall be a body corporate by the name of "the Nawab Shaheed Ghaus Bakhsh Raisani Hospital, Mastung" 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 the approval of Government.

**Objects.**

4. The objects of the Hospital shall be-
- (a) to undertake all functions required for providing basic health facilities to the people and medical education and training; and
  - (b) to perform such other functions as are assigned to it by the Government.

**Administration of Hospital.**

5. The administration and management of the affairs of the Hospital shall 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 functions.

**Board of Governors.**

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) Chief Minister Balochistan - Chairman
- (b) Minister Health - Vice Chairman
- (c) Additional Chief Secretary (Dev) - Member
- (d) Secretary Health - Member
- (e) Secretary Finance - Member
- (f) CEO/ Medical Superintendent - Member
- (g) Principal BMC - Member
- (h) Three notables from Mastung - Members.
- (i) Deputy Commissioner, Mastung - Member/ Secretary .

(2) The selection of non-official members shall be made from a panel of three individuals, for each vacancy, prepared by the Deputy Commissioner/ Secretary of the Board and approved by Government.

(3) The non-official members shall hold office for a term of three years and shall be eligible for reappointment.

(4) The non-official members shall not be entitled to any perks and privileges under this Act.

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

(6) 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.

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

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

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

(10) The Chief Minister may constitute an Administration Committee to perform functions of the Board till such time the Board becomes functional or for the period the Board is unable to perform its functions due to any reasons.

**Chief Executive Officer / Medical Superintendent.**

7. (1) The Government shall appoint a whole time Chief Executive Officer / Medical Superintendent of the Hospital possessing such qualifications and on such terms and conditions, notwithstanding anything contained in any law, as it may determine, from a panel of three individuals recommended by the Board.

(2) The Medical Superintendent shall exercise such powers and perform such functions as may be prescribed.

**Appointment of officers and employees.**

8. (1) 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:

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

(2) The existing employees shall continue to be governed by the Balochistan Civil Servants Act, 1974 and the rules made there under.

**Special Selection Board.**

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

(2) The Special Section Board 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.

**Committees.**

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

**Institutional private practice.**

11. The procedure for institutional private practice shall be as prescribed.

**Delegation of powers.**

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

**Fund.**

13. (1) There shall be a fund, to be known by the name of the Nawab Shaheed Ghous Bakhsh Raisani 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 Provincial Government;
- (b) additional Grant from the Provincial Government;
- (c) grant from the Federal Government;
- (d) earnings of the Hospital; and

(e) any other Donations etc. received (with the prior approval of the Board).

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

**Budget, audit and accounts.**

14 (1) The budget of a 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.

**Annual reports.**

15. (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.

**Public servants.**

16. 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, 1860 (XLV of 1860).

**Rules.**

17 (1) The Board with approval of the Government may, by notification in the official gazette, make rules for carrying out the purposes of this Act

(2) In particular and without prejudice to the generality to the foregoing power, such rules may provide for—

- (a) the Hospital fees and other charges;
- (b) the maintenance of the register of the out-door 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, ICU's, laboratories, offices, dispensaries, stores, washing-yards, Kitchens, etc;
- (e) the powers and duties of Doctors, officers, staff and other employees of the Hospital;
- (f) conditions under which the Hospital may enter into arrangements with other institutions or with public bodies for purposes of teaching, training, research, advisory or medical services;
- (g) the scales of pay, appointment and other terms and conditions of the service of the doctors, officers, staff and other employees of the Hospital;
- (h) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for Hospital employees;
- (i) efficiency and discipline of Hospital employees;



- (j) the constitution and procedure to be followed by the Committees in carrying out functions in terms of the Act;
- (k) constitution, functions and powers of the different authorities of the Hospital;
- (l) the contents of and the manner in which the Annual Report to be presented before the Board and the Government, shall be prepared; and
- (m) all other matters which by the Act are to be or may be prescribed.

**Regulations.**

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

**Removal of Difficulties.**

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

Secretary

Balochistan Provincial Assembly