

EXTRAORDINARY

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PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi the 8th August, 2001

No. S.LEGIS: 1 (28)2001 The following Ordinance made by the Governor of Sindh is hereby publish for general information:-

THE KIDNEY CENTRE POST GRADUATE TRAINING
INSTITUTE ORDINANCE, 2001.

Sindh Ordinance No. XXVIII of 2001

AN ORDINANCE

to re-constitute and re-organise the Kidney Centre, Karachi and to establish a Post Graduate Training Institute.

WHEREAS it is expedient to re-constitute and re-organise the Kidney Preamble.

Centre and to establish a Kidney Centre Post Graduate Training Institute and establish in the Institute a training and research Centre to be known as the Dorab Patel Post Graduate Training and Research Centre and to provide for matters connected therewith and ancillary thereto;

AND WHEREAS the Provincial Assembly stands dissolved in pursuance of the Proclamation of the fourteenth day of October, 1999 and the Provisional Constitution Order No 1 of 1999;

AND WHEREAS the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the aforesaid Proclamation and the Provisional Constitutional Order read with Provisional Constitution (Amendment) Order No.9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance :-

Short title and commencement.

1. (1) This Ordinance may be called The Kidney Centre Post Graduate Training Institute Ordinance, 2001.
- (2) It shall come into force at once.

Definitions.

2. In this Ordinance unless there is anything repugnant in the subject or context-
 - (a) "Academic Board" means the Academic Board of the Institute;
 - (b) "Administrator" means the Administrator of the Medical Wing of the Institute;
 - (c) "Board" means the Board of Governors of the Institute;
 - (d) "Chairman" means the Chairman of the Board;
 - (e) "Dean" means the Dean of the Academic wing of the Institute;
 - (f) "existing Ordinance" means the Dorab Patel Post Graduate Training Institute for Nephrology and Urology Ordinance, 2001;

- (g) "First Board" means the Board comprising of the Chairman and Members of all categories and status of the Kidney Centre functioning immediately before the commencement of the existing Ordinance;
- (h) "Government" means the Government of Sindh;
- (i) "Institute" means The Kidney Centre Post Graduate Training Institute;
- (j) "Kidney Centre" means The Kidney Centre, Karachi established by The Kidney Centre Society a body registered under the Societies Registration Act, 1860, and subsequently re-constituted and re-organized under the existing Ordinance;
- (k) "Member" means a member of the Board including an honorary member;
- (l) "prescribed" means prescribed by rules framed under this Ordinance;
- (m) "rules" means the rules made under this Ordinance.

3. (1) The Kidney Centre is re-organized and established as a body corporate by the name of The Kidney Centre Post Graduate Training Institute having perpetual succession and a common seal with powers among others to acquire, hold and dispose of any property both movable and immovable vesting in it and shall by the said name sue and be sued.
- (2) All properties, inclusive of land, rights and interests of whatever kind, used, enjoyed, possessed, owned, vested in trust by or for the Kidney Centre and all liabilities legally subsisting against it at the commencement of the existing Ordinance shall henceforth vest in The Kidney Centre Post Graduate Institute as reconstituted under this Ordinance.
- (3) All the persons serving in the Kidney Centre in any capacity immediately before the commencement of the existing Ordinance shall notwithstanding any law or terms and conditions of their service, stand transferred for service to the Institute.

Establishment
of Institute.

- Powers and Functions of the Institute.** 4. The powers and functions of the Institute shall be as follows:-
- (i) to build, construct, erect, maintain, administer and operate one or more hospitals together with such ancillary facilities as may be deemed appropriate for the prevention, cure and treatment of renal diseases and other related diseases; and inter alia to make provision therein for the free treatment or at concessional rates for poor and deserving patients;
 - (ii) to carry out research in the treatment of renal diseases and other related diseases;
 - (iii) to arrange seminars, conferences and meetings in relation to the treatment of renal diseases and other related diseases;
 - (iv) to promote, establish, manage, control, supervise and give scientific or educational or research oriented grants, scholarships, or loans as deemed appropriate for renal disease and other related disease;
 - (v) to publish, issue, circulate and assist and aid in the publication, issuance and circulation of scientific papers, periodicals, books and journals as may be deemed conducive to the attainment of the above-mentioned objectives;
 - (vi) to encourage and facilitate investigations, research, planning and development for and in the treatment of renal diseases and other related diseases;
 - (vii) to provide for the dissemination of knowledge and technology and to make provision for instruction, training and research in the health sciences including renal diseases and related diseases;
 - (viii) to prescribe courses of studies to be conducted by it;
 - (ix) to admit and examine students and to prepare them for grant and award of degrees, diplomas, certificates and other academic distinctions under the prescribed conditions by any University or such body;

- (x) to provide for such instruction, for persons not being students of the Institute as it may determine;
- (xi) to accept the examinations passed and the period of study spent by students of the Institute at other Universities and places of learning equivalent to such examinations and periods of study in the Institute, as it may determine, and to withdraw such acceptance;
- (xii) to co-operate with the Universities and other public authorities in such manner and for such purposes as it may determine;
- (xiii) to create posts for research, administration and other related purposes and to appoint persons thereto;
- (xiv) to institute and award, scholarships, medals and prizes under the prescribed conditions;
- (xv) to establish teaching Departments, Faculties, and other centres of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration, as it may determine;
- (xvi) to control the residence of all persons studying at the Institute and to establish and maintain halls of residence and to approve or license hostels and lodgings;
- (xvii) to supervise and control the discipline of the students of the Institute, to promote the extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
- (xviii) to demand and receive such fees and other charges as it may determine;
- (xix) to make provisions for research and advisory services and with these objects to enter into arrangements with other institutions or public bodies under prescribed conditions;
- (xx) to enter into, carry out, vary or cancel contracts;
- (xxi) to provide for the printing and publication of research and other works;

- (xxii) to monitor structured training of Health Professionals at various levels;
- (xxiii) to institute and recognize selected members of teaching staff or such persons as it may deem fit for Professorships, Fellowships, Associate Professorships, Assistant Professorships and lecturer-ships and any other posts and to appoint persons thereto;
- (xxiv) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Institute as a place of education, learning and research.

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| Institute open to all. | 5. | The Institute shall be open to all persons of either sex and whatever religion, race, creed, caste, colour or domicile who are academically qualified for admission to the courses of study offered by the Institute and no such person shall be denied the privilege on the ground only of sex, religion, race, creed, caste, colour or domicile. |
| Establishment of Training and Research Centre | 6. | The Institute shall establish a training and research centre known as the Dorab Patel Post Graduate Training and Research Centre, which will perform such functions and in such manner as may be prescribed. |
| Patron. | 7. (1) | The Governor of Sindh shall be the Patron of the Institute. |
| Visitation. | (2) | The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the Dorab Patel Post Graduate Training and Research Centre and shall, from time to time, direct any person or persons to inquire into or carry out inspection of:- <ul style="list-style-type: none"> (a) the Dorab Patel Post Graduate Training and Research Centre, its buildings, laboratories, libraries, and other facilities; (b) any institution, department or hostel maintained by the Dorab Patel Post Graduate Training and Research Centre; (c) the adequacy of financial and human resources of Dorab Patel Post Graduate Training and Research Centre; |

- (d) the teaching, research, curriculum, examination and other matters of the Dorab Patel Post Graduate Training and Research Centre and;
- (e) such other matters as may be specified by him related to the Dorab Patel Post Graduate Training and Research Centre;

- (3) The Patron shall communicate to the Board his views with regard to the result of visitation and shall, after ascertaining the views of the Board, advise the Board on the action to be taken by it.
- (4) The Board shall, within such time as may be specified, by the Patron, ~~communicate to him such action, if any, as has been taken or may be proposed to be taken upon the results of visitation.~~
- (5) Where the Board does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he deems fit and the Board shall comply with all such directions.
- (6) The Patron shall have full powers to take any action, as he may deem fit against the Dorab Patel Post Graduate Training and Research Centre including withdrawal of its charter.

8. (1) The affairs of the Institute shall be managed by the Board consisting of a Chairman and Members who shall not be less than fifteen and more than twenty as may be constituted under this Ordinance and Rules.
- (2) The Chairman shall be elected by the members from amongst themselves.
- (3) The Chairman shall hold office for a period of two years; provided that the Chairman may be removed from office by votes not less than two-thirds of the total membership.
- (4) The Chairman on the expiry of his term shall be eligible for re-election but in no case a member shall be the Chairman for more than two consecutive terms.
- (5) No employee of the Institute or any person who receives remuneration or honorarium from the Institute shall be eligible to become a member.

**Constitution
of the Board.**

- First Board.** 9. Until a Board is constituted under section 8, the First Board shall continue to function with the following additional Members:-
- (i) Chief Secretary to Government or his nominee not below the Secretary to Government;
 - (ii) The President or Secretary of Pakistan Medical & Dental Council, Islamabad.
- Dean.** 10. (1) The Dean shall be appointed by the Chairman in consultation with the Board who shall unless removed earlier by the Board, hold office for a period of three years on such terms and conditions as may be prescribed.
- (2) The responsibilities of the Dean shall be limited to the academic and research activities of the Institute.
- Academic Board.** 11. (1) The Academic Board shall consist of the Dean and not less than six other academicians and teachers of related field appointed by the Board who shall serve on such terms and conditions as may be determined by the Board from time to time.
- (2) The Academic Board shall be responsible for all academic matters including courses, syllabi, and certificates and matters connected therewith.
- (3) The meetings of the Academic Board shall be held as frequently necessary but not less than twice a year.
- Administrator.** 12. (1) The Administrator shall be appointed, by the Chairman in consultation with the Board who shall unless removed earlier by the Board, hold office for a period of three years on such terms and conditions as may be prescribed.
- (2) The Administrator shall be responsible for the day-to-day running of the medical facilities and hospital(s) of the Institute as per rules laid down by the Board.

Funds.

13. (1) The Institute shall have a fund to which shall be credited its donations, trusts, bequests, endowments, grants, income and other contributions.
- (2) The expenditure of the institute shall be met from its own income, contributions, donations made by individuals, local bodies, organizations, trusts or agencies approved by the Board.
- (3) No expenditure shall be made from the funds unless a bill for its payment has been audited by the Audit Officer of the Institute in accordance with the rules.
- (4) The Annual Statement of Accounts and Audit Reports thereon shall be submitted to the Board.

Rules.

14. (1) The Board shall frame rules for carrying out the purposes of this Ordinance:

Provided that the first rules shall be made by the First Board.

- (2) In particular and without prejudice to the generality of the preliminary powers, such rules shall provide for-
- (i) the constitution of the Board including number of its members;
 - (ii) the term of office of the members and the mode of their appointment, election or nomination and removal;
 - (iii) rights and privileges of the Chairman and Members;

- (iv) procedure to be followed at the meetings of the Board and the quorum required for such meetings:

Provided that the Chairman shall have a casting vote.

15. The Dorab Patel Post Graduate Training Institute for Nephrology and Urology Ordinance, 2001 (Ordinance XI of 2001) is hereby repealed. **Repeal.**

Karachi:

Dated: 06-08-2001.

MOHAMMEDMIAN SOOMRO
GOVERNOR OF SINDH

SAYED GHULAM NABI^{*} SHAH
SECRETARY TO GOVERNMENT OF SINDH
LAW DEPARTMENT

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