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**THE SINDH INSTITUTE OF TRAUMATOLOGY ORTHOPEDICS AND
REHABILITATION ACT, 2017**
SINDH ACT NO. XXXVI OF 2018

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[07th June, 2018]

AN ACT to provide for the establishment of an Institute known as the Sindh Institute of Traumatology, Orthopedics and Rehabilitation at Karachi.

WHEREAS it is expedient to provide for the establishment of an Institute known as the Sindh Institute of Traumatology, Orthopedics and Rehabilitation at Karachi and to provide for matters connected therewith or ancillary thereto;

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Institute of Traumatology, Orthopedics and Rehabilitation Act, 2017. **Short title and commencement.**

(2) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context – **Definitions.**

- (a) “Academic Council” means the Academic Council of the Institute;
- (b) “Board” means the Board of Directors of the Institute;
- (c) “Chairperson” means the Chairperson of the Board;
- (d) “Director” means the Director of the Institute;
- (e) “Government” means the Government of Sindh;
- (f) “Institute” means the Sindh Institute of Traumatology, Orthopedics and Rehabilitation at Karachi established under this Act;
- (g) “Member” means a member of the Board;
- (h) “prescribed” means prescribed by regulations;
- (i) “regulations” means the regulations made under this Act; and

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- (j) “Selection Board” means the Selection Board of the Institute;
 - (k) “student” means the student of the Institute; and
 - (l) “trainee” means the postgraduate trainee of the Institute;
3. (1) An Institute to be called the Sindh Institute of Traumatology, Orthopedics and Rehabilitation is established at Karachi in accordance with the provisions of this Act. **Establishment of the Institute.**
- (2) The Institute shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, both moveable and immoveable, vesting in it and shall, by the name specified, sue and be sued.
4. The functions of the Institute shall be as follows:- **Functions of the Institute.**
- (i) to undertake treatment and acquire latest physical facilities necessary for carrying out investigation and treatment of various diseases and injuries in the field of orthopedic surgery, traumatology and rehabilitation;
 - (ii) to develop methodology and standardize techniques for the investigation and treatment of various diseases in the field of orthopedic surgery, traumatology and rehabilitation;
 - (iii) to provide the optimum, emergency, subsequent definite treatment and post trauma rehabilitation to the injured patient, triaged from accident site, establish satellite trauma centers of the Institute at other districts of the Province of Sindh as may be necessary;
 - (iv) to undertake teaching in the principle of orthopedic surgery, traumatology and rehabilitation with emphasis to transform skill and impart knowledge in new innovations to doctors, nurses, paramedical technologists, biomedical technologists and others;

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- (v) to undertake postgraduate teaching programmes such as M.S., M.D., F.C.P.S, Ph.D and other diplomas in the field of orthopaedic surgery, traumatology, rehabilitation and emergency medicine, in collaboration with College of Physicians and Surgeons Pakistan and a University of Medical and Health Sciences;
- (vi) to hold examinations and to award and confer degrees, diplomas, certificate and other academic distinctions to and on the persons who have been admitted to and have passed its examinations under the prescribed conditions;
- (vii) to undertake training of nursing and paramedical staff including technicians both graduates and postgraduates in the field of orthopaedic surgery, traumatology, rehabilitation and emergency medicine;
- (viii) to carry out and promote research, surveys, experiments and demonstrations and develop data base registry to be used for improvement of services, preventive methodologies and future planning in the field of orthopaedic surgery, traumatology, rehabilitation and emergency medicine;
- (ix) to publish research papers, studies and such other works as are completed at the Institute or are prepared in collaboration with any other similar institute or agency, local or foreign or which are otherwise of substantial value to the Institute;
- (x) to organize seminars, conferences and workshop to transform knowledge, skill and new innovations and to promote cooperation with national and international agencies, organizations, institutions and universities in activities falling within the purview of the Institute;
- (xi) to cooperate with other institutes and Universities and public authorities in such manner and for such purposes as it may determine;

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- (xii) to enter into, carry out, vary or cancel contracts;
- (xiii) cooperate, with the approval of Government, any foreign agency, International Organization or National Organization, philanthropist for further development of its technical capabilities, treatment facility and research activities, and to enter into arrangement wherein Government shall be the signatory alongwith the Institute;
- (xiv) to undertake all such activities or do such other acts and things as may be necessary to further the objectives of the Institute.

5. The Institute shall be open to all persons of either sex of 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 person shall be denied the privilege on the ground only of sex, religion, race, creed, caste, colour or domicile. **Institute open to all.**

6. (1) The Chief Minister of Sindh shall be the Patron of the Institute. **Patron.**

(2) The Patron may cause an inspection or inquiry to be made on his own motion in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person or persons to inquire into or carry out inspection of –

- (i) the Institute, its buildings, laboratories, libraries and other facilities;
- (ii) any institution, department or hostel maintained by the institute;
- (iii) the adequacy of financial and human resources of the Institute;
- (iv) the teaching, research, curriculum, and other academic matters of the Institute; and
- (v) such other matters as may be specified by him related to the Institute.

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(3) The Patron shall on receipt of report under sub-section (2), 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 specified by the Patron, communicate to him such action, if any, as has been taken or may be proposed to be taken upon the result of the visitation.

(5) Where the Board does not, within the time specified, take action or the action taken is not to the satisfaction of the Patron, the Patron may issue such directions as he deem fit and the Chairperson shall comply with such directions.

7. (1) The general direction and administration of the Institute and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Institute. **Administration of the affairs of the Institute.**

(2) The Board shall consist of the following:-

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| (i) Minister Health | Chairperson |
| (ii) One Member of Provincial Assembly of Sindh to be nominated by the Speaker | Member |
| (iii) Secretary Health, Government of Sindh | Member |
| (iv) One reputed senior Orthopaedic Surgeon from Sindh, having substantial contribution in the field of Orthopaedic and Traumatology to be nominated by Government | Member |
| (v) President of Pakistan Orthopaedic Association (Sindh) | Member |
| (vi) One nominee of Chamber of Commerce Karachi to be nominated by Government | Member |
| (vii) One nominee of the Academic Council | Members |
| (viii) Director | Member/
Secretary |

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(3) The Board may associate such other experts, as it may consider necessary.

(4) A Member other than ex-officio Member may resign his office in writing under his hand addressed to Government and thereupon he shall cease to hold office.

(5) A Member other than ex-officio Member, shall cease, to hold office if he does not attend three consecutive meetings of the Board without any valid reason.

(6) Unless a Member ceases to hold office, the term of office of member, other than ex-officio member, shall be three years.

(7) Where a person is appointed to be a member by virtue of holding an office, he shall cease to be such member when he ceases to hold that office.

8. (1) The Board shall, subject to the provisions of this Act and the regulations, exercise administrative and financial powers in respect of the Institute as may be necessary for its proper and efficient functioning. **Power and Functions of the Board.**

(2) In particular and without prejudice to the generality of the foregoing provisions, the Board shall have the powers –

- (i) to hold, control and administer the property, funds and resources of the Institute and borrow or raise money for the purpose of the Institute;
- (ii) to exercise supervision and over all control over the Institute;
- (iii) to consider and approve annual research programs, annual reports and audit statements of account of the Institute and submit to Govt. for approval and further guidelines;
- (iv) to create, suspend or abolish such posts of teaching and non teaching staff of the Institute as may be necessary according to rules and requirements duly approved by Government;

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- (v) to appoint and prescribe terms and conditions of the services of the teaching and non-teaching staff of the institute with due approval of Government;
- (vi) to institute professorships, associate professorships, assistant professorships, senior registrarship and lectureships and any other posts with approval of Government;
- (vii) to consider and approve annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another and to appoint auditors and submit report to Government;
- (viii) to cause proper books of accounts to be kept for all sums of money received and expenditure by the Institute and for assets and liabilities of the Institute as determined by the Accountant General Sindh and in consultation with Government;
- (ix) to lay down its own rules of procedure with approval of Government;
- (x) to frame rules and regulations duly approved by Government;
- (xi) to appoint committees or sub-committees as deemed fit for carrying out the purpose of this Act;
- (xii) to formulate policy with regard to special pay to professionals working in the Institute for not practicing privately;
- (xiii) to delegate any of its powers to the Director, excepting the approval of budgetary estimates;
- (xiv) to discharge functions in accordance with guidelines and questions of policy or instructions issued from time to time by Government; and
- (xv) to do all acts and things necessary to further the objectives of the Institute;

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- (3) The Chairperson may, in an emergency, which in his opinion requires immediate action, take such action as deemed necessary and shall, as soon hereafter as possible, report his action to the Board.
- (4) The Board while discharging its functions shall be guided on questions of policy by the instructions, if any, given to it by Government, from time to time which shall be the sole judge and whether a question is a policy and Board shall be bound to carry out such directions.
9. (1) The Board shall meet at least four time in a year with a gap of at least three months on the dates to be fixed by the Director in consultation with the Chairperson; provided that the Chairperson may convene a meeting at any time. **Meetings of the Board.**
- (2) The Chairperson shall preside over the meeting.
- (3) In the absence of the Chairperson, the meeting may be presided over by the Vice-Chairperson and in the absence of both, by the Member appointed by the Members present in the meeting.
- (4) The quorum for a meeting shall be one-third of the total number of Members, a fraction being counted as one, but no quorum shall be necessary for the meeting held in lieu of the meeting which was adjourned for want of quorum.
- (5) The Chairperson shall have and exercise a casting vote in the case of a tie.
- (6) The Director being the Secretary of the Board shall record the minutes of meeting which shall be circulated by him to all members within a week by courier service and will present in the next meeting for confirmation.
10. The Director to be appointed by Government on the prescribed terms and conditions, shall possess prescribed qualification from a University established by law in Pakistan or a University of International repute and shall have experience of at least ten years in the field of orthopedics or trauma and rehabilitation. **Director of the Institute.**

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11. (1) The Director shall be the academic and executive head of the Institute and shall manage the affairs of the Institute in accordance with the provisions of this Act and regulations, and shall have the following powers and functions:- **Powers of Director.**

- (i) to keep in custody the record and seal of the Institute;
- (ii) to authorize payments of monthly salaries and allowances to the employees or the persons working in the Institute;
- (iii) to be responsible for Academic and Research activities of the Institute aimed at providing medical care and shall ensure that the provisions of this Act and the regulations are faithfully observed;
- (iv) to sanction or re-appropriate an amount not exceeding two lacs (two hundred thousand) rupees during the fiscal year for an unseen item not provided for in the budget and submit report to the Board in this behalf in its next meeting;
- (v) to prepare budget estimates and supplementary budget estimates and place the same before the Board for approval;
- (vi) to prepare budget estimates and supplementary budget estimates and place the same before the Board for approval;
- (vii) to pass payment of bills, under any head of the budget duly approved and authorized;
- (viii) to act as Secretary of the Board and issue notices of meeting of the Board and its committees in consultation with the Chairperson and to prepare and maintain minutes and record and proceedings of the meeting;
- (ix) to take steps for the implementation of decisions of the Board;
- (x) to carry on all the correspondence of the Institute;

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- (xi) to create and fill temporary teaching and non-teaching posts for a period not exceeding six months;
- (xii) to execute deeds and documents on behalf of the Board;
- (xiii) to perform any other duties which may be assigned to him by the Board;

(2) The Director shall not, except with the previous approval of the Board in each case or unless already approved in the budget duly item-wise, allow expenditure on items of civil works, or capital expenditures on equipment or automobiles.

(3) The Director shall be ex-officio member of a committee or sub-committee set up by the Board and shall preside over meetings of such committees.

(4) If the Director is satisfied that any proceeding of the Selection Board or the Academic Council are not in accordance with the provisions of this Act, he may report the matter to the Board whose decision shall be final.

(5) The Director may delegate such of his powers not being the powers delegated to him to any officer or committee of the Institute subject to such conditions as he deems fit.

12. (1) The Institute shall have an Academic Council which shall perform such functions as may be assigned to it by the Board under this Act or regulations. **Academic Council.**

(2) The Academic Council shall consist of the Director who shall be the Chairperson and all Professors and Associate Professors of the Institute.

(3) The Academic Council may associate such other experts having experience in the field of orthopedics, traumatology, rehabilitation and emergency medicine, as it may consider necessary.

(4) The meetings of the Academic Council shall be held as frequently as possible, but not less than six times a year.

(5) The quorum of a meeting shall be one-half of the total number of the members of the Academic Council, a fraction being counted as one.

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13. (1) The Institute may, for efficient performance of its functions, appoint such officers, advisers, consultants, experts and other staff possessing requisite professional, technical, ministerial or secretarial qualifications and experience on such terms and conditions as may be prescribed. **Appointments and terms and conditions of officers and staff of the Institute.**
- (2) The officers, advisers, consultants and other staff shall be liable to such disciplinary action and in such manner as may be prescribed.
14. (1) There shall be a Selection Board consisting of the Director and such other members as the Board may appoint with the approval of Government. **Selection Board.**
- (2) The Director shall be the Chairperson of the Selection Board.
- (3) The quorum for a meeting of the Selection Board shall not be less than two third of its members.
- (4) A member of the Selection Board, other than ex-officio member, shall hold office for two years.
- (5) No member of the Selection Board who is also a candidate for the post to which appointment is to be made shall take part in such proceeding of Selection Board.
15. (1) There shall be a separate Fund of the Institute known as the Sindh Institute of Traumatology, Orthopedics and Rehabilitation Fund. **Fund.**
- (2) The Fund shall consist of –
- (a) grants and subsidy received from the Federal, Provincial and Local Governments;
 - (b) donations, endowments and deposits;
 - (c) income from investment and deposits;
 - (d) loans raised or aid obtained by the Institute;
 - (e) fees, royalties on publications of the Institute and other charges for services rendered by the Institute; and

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(f) all money received from any donor agency of Pakistan or foreign origin.

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| 16. | The amounts credited in the Fund shall be deposited in any Scheduled Bank approved by the Board. | Crediting of the funds. |
| 17. | The Board may invest its Fund in any security of the Federal Government or Provincial Government or any other security approved by Government. | Investment and utilization of the Funds |
| 18. | <p>(1) The Board shall cause the accounts of Institute to be maintained in such a form and manner as may be prescribed.</p> <p>(2) The accounts shall be audited once a year by the Auditor or the firm of Chartered Accountants appointed by the Board with the approval of Government.</p> <p>(3) The annual statement of the accounts and audit report thereon shall be submitted to Government through Board within six months of closing of the financial year.</p> | Maintenance of accounts and audit of accounts. |
| 19. | The Director shall submit, with the approval of Board, to Government such periodical returns, annual, accounts statements and statistics or information as may be required by Government. | Annual reports and periodical returns. |
| 20. | If any difficulty arises in first implementation of the provisions of this Act, Government may, on the recommendation of Chairperson, give appropriate direction to remove such difficulty. | Removal of difficulties. |
| 21. | No court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act. | Bar of Jurisdiction. |
| 22. | No suit or legal proceedings shall lie against Government, the Board of officers of the Institute or any person in respect of anything which is done or purported to have been done in good faith or is intended to or has been done under this Act. | Indemnity. |
| 23. | Subject to approval of Government, the Board may, by notification in the official gazette, make regulations not inconsistent with the provisions of this Act for carrying out purposes of this Act. | Power to make regulations. |