

[AS INTRODUCED IN THE SENATE]

A

BILL

*to amend the Shaheed Zulfiqar Ali Bhutto Medical University
Islamabad Act, 2013*

WHEREAS it is expedient to amend the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 2, Act XV of 2013.- In the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013) hereinafter referred to as the said Act, in section 2,-

(i) for paragraph (i), the following shall be substituted, namely:-

“(i) “hospital” means a hospital attached with University for clinical teaching purpose, maintained and administered by Capital Administration and Development Division / Administrative Government of Pakistan;”.

(ii) after paragraph (j), the following new paragraph, shall be inserted, namely:-

“(jj) “Pro-Chancellor” means the Pro-Chancellor appointed under section 11A;”

3. Amendment of section 3, Act XV of 2013.- In the said Act, in section 3,-

(i) for sub-section (5), the following shall be substituted, namely:-

“(5) All those public sector hospitals notified by specific orders by the Federal Government shall be the affiliated hospitals of the University for teaching purpose.” and

(ii) sub-sections (6) and (7), shall be omitted.

4. Insertion of new section 11 A, Act XV of 2013.- In the said Act, after section 11, the following new section shall be inserted, namely:-

"11A. Pro-Chancellor.- (1) The Minister or in his absence, the Secretary, Capital Administration and Development Division / Secretary of the Administrative Ministry / Division shall be the Pro-Chancellor of the University.

(2) The Pro-Chancellor shall perform such duties and functions and exercise such powers as may be assigned or delegated to him by the Chancellor."

5. Amendment of section 12, Act XV of 2013.- In the said Act, in section 12, sub-section (1), shall be omitted and the remaining sub-sections shall be re-numbered, accordingly.

6. Amendment of section 15, Act XV of 2013.- In the said Act, in section 15, for sub-section (1), the following shall be substituted, namely:-

"(1) The Registrar shall be appointed by the Vice-Chancellor on the recommendation of the Selection Board on such terms and conditions as may be prescribed in the statutes."

7. Amendment of section 16, Act XV of 2013.- In the said Act, in section 16, for sub-section (1), the following shall be substituted, namely:-

"(1) The Controller of the Examinations shall be appointed by the Vice-Chancellor on the recommendation of the Selection Board on such terms and conditions as may be prescribed in the statutes."

8. Amendment of section 17, Act XV of 2013.- In the said Act, in section 17, for sub-section (1), the following shall be substituted, namely:-

"(1) The Treasurer shall be appointed by the Vice Chancellor on the recommendation of the Selection Board on such terms and conditions as may be prescribed in the statutes."

9. Amendment of section 19, Act XV of 2013.- In the said Act, in section 19, sub-sections (2) and (3), shall be omitted.

10. Amendment of section 21, Act XV of 2013.- In the said Act, in section 21,-

- (i) in sub-section (1), after paragraph (a), the following new paragraph shall be inserted, namely:-

“(aa) The Pro-Chancellor”

- (ii) for sub-section (6), the following shall be substituted, namely:-

“(6) The quorum of the meeting of the Senate shall be one-half of the total number of its members, a fraction being counted as one.”

11. Amendment of section 24, Act XV of 2013.- In the said Act, in section 24, for sub-section (3), the following shall be substituted, namely:-

“(3) The quorum of the meeting of the Syndicate shall be one-half of the total number of its members, a fraction being counted as one.”

12. Amendment of section 25, Act XV of 2013.- in the said Act, in section 25,-

- (i) in paragraph (w), after the semi-colon “;” occurring at the end, the word “and” shall be added; and
- (ii) paragraph (x) shall be omitted and thereafter the existing paragraph (y), shall be re-numbered as paragraph (x).

13. Amendment of section 26, Act XV of 2013.- In the said Act, in section 26, in sub-section (1) for paragraph (h), the following shall be substituted, namely:-

“(h) two senior most Associate Professors to be nominated by the Vice-Chancellor; and”

14. Amendment of section 34, Act XV of 2013.- In the said Act, in section 34, sub-sections (1) and (2), shall be omitted.

15. Amendment of section 41, Act XV of 2013.- In the said Act, for section 41, the following shall be substituted, namely:-

“**41. Amendment of Schedule.-** The Senate may, by notification in the official gazette, amend the schedule.”

16. Amendment of section 42, Act XV of 2013.- In the said Act, for section 42, the following shall be substituted, namely:-

“42. Removal of difficulties.- If any difficulty arises in giving effect to any provision of this Act, the Chancellor may, on the recommendation of the Vice-Chancellor through Syndicate, issue such orders or directions as may not be inconsistent therewith for removing such difficulties.”

17. Amendment of Schedule, Act XV of 2013.- In the said Act, in the schedule.-

(i) in section 9,-

(a) in sub-section (1), after paragraph (f), the following new paragraphs shall be inserted, namely:-

“(g) The Secretary of the Administrative Division / Ministry or his nominee not below the rank of Additional Secretary;
and

(h) The Chairman Federal Public Service Commission or his nominee not below the status of a Member.”

(b) for sub-section (3), the following shall be substituted, namely:-

“(3) The quorum of the Selection Board shall be seven out of eight members of the Board:”

(ii) in section 11, for paragraph (b), the following shall be substituted, namely:-

“(b) The Executive Director or administrator of the Hospital; and”

(iii) in section 13, in sub-section (1), for paragraph (j), the following shall be substituted, namely:-

“(j) The Executive Director or administrator of the attached hospitals;”

(iv) in section 15, in sub-section (1), for paragraph (a), the following shall be substituted, namely:-

“(a) four Professors including its Chairman to be nominated by the Vice-Chancellor; and”

STATEMENT OF OBJECTS AND REASONS

In normal practice, either the university is established as a new or a Medical College is upgraded to the status of university. A number of examples can be cited in this regard, (King Edward Medical University, Lahore was established by upgrading the King Edward Medical College), DOW University of Health Sciences was established by upgrading DOW Medical College / Sindh Medical College. The Khyber Medical University was established as new. The Liaquat Medical and Health Sciences was established by upgrading the Liaquat Medical College. The public sector hospitals are attached as teaching hospitals with the University but are administered and maintained by the respective provincial health departments.

2. In the case of Shaheed Zulfiqar Ali Bhutto Medical University, the PIMS, a tertiary level hospital was upgraded to become a University which is an anomaly. This anomaly in the Act has caused a great resentment in the three thousand strong work force of PIMS and public at large. The entire workforce is apprehensive about the hospital becoming a university. They are of the view that their status as a civil servant will be endangered which is detrimental to their interest.

3. Furthermore, PIMS is a public sector tertiary level hospital providing quality health services at very affordable cost not only to the public of ICT area but also to the people of the adjoining districts as well as from GB, AJK, FATA, KPK etc. This hospital has a patient turnover of around 13,21,645 per year and the Government is spending around 5 billion rupees annually on this hospital and its services. The up-gradation of PIMS to the status of the university will make PIMS as an autonomous corporate body that will have serious repercussions for the general public. This hospital / university shall not be able to provide the general public health care services at such cheap costs.

4. Many sections / sub-sections / clauses of the Act of SZABMU are conflicting to the Higher Education Commission / federal university ordinance which is the guiding force behind the establishment of any new university. This Bill, therefore, seeks to remove the above stated anomalies in order to bring this Act at par with the HEC Federal Universities Ordinance, 2002 and other public sector medical universities.

SENATOR SARDAR MUHAMMAD AZAM KHAN MUSAKHAIL
Member-in-Charge