



THE MEDICAL COLLEGES (GOVERNING BODIES) ORDINANCE, 1961



CONTENTS

1. Short title extent and commencement.
2. Definitions.
3. Constitution of Governing Bodies.
4. Powers and functions of a Governing Body.
5. Committees.
6. College Fund, accounts and finances.
7. Returns and statements.
8. Power to make rules.
9. Power to make regulations.

THE MEDICAL COLLEGES (GOVERNING BODIES) ORDINANCE, 1961.

ORDINANCE No. XIII of 1961

[18th April, 1961]

An Ordinance to provide for the constitution of Governing Bodies for Medical Colleges in Pakistan.

WHEREAS it is expedient to provide for the constitution of Governing Bodies for Medical Colleges in Pakistan for the efficient administration and management of the affairs of such colleges;

Now, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Medical Colleges (Governing Bodies) Ordinance, 1961.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.— In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “Chairman” means the Chairman of a Governing Body;

(b) “Governing Body” means a Governing Body constituted under this Ordinance;

(c) “Medical College” includes any hospital attached thereto; and

(d)“member” means the member of a Governing Body.

3. Constitution of Governing Bodies.—(1) As soon as may be after the commencement of this Ordinance, the Provincial Government shall, for the efficient administration and management of the affairs of all Medical Colleges within the Province, by notification in the official Gazette, constitute for each such college a Governing Body consisting of such number of members not exceeding fifteen as may be appointed by it ¹* * *

(2) Not more than one third of the members shall be chosen directly by the Provincial Government and the remaining members shall be chosen from amongst persons proposed by such institutions, bodies or organisations as the ²[Provincial Government] may, from time to time, by notification in the official Gazette, specify:

Provided that in the case of the Governing Body for a Medical College in a district in which there is a University, the Vice-Chancellor of such University shall be appointed as one of the members.

(3) The Provincial Government shall appoint one of the members to be the Chairman of the Governing Body:

Provided that where the Vice-Chancellor of a University is a member of the Governing Body, he shall be the Chairman thereof.

(4) The Chairman as such and the members chosen directly by the Provincial Government shall hold office during the pleasure of the Provincial Government and the other members shall, unless earlier required to vacate by the Provincial Government, hold office for a term of three years and shall be eligible for re-appointment ³[.].

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4. Powers and functions of a Governing Body.—(1) A Governing Body shall administer and manage the affairs of the Medical College for which it has been constituted and shall, subject to any rules made in this behalf, have all powers necessary for the purpose.

(2) In the exercise of its powers and performance of its functions, a Governing Body shall, in respect of policy making, coordination and maintenance of educational standards, be guided by such directions as the ²[Provincial Government] may, from time to time give.

5. Committees.—(1) A Governing Body shall, for the efficient performance of its functions under this Ordinance, constitute, with such of its members and other persons as it may appoint, the following committees, namely :—

¹The words “with the approval of the Central Government” omitted by A.O., 1964 Art. 2 and Sch.

²Subs *ibid*, for “Central Government.”

³Subs, *ibid*, for the semi-colon.

⁴Proviso omitted *ibid*.

- (a) The Executive Committee;
- (b) The Finance and Departmental Grants Committee ;
- (c) The Establishment and Discipline Committee ;
- (d) The Medical Staff Committee ;
- (e) The Hospital Management and Hostels Committee; and
- (f) The Nursing Committee.

(2) Subject to such directions as the [Provincial Government] may, from time to time give in this behalf, a committee constituted under sub-section (1) shall perform such-functions as may be prescribed by regulations or otherwise specified by the Governing Body.

6. College Fund, accounts and finances.—(1) Except as otherwise provided in this section, the constitution of a Governing Body for a Medical College shall not affect the position obtaining before such constitution with respect to the receipt, expenditure or any arrangement relating to the finances of a Medical College or the maintenance and audit of its accounts.

(2) All receipts of a Medical College from any source whatsoever shall constitute the College Fund which shall be applied, subject to any rules made in this behalf, by its Governing Body to meet all expenditure for the administration and management of the affairs of the Medical College and other charges connected with the performance of the functions of that Governing Body under this Ordinance.

7. Returns and statements.—(1) As soon as may be after the close of every financial year but not later than the last day of September next following, every Governing Body shall submit to the ¹[Provincial Government] a report of the conduct of its affairs for that year ¹[Provincial Government] ² * * * .

(2) The ³* * * Provincial Government may require a Governing Body to furnish it with—

- (a) any report, return, statement, estimate, statistics or other information regarding any matter under the control of that Governing Body or on any subject with which that Governing Body is concerned ; or
- (b) any document or copy thereof in the charge or under the control of that Governing Body.

8. Power to make rules.—The [Provincial Government] may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

¹Subs. by A.O., 1964, Act. 2 and Sch., for "Central Government".

²The words "and shall also send a copy of the report to the Provincial Government" omitted *ibid*.

³The words "Central Government or the" omitted *ibid*.

9. Power to make regulations.—(1) A Governing Body may, subject to the previous approval of the ¹[Provincial Government] make regulations to provide for any matter which is not required to be provided for by rules and for which provision is necessary or expedient for efficient conduct of its business or the performance of its functions under this Ordinance.

(2) Where any provision of a regulation is inconsistent with any provision of a rule, the latter shall prevail.

¹*Subs. by A.O. 1964, Art. 2 and Sch., for "Central Government".*

