

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

Dated: Quetta, the 29th May, 2025.

NOTIFICATION.

No.PAB/Legis: V (19)/2025/5313. The Ghulam Farooq Memorial Hospital Buleda Bill, 2025 (Bill No. 19 of 2025), having been passed by the Provincial Assembly of Balochistan on 26th May 2025, and assented to by the Governor Balochistan on 27th May 2025, is hereby published as an Act of the Provincial Assembly of Balochistan.

THE GHULAM FAROOQ MEMORIAL HOSPITAL BULEDA ACT, 2025.

ACT NO. XV OF 2025.

AN

ACT

to provide for the establishment of the Ghulam Farooq Memorial Hospital Buleda for the provision of modern health care facilities to the people of the area at their doorstep.

Preamble.

WHEREAS, it is expedient to make provisions for the establishment and efficient management of the Ghulam Farooq Memorial Hospital Buleda and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows: -

CHAPTER-I
PRELIMINARY.

**Short title, extent,
application and
commencement.**

1. (1) This Act may be called the Ghulam Farooq Memorial Hospital Buleda Act, 2025.
- (2) It shall apply to the Ghulam Farooq Memorial Hospital Buleda and any other facility which becomes a part of the Hospital's expansion including but not limited to a Medical College, Nursing College, and Allied Health Professionals College.
- (3) It shall come into force at once.

CHAPTER-II
DEFINITIONS.

Definitions.

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

- (a) **“Act”** means the Ghulam Farooq Memorial Hospital Buleda Act, 2025;
- (b) **“Board”** means the Policy Board constituted under section 5 of this Act;
- (c) **“Chairperson”** means the Chairperson of the Policy Board;
- (d) **“Chief Minister”** means the Chief Minister of Balochistan;
- (e) **“Employee”** means, -
 - (i) an employee appointed on contract/adhoc basis by the Hospital under this Act; or
 - (ii) an employee of the Health Department transferred/posted to the Hospital by the Department with prior approval of the Board;
- (f) **“Fund”** means the fund established under Section 13 of this Act;
- (g) **“Government”** means the Government of Balochistan;
- (h) **“Healthcare Services”** means preventive, curative, promotive, rehabilitative health services including diagnostic services, support services, accident and emergency services, pharmacy and paramedic support;
- (i) **“Health Department”** means the Health Department, Government of Balochistan;
- (j) **“Hospital”** means the Ghulam Farooq Memorial Hospital Buleda;
- (k) **“Chief Executive Officer”** means the Head of the Hospital appointed under section 8 of this Act;
- (l) **“Medical College”** means a Medical College established under this Act;
- (m) **“Member”** means a member of the Board;
- (n) **“Prescribed”** means prescribed by rules and regulations made under this Act;
- (o) **“Satellite”** means any Rural Health Center falling under the ambit of this Act as prescribed in Section; *and*
- (p) **“Secretary Health”** means the Secretary, Government of Balochistan, Health Department.

CHAPTER-III
THE HOSPITALS/INSTITUTIONS.

**Establishment
and Objects of
the Hospital.**

3. (1) The Health Department may, by notification in the official gazette, establish a hospital at Buleda by the name and title of “the Ghulam Farooq Memorial Hospital Buleda”.

(2) The Hospital shall be a body corporate by the name of “Ghulam Farooq Memorial Hospital Buleda” 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.

(3) The objectives of the Hospital shall be, —

- (a) to undertake all functions required for providing quality healthcare services to the people;
- (b) to provide high quality medical education, offering continuing education and professional development opportunities and conducting innovative studies and investigations to advance medical knowledge once sufficient capacities have been developed; *and*
- (c) to perform such other ancillary functions as are assigned to it by the Government from time to time.

**Administration
of Hospital.**

4. The administration and management of the affairs of the Hospital shall vest in the Policy Board constituted under this Act.

Policy Board.

5. (1) There shall be a Policy Board for the Hospital constituted as follows:

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|-----|--|-------------|
| (a) | Secretary Health | Chairperson |
| (b) | Secretary Finance or his nominee
not below the rank of Additional
Secretary | Member |
| (c) | Commissioner Mekran Division | Member |
| (d) | Principal Mekran Medical College | Member |
| (e) | Two (2) Heads of Department
from Mekran Medical College
recommended by the Board &
approved by Secretary Health (at
least one (1) female member) | Members |

- | | | |
|-----|---|------------------|
| (f) | Deputy Commissioner, Kech District | Member |
| (g) | Medical Superintendent, Teaching Hospital Kech | Member |
| (h) | District Health Officer Kech | Member |
| (i) | Two (2) Members from Civil Society well known in humanitarian and philanthropic sector recommended by the Board & approved by the Secretary Health (at least one (1) female member) | Members |
| (j) | Principal Nursing College Kech | Member |
| (k) | Chief Executive Officer of the Hospital | Member/Secretary |
| (l) | Any Co-Opted Member. | |

Conduct of business.

6. (1) All decisions of the Board shall be taken by consensus, and in case of division of opinion, the decision shall be taken by majority votes:

Provided that in case of equality of votes, the Chairperson of the Board shall have a second or casting vote.

(2) No act or proceedings of the Board shall be invalid, merely on the ground of existence of any vacancy.

(3) The quorum of the Board meeting shall be two third of the total number of Board Members.

(4) The member count shall be determined by actual members being present and proxy vote shall not count. Online participation may be allowed subject to permission by the Chairperson.

(5) No member except specifically stated in the text shall chair or be member of any subordinate committee or sub-committee, to ensure unbiased oversight.

(6) The Board may hold meetings as frequently as required; provided that the Board shall hold at least two meetings a year.

(7) Subject to the provisions of this Act and the rules made thereunder, a Committee or Sub-Committee constituted by the Board shall perform such functions as may be prescribed.

(8) The chairperson and members of the Board shall not be entitled to

any perks or privileges under this Act.

**Functions
and powers of
the Board.**

7. (1) The Board shall be responsible for, –
- (a) ensuring that the objectives of the Hospital are achieved as per the policy of Government while overseeing the effective management, and providing strategic direction to the Hospital;
 - (b) creation, re-designation or abolition of posts of posts (regular or contract);
 - (c) prescribing terms and conditions of service, disciplinary matters and other service matters for the employees of the Hospital;
 - (d) review and approval of major transactions;
 - (e) approval of new programs and services, and monitoring of organizational performance;
 - (f) approval of financial plans and annual budget within the approved budget sanctioned by the Government;
 - (g) approval of Procurement processes for the Hospital;
 - (h) approval of annual procurement plan;
 - (i) approval of demand list of required medicines, consumables, equipment and machinery;
 - (j) approval of the recruitment of the medical and non-medical staff for the Hospital on recommendations of the Recruitment Committee(s);
 - (k) determining user charges and fees for clinical and procedural services and facilities;
 - (l) constitution of Finance Committee, Recruitment Committee, Procurement Committee and such other Committees or Sub-Committees, as it may deem appropriate; *and*
 - (m) to negotiate, conclude, and execute agreements,

MoUs, and other contractual arrangements for, outsourcing of services, hospital management or any other purpose that promote the public interest or advance the hospital goals and objects.

(2) The Hospital shall be accountable to the Board for its performance and shall regularly provide performance-based data at set intervals based on the Health Department's set Key Performance Indicators (KPIs) for the Hospital.

(3) The Secretary Health may, in case of exigency of service, post a Chief Executive Officer for the Hospital on acting / additional charge basis (for a maximum period of up to 03 Months) until the posting of a regular incumbent.

Chief Executive Officer.

8. (1) The Chief Minister shall appoint a full time Chief Executive Officer for the Hospital on recommendation of the Board either from the members of the Health Management Cadre or General Cadre of the Health Department or from the open market:

Provided that any candidate for the position of the Chief Executive Officer shall need to possess an MBBS/BDS qualification registered with PM&DC along with a postgraduate degree in Public Health (registered with the PM&DC) and at least five (05) years' experience working in hospital administration or public health.

(2) The Board, after advertisement and interview, shall forward a panel of three (03) most eligible recommended candidates for approval to the Chief Minister through the Health Department.

(3) The MS or ED posted by the competent authority shall serve for a period of three (03) years. However, he/she may be posted out based on poor performance:

(a) by the Board; or

(b) by the Government on the recommendation of the Health Department.

(4) He/she shall be responsible for the administration and management of day-to-day affairs of the Institution.

(5) He/she shall conduct each Board meeting.

(6) He/she shall be the DDO of the concerned Institution.

Appointment of Officers / Employees.

9. (1) The Board may, on recommendations of a Recruitment Committee(s), appoint staff from BPS-1 to BPS-17 on contractual basis in the service of the Hospital within the allocated positions sanctioned by the Board in the annual budget.

(2) Existing staff from the Health Department may serve in the Hospital contingent upon selection through a Recruitment Committee and approval by the Competent Authority (as mentioned in sub-section (1) of this section), on deputation basis or after obtaining an extra-ordinary leave from their parent Department.

Delegation of Powers.

10. The Policy Board may delegate to any person or Committee any of its powers, duties or functions.

Hospital-Based Practice.

11. The Board may adopt any of the following Hospital-based private practice models in the interest of the public healthcare:

- (a) Fixed-Incentive Model;
- (b) Profit-Sharing Model; *or*
- (c) Any other Hospital-Based Practice Model deemed appropriate by the Board.

Retention of fee.

12. (1) Notwithstanding anything contained in any law or rules, the Hospital shall retain receipts from various fees levied by Government or the Board to meet recurring and development expenditure of the Hospital.

(2) The amount realized from receipts of the Hospital shall not be deducted from the annual grant of the Hospital provided by Government.

Fund.

13. (1) There shall be a Fund to be known by the name of "Hospital Fund" for the Hospital and shall vest in the Hospital.

(2) The Fund shall consist of, –

- (a) grants and subsidy received from the Federal, Provincial and Local Governments;
- (b) receipts and user charges as specified by Board in consultation with Health Department from time to time in such manner as may be prescribed by the Board;
- (c) receipts from the Balochistan Health Card Program to be utilized in any manner prescribed by the Board;
- (d) All receipts of the Hospital shall be deposited in the Bank in the name of the Hospital concerned. The receipts of the Hospital shall become part of its respective budget. Any modification/re-appropriation from one budget to the other shall be done only after the approval of the Policy Board;
- (e) Fee of Courses, Programmes, Training, Workshops;
- (f) Donations, endowments and deposits;

- (g) income from investment and deposits; *and*
- (h) grants from other sources.

(3) The Fund shall be kept in such custody and be utilized and regulated in such manner as may be prescribed by the rules in-vogue in Balochistan.

(4) The Board may, in so far as its money is not required for immediate expenses, invest the surplus money in a scheduled bank as per the Government Policy.

Budget, audit and accounts.

14. (1) Periodic internal audit shall be carried out through an independent third-party credible audit firm at least once a year prior to the external audit by DG Audit.

(2) The budget (budget and revised estimates) of the Hospital shall be approved by the Board and its accounts shall be audited by the DG Audit.

(3) The Secretary Health may order financial, medical and managerial monitoring and audit as frequently as he/she may desire, through a third party nominated by Department and paid for by the Hospital, and the Board shall comply with the directions, which may be issued thereon.

Public Servants.

15. All employees of the Hospital including those Government employees working at the hospital on deputation/EOL basis shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).

Conduct.

16. The conduct of the employees of the Hospital shall be regulated by rules made, or instructions issued, by the Government or a prescribed authority, whether generally or in respect of a specified group or class of the employees.

Removal of difficulties.

17. Notwithstanding anything contained in the provisions of this Act, the Chief Minister may take such measures, as deemed fit, for the purpose of removing difficulties and ensuring effective and efficient healthcare management for a period of upto two (2) years from the promulgation of this Act:

Provided that no such power shall be exercised after the expiry of two years from the coming into force of this Act.

Indemnity.

18. No suit, prosecution or other legal proceedings shall lie against the Hospital or employees of the Hospital for anything done in good faith or intended to be done under this Act or the rules, instructions or directions made or issued thereunder.

Power to make rules.

19. The Government may, by notification in the official Gazette, make rules for giving effect to the provisions of this Act.

Power to make regulations.

20. Board may make regulations, not inconsistent with the provision of this Act and the rules, for carrying out the purposes of this Act.

Overriding effect.

21. Notwithstanding anything to the contrary contained in any other law, the provisions of this Act shall have an overriding effect and the provisions of any such law to the extent of such inconsistency to this Act shall cease to have effect.

(TAHIR SHAH KAKAR)

Secretary.

No.PAB/Legis: V (19)/2025/5313.

Dated: Quetta, the 29th May, 2025.

A copy is forwarded to the Chief Controller, Government Printing Press, Balochistan Quetta for favor of publication in Extra –ordinary issue of Gazette of Balochistan. Before final printing, a copy thereof be sent to this Secretariat for Proof reading. Fifty copies of the Act may please be supplied to this Secretariat for record.

(ABDUL REHMAN)

Special Secretary (Legis:)

No.PAB/Legis: V (19)/2025/5313.

Dated: Quetta, the 29th May, 2025.

Copy for information to: -

- 1) The Principal Secretary to Governor, Balochistan, Quetta.
- 2) The Principal Secretary to Chief Minister, Balochistan, Quetta.
- 3) The Secretary, Government of Balochistan, Health Department, Quetta.
- 4) The Secretary, Government of Balochistan, Law & Parliamentary Affairs Department, Quetta.
- 5) The Director General, Public Relations, Balochistan, Quetta for favour of publication.
- 6) The System Analyst, Balochistan Provincial Assembly.

SPECIAL SECRETARY (LEGIS:)