

SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION

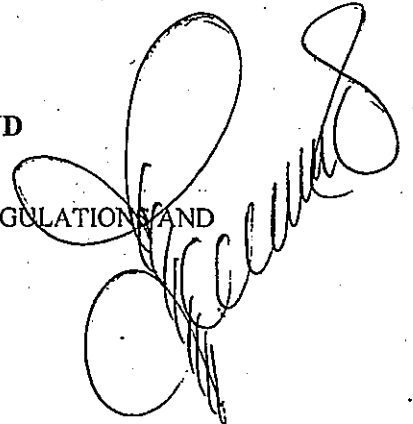
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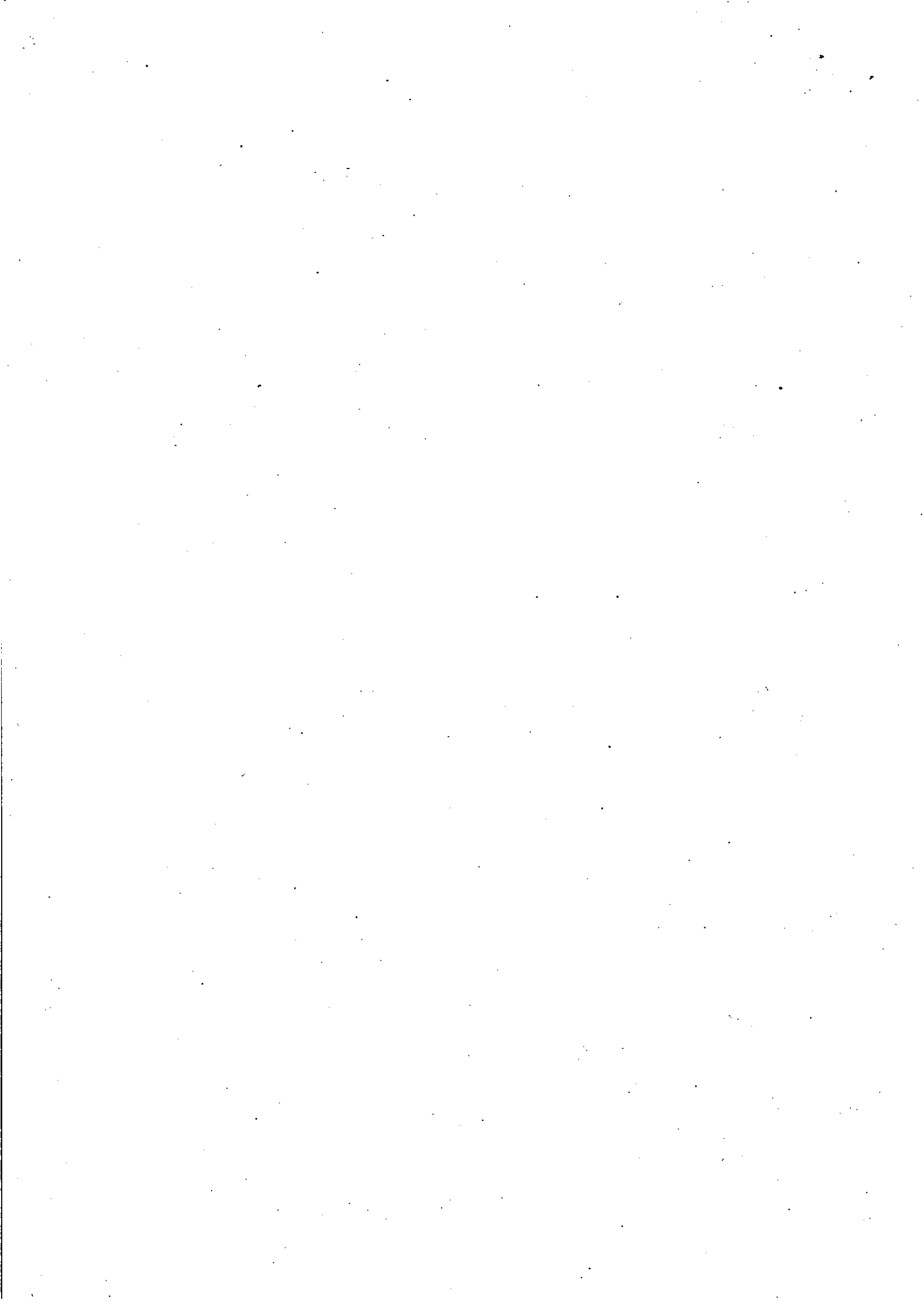
**“THE PAKISTAN INSTITUTE OF MEDICAL SCIENCES (PIMS) BILL, 2022”
MOVED BY SENATOR SALEEM MANDVIWALLA, IN THE SENATE ON 1ST
AUGUST, 2022 AND REFERRED BY THE HOUSE TO THE COMMITTEE FOR
CONSIDERATION AND REPORT.**

PRESENTED BY

SENATOR DR. MUHAMMAD HUMAYUN MOHMAND

**CHAIRMAN
SENATE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND
COORDINATION**





SENATE SECRETARIAT

Subject: **REPORT OF THE SENATE STANDING COMMITTEE ON NATIONAL HEALTH SERVICES, REGULATIONS AND COORDINATION**

I, Senator Dr. Muhammad Humayun Mohmad, Chairman of the Senate Standing Committee on National Health Services, Regulations And Coordination, have the honour to present, on behalf of the Committee, this report on "The Pakistan Institute of Medical Sciences (PIMS) Bill, 2022" moved by Senator Saleem Mandviwalla, in the Senate on 1st August, 2022 and referred by the House to the Committee for consideration and report.

2. The Composition of the Standing Committee is given as under:-

1.	Senator Dr. Muhammad Humayun Mohmand	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Fawzia Arshad	Member
4.	Senator Dr. Zarqa Suharwrdi Timur	Member
5.	Senator Sana Jamali	Member
6.	Senator Dilawar Khan	Member
7.	Senator Rubina Khalid	Member
8.	Senator Jam Mahtab Hussain Dahar	Member
9.	Senator Bahramand Khan Tangi	Member
10.	Senator Hafiz Abdul Karim	Member
11.	Senator Muhammad Asad Ali Khan Junejo	Member
12.	Senator Sardar Muhammad Shafiq Tareen	Member
13.	Senator Syed Faisal Ali Sabzwari	Member
14.	Minister for National Health Services, Regulations and Coordination	Ex-Officio Member

3. The Committee took up the bill in its meeting held on 3rd August, 2022 and final consideration of the bill was held on 23rd August, 2022, attended by the following;

1.	Senator Dr. Muhammad Humayun Mohmand	Chairman
2.	Senator Fawzia Arshad	Member
3.	Senator Sana Jamali	Member
4.	Senator Rubina Khalid	Member
5.	Senator Jam Mahtab Hussain Dahar	Member
6.	Senator Bahramand Khan Tangi	Member
7.	Senator Hafiz Abdul Karim	Member
8.	Senator Muhammad Asad Ali Khan Junejo	Member
9.	Senator Sardar Muhammad Shafiq Tareen	Member
10.	Senator Mushtaq Ahmed	Mover of Amendments
11.	Minister for National Health Services, Regulations and Coordination	Ex-Officio Member

2. The Chairman Committee apprised the committee that when MTA act was first introduced in the form of Ordinance, he was made the Chairman of Pakistan Institute of Medical Sciences (PIMS). At that time all the civil servants working at PIMS were on

strike and there was a deadlock between the employees and the government. Their main reservation was about their perks, privileges and pension as per Schedule III. The Chairman Committee stated that he mediated between the government and the employees and the government agreed to their demands. Later when he was elected as Senator and had resigned as the Chairman PIMS, the MTI Ordinance was presented as Bill, that was discussed in the committee and it was passed. The Chairman Committee further stated that the main philosophy behind MTI bill was to make PIMS independent of the government and instead of one person making decision there should be a board of governors. He explained that the bill under consideration is changing everything and it should be deliberated upon.

3. Senator Muhammad Asad Ali Khan Junejo stated that he opposed the MTI bill when it was passed. He further elaborated that he had reservation on the two categories of employees made under the Act i.e., one category will be called government servants and the other category will be PIMS employees, and he had suggested at that time that the committee should visit PIMS and there should be thorough discussion. He stated that this categorization of employees had created discrimination and since this bill is repealing it, he would support this bill. However he suggested that it has only been a year since MTI was introduced, the committee may hear board members and the employees and give them a chance to explain their view point to assess the performance and then decide. Senator Fawzia Arshad also suggested that a chance should be given and both the group may be heard rather than making a decision in haste.
4. Senator Rubina Khalid stated that she had opposed the MTI bill when it was passed. She further added that there is no harm in further deliberation but if Federal Medical Teaching Institutes (MTI) Act is same as Khyber Pakhtunkhwa Medical Teaching Institutions (MTI) Act then she will not support it because Khyber Pakhtunkhwa MTI has destroyed the health system in the province. Senator Bahramand Khan Tangi suggested that instead of listening to both the groups we should decide on the basis of what is better for the institution and the general masses. Senator Hafiz Abdul Karim expressed that he had strongly opposed the MTI Act when it was being passed.
5. Mr. Abdul Qadir Patel, Minister for National Health Services, Regulations and Coordination said strikes are being observed on daily basis at PIMS. He added that since the introduction of MTI the board has failed to even procure one MRI machine which is stuck at the port. He said that autonomous bodies generate their own revenues but hospital is a sensitive matter and the doctors will start ignoring patients in the morning and focus on private patients in evening due to monetary benefits. The minister

explained that the main clause of MTI Act has been retained, which provides for appointment of specialists on special pay scales.

6. **The Minister accepted the amendments by Senator Mustafa Nawaz Khokhar, which are as follows;**

that in the Pakistan Institute of Medical Sciences (PIMS) Bill, 2022, as passed by the National Assembly, in clause 2, after paragraph (b), the following new paragraph shall be inserted and subsequent paragraphs shall be renumbered accordingly:-

(c) "hospital" means a teaching hospital as notified by the Federal Government or any authority authorized by it in this behalf, headed by an Executive Director, to be appointed by the Government in accordance with the provisions contained in the Civil Servants Act, 1973 (LXXI of 1973) and Rules made thereunder;"

that in the Pakistan Institute of Medical Sciences (PIMS) Bill, 2022, as passed by the National Assembly, in clause 5, in sub-clause (1),-

- (i) for the expression, "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013)", the expression "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)" shall be substituted; and*
- (ii) in proviso, for the expression, "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013)", the expression "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)" shall be substituted.*

that in the Pakistan Institute of Medical Sciences (PIMS) Bill, 2022, as passed by the National Assembly, in clause 6,-

- (i) in sub-clause (3), for the expression, "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013)", the expression "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)" shall be substituted;*

(ii) in sub-clause (4),-

- (a) for the expression, "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013)", occurring twice, the expression "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)" shall be substituted;*

(b) after the words "deposits etc of the" occurring in the 5th line the words "Pakistan Institut of Medical Sciences" shall be inserted;
and

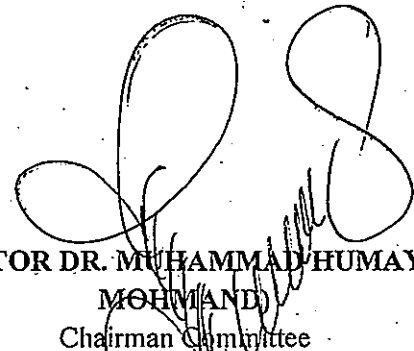
(iii) in sub-clause (5), for the expression, "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013)", the expression "the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)" shall be substituted

that in the Pakistan Institute of Medical Sciences (PIMS) Bill, 2022, as passed by the National Assembly, in Schedule-I,-

(i) for the expression "See Section 3", the expression, "See Section 6" shall be substituted; and
(ii) in Para 2, after the word "teaching", the word "hospital" shall be inserted.

5. The Chairman Committee contended that the issue of procurement of MRI was not because of MTI rather it was due to wrong bidding. He further said that the concept of making PIMS autonomous under MTI was never to earn from poor, the concept was to upgrade the private wards and allow the same doctors, who sit in private hospitals, to sit at PIMS in the evening. The Chairman Committee lauded the performance of PIMS in last one year.
6. After deliberation the Chairman Committee put the bill to vote. All members present voted in favor of the bill while Senator Fawzia Arshad opposed the bill. The Committee passed the bill with the majority vote of 7 to 1.
7. Accordingly, the Committee recommends that "The Pakistan Institute of Medical Sciences (PIMS) Bill, 2022" as reported by the Standing Committee may be passed by the Senate of Pakistan. (Copy of the Bill as reported by the Standing Committee is annexed as "A" and copy of Bill as passed by the National Assembly and introduced in the Senate is annexed as "B")


(WAQAS KHAN)
Acting Secretary Committee


(SENATOR DR. MUHAMMAD HUMAYUN
MOHMAND)
Chairman Committee

[AS REPORTED BY THE STANDING COMMITTEE]**A
Bill**

to repeal the Federal Medical Teaching Institutes Act, 2021

WHEREAS it is expedient to repeal the Federal Medical Teaching Institutes Act, 2021 (XII of 2021);

It is hereby enacted as follows:-

1. Short title and commencement- (1) This Act shall be called the Pakistan Institute of Medical Sciences (PIMS) Act, 2022.

(2) It shall come in to force at once and shall be deemed to have taken effect on and from the commencement of the Federal Medical Teaching Institutes Act, 2021 (XII of 2021).

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

(a) **"concerned Division"** means the Division to which the business of this Act stands allocated under the Rules of Business, 1973;

(b) **"Government"** means the Federal Government;

(c) **"hospital"** means a teaching hospital as notified by the Federal Government or any authority authorized by it in this behalf, headed by an Executive Director, to be appointed by the Government in accordance with the provisions contained in the Civil Servants Act, 1973 (LXXI of 1973) and Rules made thereunder;

(d) **"prescribed"** means prescribed by rules or regulations made under this Act; and

(e) **"super specialty"** means highly skilled medical professionals.

3. Super specialty.- The Government can engage highly skilled medical professionals up to sixty five years of age having extra ordinary professional capabilities. Such highly skilled medical professionals shall be appointed on Management Pay Scales or any other special pay scale as may be prescribed by rules.

4. Removal of difficulties.- If a difficulty arises in giving effect to any of the provisions of this Act, the Government may, by notification in the official Gazette make such order as it deems necessary for removal of the difficulty:

Provided that this power shall not be exercised after two years of the commencement of this Act.

5. Overriding effect.- (1) **The Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)** shall have override effect on the provision of this

Act:

Provided that in case of any controversy between the provisions of this Act and **the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)**, the provisions of **the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)** shall prevail.

6. Repeal and Savings. - (1) The Federal Medical Teaching Institutes Act, 2021 (XII of 2021) hereinafter referred to as the repealed Act, shall stand repealed.

(2) The Board formed pursuant to the repealed Act shall stand dissolved upon the commencement of this Act.

(3) All acts, orders, and decisions etc., passed or approved by the members of dissolved Board are illegal, having no effect, unless the same are reviewed by the Division concerned which carrying the business under **the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)** on such terms and conditions as may be prescribed by rules.

(4) All assets, rights, moveable and immovable properties, records, cash, bank accounts, deposits etc of the dissolved Medical Teaching institute under the repealed Act shall stand transferred to the Division concerned which carrying the business under **the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)** and shall be deemed to be assets, rights, properties, records, cash, bank accounts, deposits etc of **the Pakistan Institute of Medical Sciences Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)**.

(5) All liabilities, payables and receivables of the dissolved Medical Teaching Institute under the repealed Act shall be deemed to be the liabilities, payables and receivables to the Division concerned which carrying the business under **the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Act, 2018 (III of 2018)**.

SCHEDULE-I.

(see section6)

List of institutions (colleges and hospitals) declared as National medical institutions.

1. Pakistan Institute of Medical Sciences, Islamabad along with the Federal Medical and Dental College, Islamabad being a teaching hospital and college respectively of the Shaheed Zulfiqar Ali Bhutto Medical University, Islamabad.
2. School of Dentistry, Islamabad and its Dental Hospital being a teaching **hospital** / constituent college of the Shaheed Zulfiqar Ali Bhutto Medical University, Islamabad.

STATEMENT OF OBJECTS AND REASONS

The Pakistan Institute of Medical Sciences, Islamabad (PIMS) is the busiest hospital in the Federal Capital Territory Islamabad. Unfortunately, after the enactment of the Federal Medical Teaching Institutes Act, 2021 (XII of 2021) it has become just a machine of making money.

The concept of the establishment of board, management committee and tribunals under the Federal Medical Teaching Institutes Act, 2021 (XII of 2021) is total wastage of the public exchequer.

Therefore, it is expedient to repeal the Federal Medical Teaching Institutes Act, 2021 (XII of 2021).

The Bill seeks to achieve the above said purposes.

SYED AGHA RAFIULLAH
Member National Assembly

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

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WHEREAS it is expedient to repeal the Federal Medical Teaching Institutes Act, 2021 (XII of 2021);

It is hereby enacted as follows:

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2. **Definitions.**- In this Act, unless there is anything

repugnant in the subject or context, —

(a) "concerned Division" means the Division to which the business of this Act stands allocated under the Rules of Business, 1973;

(b) "Government" means the Federal Government;

(c) "prescribed" means prescribed by rules or regulations made under this Act; and

(d) "super specialty" means highly skilled medical professionals.

3. **Super specialty.**- The Government can engage highly skilled medical professionals up to sixty five years of age having extra ordinary professional capabilities. Such highly skilled medical professionals shall be appointed on Management Pay Scales or any other special pay scale as may be prescribed by rules.

4. **Removal of difficulties.**- If a difficulty arises in giving effect to any of the provisions of this Act, the Government may, by notification in the official Gazette make such order as it deems necessary for removal of the difficulty:

Provided that this power shall not be exercised after two years of the commencement of this Act.

5. Overriding effect.- (1) The ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013) shall have override effect on the provision of this Act:

Provided that in case of any controversy between the provisions of this Act and the ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013), the provisions of the ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013) shall prevail.

6. Repeal and Savings. - (1) The Federal Medical Teaching Institutes Act, 2021 (XII of 2021) hereinafter referred to as the repealed Act, shall stand repealed.

(2) The Board formed pursuant to the repealed Act shall stand dissolved upon the commencement of this Act.

(3) All acts, orders, and decisions etc, passed or approved by the members of dissolved Board are illegal, having no effect, unless the same are reviewed by the Division concerned which carrying the business under the ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013) on such terms and conditions as may be prescribed by rules.

(4) All assets, rights, moveable and immoveable properties, records cash, bank accounts, deposits etc of the dissolved Medical Teaching institute under the repealed Act shall stand transferred to the Division concerned which carrying the business under ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013) and shall be deemed to be assets, rights, properties, records, cash, bank accounts, deposits etc of the ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013).

(5) All liabilities, payables and receivables of the dissolved Medical Teaching Institute under the repealed Act shall be deemed to be the liabilities, payables and receivables to the Division concerned which carrying the business under ShaheedZulfiqar Ali Bhutto Medical University Islamabad Act, 2013 (XV of 2013).

SCHEDULE-I.
(see sections 3)

List of institutions (colleges and hospitals) declared as National medical institutions.

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The Bill seeks to achieve the above said purposes.

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Member National Assembly