

**A
BILL**

*further to amend the Khyber Pakhtunkhwa Medical Teaching
Institutions Reforms, Act, 2015.*

WHEREAS, it is expedient further to amend the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of the Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015), hereinafter referred to as the said Act, in section 7,-

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

“(5) The Chairperson of the Board of a Medical Teaching Institution may, in case of exigency of service, appoint Deans, Medical Director, Hospital Director, Nursing Director and Finance Director on officiating basis for a maximum period of one hundred and twenty days. All such appointments, made by the Chairperson of the Board of a Medical Teaching Institution, shall be placed before the Board within a fortnight for approval. The Board shall proceed expeditiously in the prescribed manner to ensure regular appointment to the relevant positions in the shortest possible time but not exceeding one hundred and twenty days from the date of officiating appointment.”.

(b) after sub-section (5), as so substituted, the following new sub-section shall be inserted, namely:

“(5A) If the Board fails to complete recruitment within one hundred and twenty days as specified in sub-section (5), the appointment, made on officiating basis by the Chairperson, may be extended with the approval of the Board for another term not exceeding one hundred and twenty days only once and the Board shall complete the recruitment process within the extended term:

Provided that the officiating appointment shall become invalid ipso jure on completion of the initial period if the same is not extended, or the extended period is completed, as the case may be.”.

Assistant Drafting Officer-IV
Govt. of Khyber Pakhtunkhwa
Law Department

3. Amendment of section 9A of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 9A, in sub-section (1),-

(a) for clause (e), the following shall be substituted, namely:

“(e) two Medical Faculty members, nominated by the Board on the recommendation of the Dean;”; and

(b) after clause (e), as so substituted, the full stop appearing at the end shall be replaced with semi-colon and the word “and” and thereafter, the following new clause shall be inserted, namely:

“(f) heads of affiliated or attached institutions such as Deans, Principals, Hospital Directors or Medical Directors, as the case may be.”.

4. Amendment of section 11 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 11, in clause (d), the word and comma “nursing,” shall be deleted.

5. Amendment of section 14 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 14, in sub-section (3), for the words “three years”, the words “five years” shall be substituted.

6. Amendment of section 16 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 16, for sub-section (8), the following shall be substituted, namely:

“(8) Subject to availing the remedy of grievance redressal under section 16B of this Act in the first instance, all employees of a Medical Teaching Institution shall have the right to file an appeal in the manner as may be prescribed by rules, against any penalty, termination of their employment or any order in connection with the terms and conditions of their service to the Appellate Tribunal, established under section 16A of this Act.”.

7. Amendment of section 16A of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 16A, sub-sections (3) and (4) shall be deleted and for sub-section (5), the following shall be substituted, namely:

“(5) The Health Department of Government shall provide secretariat support to the Appellate Tribunal:

Provided that the existing staff, appointed by the Appellate Tribunal, shall serve the Appellate Tribunal on their existing terms and conditions, if any.”.

8. Insertion of new sections 16B and 16C in the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, after section 16A, as so amended, the following new sections shall be inserted, namely:

Assistant Drafting Officer-IV
Govt. of Khyber Pakhtunkhwa
Law Department

“16B. Petition to the Grievance Redressal Committee.---(1) Any person aggrieved by an order or decision of the Board of Governors of an Medical Teaching Institution or any other authority within the Medical Teaching Institutions in connection with matters relating to his service as enumerated in sub-section (8) of section 16 of this Act shall, before preferring an appeal to the Appellate Tribunal, submit a grievance petition to the Grievance Redressal Committee in the manner prescribed by regulations.

(2) The grievance petition under sub-section (1) shall be filed within thirty days from the date of the order or decision of the Board of Governors or any other authority within the Medical Teaching Institution. The Grievance Redressal Committee may allow extension in the limitation period on being cited cogent reasons explaining the delay to the satisfaction of the Grievance Redressal Committee.

(3) The composition and powers of the Grievance Redressal Committee and other related matters shall be prescribed by regulations.

(4) Any party aggrieved from the final decision of the Grievance Redressal Committee may file an appeal before the Appellate Tribunal in the manner prescribed by regulations.

16C. Bar to appeal without exhaustion of grievance redressal mechanism.---No appeal shall lie before the Appellate Tribunal unless the aggrieved person has first submitted a grievance petition under the provisions of section 16B and the same has been disposed of.”.

10. Amendment of section 24 of the KP Act No. IV of 2015.---In the said Act, for section 24, the following shall be substituted, namely:

“24. Power to make regulations.---(1) The Policy Board may make regulations, not inconsistent with the provisions of this Act and the rules, for carrying out the purposes of this Act.”.

STATEMENT OF OBJECTS AND REASONS

The Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 has been enacted to provide autonomy to the Government owned Medical Teaching Institutions and their affiliated teaching hospitals in the Province of the Khyber Pakhtunkhwa and to improve performance, enhance effectiveness, efficiency and responsiveness for the provision of quality healthcare services to the people of the Khyber Pakhtunkhwa.

The Act *ibid* lacks provisions regarding certain important matters like power of the Policy Board to make regulations to ensure uniformity in service matters of the MTIs and other standards of medical services. Moreover, it is deemed expedient to introduce a grievance redressal mechanism at pre-appeal stage so as to decrease the burden on the Appellate Tribunal on the one hand and to avoid cost of litigation by the aggrieved employees on the other hand.

Assistant Drafting Officer-IV
Govt. of Khyber Pakhtunkhwa
Law Department

Furthermore, there were some inconsistencies and overlapping of functions of different functionaries under the Act ibid which need to be aligned so as to avoid complications in the implementation of the Act ibid. For example, the composition of Management Committee needs to be broadened by including medical faculty members and heads of affiliated or attached institutions such as Deans/principals. Moreover, the functions of nursing are vested in the Hospital Director, however, for matters relating to nursing there is a dedicated Nursing Director in each MTI. As such this function needs to be vested in the Nursing Director to avoid overlapping of functions.

In order to cater for the above mentioned lacunas and inconsistencies it is necessary to bring suitable amendments in the Act ibid. Hence, the instant Bill.

Assistant Drafting Officer-IV
Govt. of Khyber Pakhtunkhwa
Law Department

Peshawar,
dated the: 06 / 01 /2026.



MINISTER-IN-CHARGE