

**GOVERNMENT OF ¹[Khyber Pakhtunkhwa];
HEALTH DEPARTMENT.**

**NOTOTCATTON
7th July, 2003.**

No. SOH-III/Reg/8-52/03. -In exercise of die powers conferred by Section 16 of the ²[Khyber Pakhtunkhwa] Health Foundation Act 1995 (³[Khyber Pakhtunkhwa] Act No. VI of 1995), the Board, with the approval of Government, hereby makes the following rules, namely:

THE ⁴[Khyber Pakhtunkhwa] HEALTH FOUNDATION LOAN RULES.

1. SHORT TITLE AND COMMENCEMENT.-

- (1) These rules may be called the ⁵[Khyber Pakhtunkhwa] Health Foundation Loan Rules.
- (2) These rules shall come into force at once.

2. DEFINITION.--

In these rules unless the context otherwise requires, the following expressions shall have die meanings hereby respectively assigned to them, that is to say-

- (I) "**Act**" means the ⁶[Khyber Pakhtunkhwa] Health Foundation Act, 1995(⁷[Khyber Pakhtunkhwa] Act NO IV of 1995);
- (II) "**Appendix**" means an Appendix to these rules;
- (III) "**Bask Health Services**" means services comprised of all facilities, which need to be available to the community for promotive, preventive, curative and restorative purposes of health of a human being;
- (IV) "**Community Based Organization**".- means the welfare organization set up for the objectives related to the provisions of health services to the community;
- (V) "**Fund**" means the Fund of the Foundation, established under section 14 of the Act;
- (VI) "**Loan**" means a recoverable sum of money advanced by the Foundation to a recipient, as loan, plus markup accrued thereon.
- (VII) "**Non-Governmental Organization (NGO)**" means a welfare and philanthropic non governmental organization set up for objectives related to the provision of

¹ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

² Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Sub.by the Khyber Pakhtunkhwa Act No. IV of 2011.

health services and duly registered under the Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 (Ord. XLVI of 1961), or the Societies Registration, Act, 1860 or any other law relating to trusts or incorporation of companies for the time being in force;

- (VIII) **"private party"** means an individual, private organization or association of persons who provide health services to the community and receive any assistance from the Foundation;
- (IX) **"unemployed doctor"** means a medical graduate from a recognized university or institute duly registered with the PMDC:, who is not an employee of public or private organization; and
- (X) **"private sector"** means the sector providing health facilities to the general public by private organizations /institutions or individuals and not owned or shared by Government.

3. **LOAN AND ASSISTANCE. -**

The Foundation may provide assistance in the shape of loan, which shall be recoverable in installments and may further provide technical assistance, where so required by the recipient, for the fulfillment of any of the functions specified in section 12 of the Act.

4. **LOAN PROCESSING AND PROCEDURE.**

- (I) In order to facilitate smooth processing of the applications for loans from the private sector, a District Health Loan Processing Committee shall be formed in each' district of the Province, with its constitutionas .under: -
 - (i) Executive District Officer .(Health) Chairman
 - (ii) Medical Supdtt: DHQ Hospital Member
 - (iii) Two persons from private health sector Members
to be nominated by the District Nazim.
 - (iv) District Officer Community Development Member-cum-secretary
Department/Social Welfare Department.
- (2) All applications for financial assistance shall be addressed, to the Managing Director and shall be routed through the Chairman of the Committee concerned.
- (3) The Chairman, within one week of receipt, shall mark the applications, along with project proposals, to die Secretary of the Committee for determining eligibility of the applicants and processing of the applications.
- (4) The Secretary shall prepare a working paper for placement before the Committee for consideration

- (5) Before meeting is held the Committee shall inspect the location of the proposed project and ensure the viability, genuineness and credibility of the implementation of the proposed project of the applicant.
- (6) Based on the report of the Committee, the Chairman shall hold a meeting of the Committee to further scrutinize the feasibility of the proposed project and send his report to the Managing Director within 6 weeks of the receipt of the application.
- (7) After the funds are released and the project is executed, the Committee shall inspect and monitor the project to ascertain proper utilization of funds and submit a report to the Managing Director.
- (8) The committee shall be responsible to verify and inform the Foundation in time about the misuse of funds advanced to a party, failing which the Committee shall be held responsible for any loss accrued to the Foundation.
- (9) The Committee shall also verify the genuineness or otherwise of a complaint, if any, received from any quarter, including the Managing Director and make a report in respect thereof to the Managing Director.

5. ELIGIBILITY FOR LOAN -

All the unemployed doctors, Community Based Organizations, Non Governmental Organizations and „ private parties shall be eligible for loan from the Foundation for the purpose of provision of health facilities to the community.

6. AREAS FOR FINANCIAL ASSISTANCE.

The loan shall be admissible for.--

- (a) under-utilized health facilities e.g. Basic Health Unit's, Rural Health Center's, Civil Dispensary's and Maternal and Child Health Centers etc. on the basis of public-private partnership;
- (b) community based primary health care (PHC) project;
- (c) maternal and child healthcare centers (MCHC);
- (d) periphery based poly clinics/emergency centers;
- (e) periphery based diagnostic center;
- (f) infectious diseases control;
- (g) rehabilitation centers for the disabled;
- (h) award of merit scholarships in the field of health e.g. nurses, medical/dental students.
- (i) training of nurses/paramedics/technicians; and
- (j) any other areas identified by the Foundation.

7. RATIO OF EQUITY AND LOAN.-

The Ratio of equity and Loan between the Foundation and the recipient shall be 70 : 30 provided that the recipient upto 3 lacs may not be required to invest his own share.

LEASING OF UNDER UTILIZED BHU'S AND RHC'S.---

In case of leasing out of under utilized health facilities to the private parties, the party shall enter into an agreement with the Foundation based on the existing models of public-private partnership in the Health Department as reproduced below. The Foundation shall assist the private party giving weightage to the Government equity in terms of building, staffing and equipment's.

Model No. 1

Equity	Provided by Private Parties	Provided by Health	Ratio of Loan Private party : Health
Building	NIL	YES	50 : 50
Staff	YES	NIL	
Equipment	NIL	YES	
Recurrent Gadget	YES	NIL	

Model NO. 2

Equity	Provided by Private Parties	Provided by Health Foundation	Ratio of Loan Private Party : Health Foundation
Building	NIL	YES	
Staff	NIL	YES	
Equipment	NIL	YES	
Recurrent Budget	Gradually increasing share.	YES	

8. RELEASE OF LOAN -

- (1) The amount of loan for new construction shall be released in three installments. The first installment shall be released when the construction reaches the plinth protection level, the second installment shall be released when the construction has reached to the roof level and the third installment shall be released on completion of the construction work.
- (2) the building shall be completed within one year of the release of 1st installment of loan.
- (3) Where the loan is applied for the purchase of equipment's, etc. (other than the construction Of building, the same shall be released in two installments, in which case the second installment shall be released after a lapse of three months of the first installment.

9. PROCEDUREFOR APVANCEMENT OF LOAN.

- (1) The financial assistance will be provided by the Foundation, through a bank to be determined by it.

- (2) The loan will be sanctioned according to the terms and conditions settled between the bank and the loanee.
- (1) On receipt of the loan application from the District Health Loan Processing Committee, the Foundation will scrutinize it through its Technical and Finance Sections, where-after the same will be referred to the Advisory Committee for further processing.
- (2) The Advisory Committee will give its recommendations regarding the proposal within 4 weeks.
- (3) Loan upto Rs. 0.5 million shall be sanctioned by the Managing Director on the recommendation of the Advisory Committee.
- (4) Loan beyond 0.5 million shall be sanctioned by the Board on the recommendation of the Advisory Committee

11. PRECONDITIONS FOR LOAN.-

- (1) The recipient shall maintain an account of expenditure out of the loan of his/her own sources, which shall be presented, on demand to any representative of the Foundation, including any member of the District Health Loan Processing Committee.
- (2) While applying for financial assistance, the party concerned, if it is an individual, shall submit his latest income tax statement. In case of a private organization or association of persons, the party shall submit the latest audit report of its'accounts, conducted by a recognized audit authority.
- (3) The accounts of income and expenditure including the loan received from the Foundation shall be analyzed by the Auditors/Chartered Accountants every year, and submitted to the Foundation, to ensure proper utilization of the loan advanced to the loanee.
- (4) The staffing provided by a loanee with respect to the loan granted under these rules shall be adequate in number and shall consist of qualified persons.
- (5) The loanee shall not alter the scope of the original proposal without approval of the Foundation.
- (6) The loanee shall not transfer or sell the movable or immovable property, purchased or developed with the financial assistance of the Foundation till full recovery of the Loan.
- (7) In case of misuse of the amount of loan or its use for a purpose (s) other than those agreed upon, the recipient shall be required to refund the entire amount of loan plus markup accrued on it in lumpsum, with 20% penalty thereon. The said amount shall be recovered as arrears of land revenue.
- (8) No action under sub-rule (7) shall be taken unless the recipient has been given a show cause notice and afforded an opportunity of being heard.

12. POWER OF THE BOARD TO INSPECT.

The Board itself or through its authorized representative shall have the power to inspect, supervise and monitor the project to ascertain and ensure proper utilization of the assistance provided by the Foundation.

13. APPLICATION FORM AND SUPPORTED DOCUMENTS.

- (1) All applications for loan shall be submitted on the form specified in Appendix-I to be obtained from the Head office of the Foundation on payment of non-refundable fee as fixed by the Board from time to time.
- (2) The application shall be supported with the following documents:-
 - (a) For unemployed doctors;
 - (i) Attested copy of NIC of applicant.
 - (ii) Attested copy of MBBS/BDS degree or any other degree recognized by the PMDC.
 - (iii) Attested copy of PMDC Registration.
 - (iv) Affidavit stating that he/she is not in service.
 - (v) Evaluation certificate by the District Revenue Department in case of rural property to be mortgaged against the loan.
 - (vi) Evaluation certificate from the concerned municipal authority in case of urban property to be mortgaged against the loan.
 - (vii) Attested documents of property to be mortgaged against the loan or irrevocable Bank Guarantee from a scheduled bank.
 - (b) For Community Based Organizations (CBO), Non Governmental Organizations (NGO) and private parties;
 - (i) Certificate of Registration from the Social Welfare Department or any other line department,
 - (ii) Authorization of the CBO, NGO and private party to its representative to apply for loan,
 - (iii) Attested copy of NIC of the authorized representative,
 - (iv) Attested copy of MBBS/BDS/MD Degree, where applicable.
 - (v) Evaluation certificate by the District Revenue Department, in case of rural property to be mortgaged against the loan.
 - (vi) Evaluation certificate by, the concerned Municipal authority, in case of urban property to be mortgaged against the loan.
 - (vii) Attested documents of the property to be mortgaged against the loan or irrevocable bank guarantee from a scheduled .bank.
 - (viii) Latest audit report/ Income tax statement of the CBO/NGO /private party; as the case may be, except new entrants,
 - (ix) Certificate from Director General Health Services for registration as Private health Institution in case of existing health facility
- (3) Incomplete applications shall not be entertained.

SECRETARY HEALTH

APPENDIX-1 (1/Khyber Pakhtunkhwa) Health Foundation Service Rules)

RECRUITMENT RULES FOR POST IN (BS- 01-20/21) IN THE 2/Khyber Pakhtunkhwa HEALTH FOUNDATION.

S. No	Nomenclature of the post	Minimum qualification for initial recruitment or by transfer	Age	Method of recruitment
1	2	3	4	5
1	Managing Director	PHD in Public Health or Master degree in Health Economics, Public Health or Health Administration from a recognized University/Institute	25 to 45	By transfer on deputation or by initial recruitment.
2	Director	-----	-----	By transfer on deputation of a doctor from the Health Department with 20 years experience in the field.
3	a) Deputy Director (Technical) b) Deputy Director (Administration) c) Deputy Director (Finance)	MBBS/MD from a recognized University or institute Master's Degree from a recognized university Master's degree in economics or commerce, or MBA (finance) from a recognized university/institute Note: Candidates having computer skill may be preferred.	----- ----- -----	By transfer on deputation of a doctor from the Health Department with 10 years experience in the field. By transfer on deputation, with 10 years experience in the field. By transfer on deputation, with 10 years experience in the field.
4	Accounts Officer	MBA M. Com/or equivalent qualification from a recognized university/ institute	21-35	By transfer on deputation from Government Departments or by initial recruitment
5	Admn. Officer	-----	-----	By promotion on the basis of seniority-cum-fitness from amongst holders of post of superintendent and Private Secretary with 5 years service as such.
6	Office Supdt.	-----	-----	By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Assistant with at least five years service as such
7	Private Secretary	-----	-----	By promotion, on the basis of seniority cum-fitness from amongst the Personal Assistants with at least 5 years service as such
8	Assistant	Bachelor Degree or equivalent qualification from Recognized University. Computer skill will be preferred.	18 to 35	(a) 33% by initial recruitment and (b) 67% by promotion, on the basis of seniority-cum-fitness from amongst Senior Clerks with at least 7 years service as Junior and Senior Clerk
9	Personal Assistant	-----	-----	By promotion, on the basis of seniority-cum-fitness from amongst Senior scale Stenographers with at least 2 years service as such
10	S.S. Stenographer.	Bachelor's degree or equivalent qualifications from a recognized University & a speed of 100 words per minute in shorthand in English and 40 words per minute in typing. Computer Skill will be preferred	18 to 33	By promotion, on the basis of Seniority-cum-fitness from amongst the Junior Scale Stenographers (B-12) with at least five years service as such provided that if no suitable candidate is available for promotion then by initial recruitment.
11	Junior scale Stenographer	H.S.S.C or equivalent Qualification from a recognized board, with a speed of 80 words per minute in English shorthand and 35 words per minute in Typing. computer skills preferred.	18 to 30	By Initial recruitment.
12	Senior Clerk	-----	...	By promotion, on the basis of seniority-cum-fitness from amongst holders of the posts of Junior Clerk with 3 years service as such.
13	Junior Clerk	SSC from a recognized Board with typing speed of 30 words P/minute in English. computer skill will be preferred.	18 to 30	33% by promotion, from amongst lower scale employees of the Foundation with 2 years service as such and who have passed SSC examination. 67% by initial recruitment
14	Driver	Possession of valid LTV license. SSC will be preferred.	18 to 45	Initial Recruitment

1 Sub by the Khyber Pakhtunkhwa Act No. IV of 2011

2 Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

15	Qasid	Preferably Literate	18 to 45	by promotion, from amongst N/Qasid with 5 years service as such
16	N. Qasid	Preferably Literate	18 to 45	By Initial recruitment
17	Chowkidar	Preferably Literate	18 to 45	By Initial recruitment
18	Bahshi	Preferably Literate	18 to 45	By Initial recruitment
19	Mali	Preferably Literate	18 to 45	By Initial recruitment
20	Sweeper	Preferably Literate	18 to 45	By Initial recruitment

Note:

- For the purpose of promotion, there shall be maintained a common seniority list of lower scale employees with reference to the dates of their acquiring the SSC provided that if two or more official have acquired the SSC in the same session, the official having longer service shall rank senior to others.
- Since the NWFP Health Foundation is a newly established institution and experienced staff is not available the posts to be filled by promotion may be filled by appointment on contract basis till such time as the candidates in line of promotion become qualified for promotion in accordance with these rules.

APPENDIX-II (Khyber Pakhtunkhwa Health Foundation Service Rules)

A. PROMOTION / SELECTION BOARD (For BS 17 - 19)

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|------|--|-------------|
| i) | Managing Director | Chairman |
| ii) | Director | Member |
| iii) | Representative of Establishment Department
not below the rank of additional Secretary | Member |
| iv) | Representative of Health Department
not below the rank of additional Secretary | Member |
| v) | Deputy Director (Admn) NWFP Health Foundation | Member/Sec: |

B. PROMOTION/ SELECTION COMMITTEE (For BS 01 to 16)

- | | | |
|------|--|-------------------|
| i) | Director | Chairman |
| ii) | Deputy Director (Admn) | Member |
| iii) | Representative of Establishment Department | Member |
| iv) | Administrative Officer | Mem-cum-Secretary |