

THE BALOCHISTAN SENIOR CITIZENS ACT, 2017

(Baln Act III of 2017)

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¹THE BALOCHISTAN SENIOR CITIZENS ACT, 2017

(Balochistan Act III of 2017)

[8th June, 2017]

An Act to provide for the well-being, comfort and other benefits to the Senior Citizens in Balochistan and to make provisions for the welfare of the Senior Citizens.

Preamble.

WHAREAS the Constitution of the Islamic Republic of Pakistan, 1973², enjoin on the state to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race. Therefore, it is expedient to make provision for the well-being, comfort and social security to the Senior Citizens living in the Province of Balochistan;

It is hereby enacted as follows: —

Short title, extent
and
commencemen
t.

1. (1) This Act may be called the Balochistan Senior Citizens Act, 2017.
- (2) It shall extend to the whole of Province of Balochistan, except Tribal Areas.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context: —
 - (a) “Act” means the Balochistan Senior Citizens Act, 2017;
 - (b) “Chairperson” means The Chairperson of the Council;
 - (c) “Council” means The Balochistan Senior Citizens Welfare Councils established under section 3 of this Act;
 - (d) “Senior Citizens” means a citizen of Pakistan of the age of 60 years or above and a permanent resident of Balochistan;
 - (e) “Retired” means a person retired from Government Service or any other such job in Public or Private Sector, on attaining the

¹ This Act was passed by the Provincial Assembly of Balochistan, on 20th May, 2017; assented to by the Governor of Balochistan on 7th June, 2017; and published in the Balochistan Gazette (Extraordinary) No. 106, dated 8th June, 2017.

² That is the Constitution of Islamic Republic of Pakistan, 1973; published in the Gazette of Pakistan on 12th April, 1973; and came into force with effect from 14th August, 1973.

retirement age whatsoever it may be;

- (f) “Government” means the Government of Balochistan;
- (g) “Allowance” means a Senior Citizens Social Security Allowance;
- (h) “Welfare” includes all such services relating to social, economic, boarding, lodging and legal protection of Senior Citizens;
- (i) “Welfare packages/grants” welfare and social security packages / grants announced for welfare of the Senior Citizens by the Provincial Government on the recommendations of the Senior Citizens Council;
- (j) “Prescribed” means prescribed under the rules; *and*
- (k) “Rules” means the rules made under section 11 of this Act.

Establishment of
the Senior
Citizens
Welfare
Council.

3. (1) The Government shall establish a Council for the purposes of this Act, to be known as Balochistan Senior Citizens Welfare Council, which shall be constituted by the Provincial Government and shall exercise the powers conferred upon, and to perform the functions assigned to it, under this Act;

(2) The Council shall be an independent, non-profit body corporate by the above said name, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to enter contracts, acquire, purchase, hold and dispose of both movable and immovable property and shall by its name, sue or be sued;

(3) The Council shall be provided with necessary trained human resource which shall be responsible for providing secretariat support to the Council and to perform such other functions as may be assigned to them.

Composition of the
Council.

4. (1) The Government shall constitute the council which shall consist of, —

- (a) Chairperson: An eminent Senior Citizen of good standing who has rendered services for the cause of senior citizen to be nominated by the Chief

Minister/Government for a period of 3 years extendable for a period of three years;

(b) Vice Chairperson: Approved by the Council; *and*

(c) Members: —

i. Secretary, Social Welfare, Government of Balochistan.

ii. A representative from Finance Department.

(Not below the rank of Deputy Secretary)

iii. A representative from Planning and Development Department.

(Not below the rank of Deputy Secretary)

iv. A representative from Health Department.

(Not below the rank of Deputy Secretary)

v. A representative from Home Department.

(Not below the rank of Deputy Secretary)

vi. A representative from Law Department.

(Not below the rank of Deputy Secretary)

vii. All Divisional Commissioners in Balochistan.

(Officer Not below the rank of Deputy Secretary)

viii. Director General, Social Welfare Department.

ix. Director, Bait-ul-Mal.

x. Chief Executive, Trust for

Voluntary Organizations (TVO).

- xi. President of the Association for the Welfare of Retired Persons.
- xii. President Senior Citizen Association Balochistan Member/Secretary.
- xiii. Four representatives of NGOs (two from Seniors Organizations and two from other NGOs preferably working for senior citizens) nominated by the Chairperson.

(2) The office of the Council shall be at Quetta.

(3) The Council has power to co-opt members from among persons who are experts in their respective fields, for advice on particular projects and matters under consideration.

(4) The members of the Council, except the *ex-officio* members, shall be nominated office for a term of three years and extendable for another term of three years if approved by the Council.

(5) A member of the Council, other than an *ex-officio* member, may tender his resignation to Chairperson.

(6) The membership of *ex-officio* member may cease to exist in case he, —

- (a) is guilty of misconduct;
- (b) is adjudged an insolvent;
- (c) is unfit to continue in office by reason of infirmity of mind or body;
- (d) is convicted and sentenced to imprisonment for an offence which involves moral turpitude; or
- (e) lack of interest or absence for three or more consecutive meetings of the council.

(7) Any casual vacancy in the office of a member, other than an *ex-officio* member, shall be filled by a person nominated by the Government and the person so nominated shall hold office for the remaining period of the term of his

predecessor.

Procedure and
meeting of the
Council.

5. (1) The Council shall regulate its own procedure which will be approved in a meeting of the Council.

(2) The meetings of the Council shall be held at least four times a year, and shall be presided over by the Chairperson or, in absence, by the Vice chairperson and in the absence of both of them by a member nominated by Chairperson for purpose or a member chosen for the purpose by the present members.

(3) One third of the total members shall constitute the quorum and no quorum shall be necessary for the adjourned meeting.

(4) All decisions of the Council shall be taken with simple majority of the Council; the Chairperson shall have a casting vote in case of tie.

(5) Decision of the Council shall be recorded by the Secretary / member of the Council, who shall circulate such decisions for confirmation to each member and the Chairperson within fifteen days of each meeting.

(6) Secretary/Member shall be responsible for implementation of the decisions of the Council under the direction, supervision and control of the Chairperson.

Member/ Secretary
of the Council.

6. Secretary / Member shall be the head of the secretariat of the Senior Citizen Welfare Council, Balochistan, and perform his functions under the direct control and supervision of the Chairperson.

Powers and
Functions of
the Council.

7. Powers and Function of the Council shall be;

(a) to formulate policy proposal on aging in the light of Provincial commitment on the welfare of older persons and submit it to the Government for approval from time to time;

(b) to conduct research and compile data on various aspect of aging for the wellbeing of Senior citizens for policy / plan formulation;

(c) to work towards introduction of geriatrics as part of the syllabus of medical universities / colleges and institutions;

(d) to propose arrangements in hospitals for better

medical attention to Senior citizens;

- (e) to create facilities including clubs, for better social inter-action among Senior citizens;
- (f) to arrange workshops to educate Senior Citizens about life changes required for a healthy and stratifying old age;
- (g) to formulate proposals to accommodate the requirements of Senior Citizens in urban and rural planning and development schemes;
- (h) mobilization of financial resources for welfare of the Senior Citizens;
- (i) to approve appointments of all employees of the Council Secretariat and other institutions established for welfare and protection of Senior Citizens under the Council Act;
- (j) to constitute committees, assessment boards and study group to assess and carry out welfare activities for Senior Citizens;
- (k) to coordinate with government, non-government and international social and welfare organizations at national level;
- (l) to make regulations/rules for proper functioning of the Council including regulations for appointment of different categories of employees under the administrative control of the Council;
- (m) to publish reports and other material for guidance and welfare of Senior Citizens;
- (n) to grant awards to the Senior Citizens in the fields of their expertise; *and*
- (o) to create awareness in the public through organizing seminars, workshops, conferences and use of mass media.

Privileges to Senior Citizens.

8. (1) The Senior Citizens will be allowed the following privileges on the basis of senior citizen card: —

- (a) Senior Citizens will be allowed free of charge entry to public museums, libraries, parks and recreation facilities projected for Senior Citizens in Province

and Federal controlled;

- (b) financial supports will be given to families that have the responsibilities of looking-after their senior citizens including parents;
- (c) The hospital authorities will provide the following facilities in the hospitals, —
 - (i) separate counters for Senior Citizens in Hospital;
 - (ii) concession in medical and medicine charges; *and*
 - (iii) separate medical wards; *and*
- (d) in all the Public Offices, Banks, Railway Stations separate counters for Senior Citizens will be provided or given priority over others.

(2) The following measures shall also be taken for the welfare of the Senior Citizen: —

- (a) establishment of Senior Citizen homes to accommodate homeless, deserted and indigent aged persons;
- (b) inclusion of the subject Geriatrics in the curriculum of medical universities / colleges;
- (c) voluntary organizations will be encouraged and assisted to organize services such as day care, multi service citizens, reach out services, supply of disability related aids and appliances; *and*
- (d) recognize the services of prominent Senior Citizens through celebrations whenever required.

Senior Citizens
Welfare fund

9. (1) There shall be a fund established by the Government to be known as the Senior Citizens Welfare Fund, which shall consist of, —

- (a) all grants, budgetary allocations made by the Government;

- (b) Donations, non-endowments, contributions made by the private individual organizations within country and abroad; *and*
- (c) All sums received by the Council from any other source including Pakistan Bait-ul-Mal, Profits Investment from funds, funds generated by different motivated campaigns and received from any lawful sources.

(2) Funds of the Council shall be maintained in a scheduled Bank with prior approval of the Government/Finance Department; and the same may be invested only in scheduled banks or other National Saving Banks “Blue Chip” Secure scheme. No investment will be made in stock market shares or used for speculation in any manner.

(3) The Fund shall be administered by the Council, which shall make such allocations for specific activities, as it may deem appropriate in line with the fulfillment of functions of the Council, as per sections 8 and 9 of this Act.

(4) The Government shall make annual budgetary allocations for the establishment and other charges of the Council. The accounting procedure for this fund will be prepared in consultation with Finance Department and Accountant General Balochistan.

(5) The Accounts of the Council shall be maintained in such form and manner as may be approved by the Council from time to time.

Audit.

10. (1) The Accounts of the Fund shall be Audited by the Auditor General of Pakistan or such other authority as the Provincial Government may appoint in this behalf. The Accounts of the Council shall be maintained in such form and manner as may be prescribed and shall be audited yearly by an auditor to be appointed by the Provincial Government, being a person who is a Chartered Accountant with the meaning of Chartered Accounts Ordinance, 1961 (X of 1961).

(2) The Secretary / Member shall after the end of every financial year, submit to the Council an audited annual statement of accounts of the Council together with the report of the auditor.

(3) The Secretary Member shall be personally liable for utilization of funds of the council according to aim, objects and purposes of the Council.

Power to make
rules.

11. The Government of Balochistan may, by notification in the official gazette, make rules for carrying out the purposes of this Act.

Exemption.

12. The Senior Citizens Welfare Fund shall be exempted from all kinds of taxation or levies under any law in force for the time being. All donations made to the fund shall also be exempted from all taxes.

Removal of
difficulties.

13. If any difficulty arises in giving effect to any provision of this Act, the Provincial Government may, by notification in the official gazette, may make such provisions, not inconsistent with the provisions of this Act, for the purpose of removal of such difficulty.
