



PUNJAB GOVERNMENT GAZETTE
EXTRAORDINARY
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CHANDIGARH, THURSDAY, APRIL 18, 1996
(CHAITRA 29, 1918 SAKA)

LEGISLATIVE SUPPLEMENT

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(XXXIII)

PART – I
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

Notification

The 18th April, 1996

No. 8-Leg/96. – The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 13th April, 1996 and is hereby published for general information :-

THE PUNJAB HEALTH SYSTEMS CORPORATION ACT, 1996
(Punjab Act No. 6 of 1996)
AN
ACT

To provide for the constitution of a Corporation for establishing, expanding, improving and administering medical care in the State of Punjab.

Be it enacted by the Legislature of the State of Punjab in the Forty-seventh year of the Republic of India as follows:-

1. (1) This Act maybe called the Punjab Health Systems Corporation Act, 1996.
2. It extends to the whole of the State of Punjab.
3. It shall come into force at once.

Short title, extent
and
commencement.

CHPATER – I
PRELIMINARY

2. In this Act, unless the context otherwise requires,

Definitions

- (a) “Board of Directors” means the Board of Directors constituted under Section 6 of this Act;
- (b) “Chairman” means the Chairman of the Corporation;
- (c) “Corporation” means the Punjab Health Systems Corporation constituted under Section 3 of this Act;
- (d) “Expert” means a Person who holds a post-graduate degree, and has a working experience of at least ten years in the line and has held responsible positions in the Government of private sector;
- (e) “Government” means the Government of the State of Punjab;
- (f) “Managing Director” means the Managing Director of the corporation appointed under Section 5 of this Act.
- (g) “Professional” means a person who has at least ten years experience in Telecommunication or Systems Management;
- (h) “Regulations” means the regulations made by the corporation;

- (i) "Specialist" means a medical practitioner with post-graduate qualification in any of the disciplines relating to medical sciences ; and
- (j) "Super Specialist" means a medical practitioner with any higher qualification than a post-graduate qualification in any of the disciplines relating to medical sciences e.g. specialization in heart surgery, neuro-surgery and cancer cure, etc. and
- (k) "Vice Chairman" means the Vice Chairman of the corporation.

CHPATER – II ESTABLISHMENT OF CORPORATION

Constitution
of the
Corporation

3. (1) As soon as may be, after the commencement of this Act, the Government may, by Notification in the Official Gazette, constitute a Corporation for the State of Punjab to be called the "Punjab Health Systems Corporation"

(2) The Corporation shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Act and the regulations made there under, to acquire, hold and dispose of property, and to enter into contracts, and shall by the said name sue and be sued.

- (3) The Corporation shall consist of :-
- (a) The Chairman of the corporation who shall be an eminent public person or a distinguished and eminent medical person;
 - (aa) "The Vice Chairman" of the corporation, who shall be the Secretary to Government of Punjab, Department of Health and Family Welfare.
 - (b) The Managing Director, who shall be an officer of the Indian Administrative Service;
 - (c) A Board of Directors ; and
 - (d) Such other employees, as may be determined by the Board of Directors.

Functions
of the
corporation.

(4) The salary and other terms and conditions of the Service of the Managing Director and those of the other employees of the corporation shall be such, as may be specified by regulations.

- (a) to formulate and implement the schemes for the comprehensive development of the dispensaries and hospitals;
- (b) to construct and maintain dispensaries and hospitals and maintenance of cleanliness therein;
- (c) to implement National Health Programmes as per the directions of the State. The State Government and Central Government shall make available funds for this purpose;
- (d) to purchase, maintain and allocate quality equipment to various dispensaries and hospitals;
- (e) to procure, stock and distribute drugs, diet, linen and other consumables among the dispensaries and hospitals;
- (f) to provide services of specialists and super-specialists in various hospitals;

- (g) to enter into collaboration for super specialties with health institutions both within the country or abroad to provide better medical care;
- (h) to receive donations, funds and the like from the general public and institutions from both within and outside India;
- (i) to receive grants or contributions, which may be made by Government on such conditions as it may impose;
- (j) to provide for construction of houses to the employees of the dispensaries and hospitals, and the maintenance thereof by mobilizing resources for financing institutions;
- (k) to plan, construct and maintain commercial complexes, paying wards and providing diagnostic services and treatment on payment basis and to utilize the receipts for the improvement of the hospitals and dispensaries;
- (l) to run public utility service and undertake any other activity of commercial nature for the delivery of health care within or without the hospital premises directly or in collaboration with private or voluntary agency on contract basis;
- (m) to engage specialized agencies or individuals in the relevant disciplines, directly or from external sources for the efficient and expeditious conduct of any of the functions detailed above; and
- (n) to provide immediate treatment in case of emergency and for un-accompanied patients.

5. (1) The Managing Director shall be the Executive Officer of the corporation and he shall implement the decisions of the Board of Directors and shall exercise such other powers and perform such other actions, as may be delegated to him from time to time by the Board of Directors.

Managing
Director

(2) The Managing Director shall exercise general control and revision over the dispensaries and hospitals in the effective performance of functions under this Act or the regulations made thereunder:-

6. There shall be a Board of Directors consisting of the following members namely :-

Constitution
of Board of
Directors

- (a) The Chairman of the corporation, who shall be an eminent public person or a distinguished and eminent medical person.
- (aa) The Vice Chairman of the corporation, who shall be the Secretary to Government of Punjab, Department of Health & Family Welfare.
- (b) The Managing Director ;
- (c) The Secretary to Government of Punjab in the Department of Finance;
- (d) The Secretary to the Government of Punjab in the Department of Rural Development and Panchayats;
- (e) The Secretary to the Government of Punjab in the Department of Local Government;

- (f) A representative of the Government of India in the Ministry of Health;
- (g) The Director of Health Services, Punjab; and

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- (h) Six eminent persons as given below, nominated by the Government for a period of three years :

Provided that no nominee shall be a member of the Board of Directors for more than two terms of six years whichever is less;

- (i) a representative of a Medical Institution of excellence in the country;
- (ii) two distinguished experts in professions related to Medicine and Health ;
- (iii) an experienced professional in Systems Management or Telecommunications;
- (iv) the Director of the National Institute of Pharmaceutical Education and Research ; and
- (v) a representative of a reputed Industrial House Manufacturing Pharmaceuticals.

Meeting of
the Board of
Directors

7. (1) The Board of Directors shall hold meetings at such intervals, as may be specified in the regulations; a meeting may be convened by the Managing Director at any time for the transaction of any urgent business.

(2) The number of members necessary to constitute a quorum at a meeting and the procedure to be followed thereat shall be such as may be provided in the regulations.

Power of the
Board of
Directors

8. (1) The Board of Directors shall be the principal policy formulating body of the corporation and shall have the following powers, namely :-

- (a) to make regulations for fulfilling the objectives of this Act;
- (b) to make decisions for mobilizing and borrowing money for carrying out the activities of the corporation;
- (c) to promote research and dissemination of knowledge in medical science in collaboration with kindred institutions;
- (d) to have linkages or agreements with specialized institutions or agencies both within the country and outside for imparting training to its personnel;
- (e) to consider and take such action, as may be deemed fit on the basis of the annual report, the annual accounts and the financial estimates of the corporation;
- (f) to enter into agreements with the Central or any State Government or with a private entity for assuming management of any dispensary or hospital and for taking over its assets and liabilities or for any other purpose of this Act;

- (g) to decide and regulate all matters concerning the regulations of this Act;

- (h) to exercise such other powers and perform such other functions, as may be conferred or enjoined upon it by this Act or the regulations made there under;
- (i) to appoint persons to the various posts of the dispensaries and hospitals and to fix their emoluments, define their duties and terms and conditions of service and to provide for filling up of vacancies;
- (j) to hold, control and administer the properties of the corporation;
- (k) to direct the form, custody and use of the common seal of the corporation;
- (l) to administer the funds placed at the disposal of the corporation for specified purpose;
- (m) to accept on behalf of the corporation endowments, bequests, donations, grants and transfer of any movable and immovable properties made to it;
- (n) to raise on behalf of the corporation loans from the Central or any other State Government or the public;
- (o) to levy and collect such fees, as may be specified by regulations, for various services rendered;
- (p) to purchase, stock, manufacture and distribute drugs, linen and other consumables among the dispensaries and hospitals;
- (q) to construct and maintain dispensaries and hospitals;
- (r) to purchase, maintain and allocate quality equipment to various dispensaries and hospitals;
- (s) to provide the services of specialists, super-specialists in various hospitals;
- (t) to provide housing facilities to the employees or in dispensaries and hospitals as may be specified by regulations ; and
- (u) to exercise such other powers and perform such other functions, as may be conferred or enjoined upon it by this Act of the regulations made there under.

(2) The Board of Directors may by an order in writing delegate all or any of its powers to the Managing Director or to any other officer of the corporation for the effective fulfillment of its objectives.

Committee
of
Professional
Experts

9. The Board of Directors may in such manner, as may be specified by regulations constitute committees of professional experts in respect of such dispensaries and hospitals as it may consider necessary as and when required with a view to bring about qualitative improvements of the medical care facilities, which shall function under the administrative control of the corporation.

CHPATER – III ESTABLISHMENT OF CORPORATION

Levy of fee
by the
Corporation

10. For the purpose of this Act, the Corporation may :-

- (a) levy fees, or other charges from such persons or class of persons making use of the services available in the dispensaries or hospitals in accordance with such regulations, as may be made;

- (b) defray operating expenses, and, ensure better upkeep and hygienic conditions and sustained improvement of the dispensaries or hospitals;
- (c) continuously update equipment and modernize the services so as to keep pace with the advancement in the medical care facilities to the public and to provide up to date facilities to the public;
- (d) effect repayment of loans and other borrowings ; and
- (e) provide for such other purposes, beneficial to the promotion of medical care, as the corporation may determine.

11. (1) The corporation shall have its own fund consisting of :-

- (a) the grants from the Government voted by the State Legislature, which shall not be less than the present annual expenditure of the State Government on salaries/medicines, equipment and maintenance of the medical institutions specified in the Schedule appended to this Act and grants received from the Central Government;
- (b) loans or grants from the World Bank or other International Financial Institutions or Agencies on such terms and conditions as may be stipulated and agreed upon;
- (c) loans from financial institutions as well as from other medical institutions who might be prepared to collaborate with the corporation;
- (d) all moneys received by or on behalf of the corporation from public bodies, private bodies or private individuals by way of contributions, grants, gifts or deposits;
- (e) all moneys received by or on behalf of the corporation under the provisions of this Act or any other law for the time being in force, or under any contract;
- (f) all proceeds of the disposals of the property by or on behalf of the corporation;
- (g) all rents accruing from any property of the corporation; and
- (h) all interests and profits arising from any investment of or from any transaction in connection with any money belonging to the corporation.

(2) All moneys belonging to the fund shall be invested in such manner, as the Board of Directors may decide.

(3) The corporation may spend such sums as may be deemed fit for performing its functions under this Act and such sums shall be treated as expenditure payable out of the fund.

12. With effect from such date, as may be notified by the Government in the official gazette :-

- (a) the control and management of all dispensaries and hospitals with dispensaries and non-teaching hospitals as per schedule appended to this Act, shall stand transferred to and vest in the corporation and shall function under its administrative control ; and

Funds of
the
corporation

Vesting of
dispensaries
and hospitals
with the
corporation

- (b) all the assets and liabilities, rights and obligations in relation to such dispensaries and non-teaching hospitals, and all obligations of the Government in relation to them, shall be transferred to the corporation on terms and conditions that may be mutually agreed upon.

13. (1) With a view to securing the services of the best talent available in all fields, the corporation shall encourage professionals from various disciplines to join it on contractual terms on such remuneration, as may be prevalent in the reputed organization in the country.

Staffing
Pattern

(2) The day to day management of the corporation shall vest in the Managing Director, who will be assisted by experts in the fields of Administration, Equipment, Procurement and Maintenance, Information and Systems Management and Health & Financial Management. The corporation may assign some of these specialized functions to a reputed external agency.

CHPATER – IV MISCELLANEOUS

Members
officers and
other
employees to
be public
servants.

14. All members, officers and other employees of the corporation shall be deemed, when acting or purporting to act in pursuance of the provisions of this Act or any regulation made there under, to be public servants within the meaning of the provisions of the Indian Penal Code, 1860 and the Prevention of Corruption Act, 1988.

Protection
of action
done in good
faith

15. (1) No suit or prosecution shall be entertained in any court against the corporation or against any officer or servant of the corporation or person acting under the order or direction of the corporation for anything which is in good faith done or intended to be done under this Act or any regulation made there under.

(2) No suit, prosecution or other legal proceedings shall lie against any officer or servant of the corporation for any act done of purporting to be done under this Act or any regulation made there under without the previous sanction of the corporation.

Annual
Financial
Statement.

16. (1) The corporation shall prepare an annual financial statement on or before such date as may be specified by the regulations of the estimated capital and revenue receipt and expenditure for the ensuing year.

(2) The statement referred to in sub-section (1), shall include a statement of salaries and allowances of members, officers and servants of the corporation and of such other particulars, as may be specified by regulations.

(3) The Government shall as soon as may be after receipt of the said statement, cause it to be laid on the table of the State Legislature.

(4) The corporation shall take into consideration any comments made on the said statement in the State Legislature.

(5) The corporation may submit at any time during the year in respect of which a statement under sub-section (1) has been prepared, to the Government, a supplementary statement, and all provisions of this section shall apply to such statement, as they apply to the statement under the said sub-section (1).

Annual
Financial
Statement.

17. The Government may, with the approval of the State Legislature make subventions and grant loans to the corporation for time to time for the purpose of this Act on such terms and conditions, as the Government may determine.

Powers of
the
corporation
to borrow

18. (1) The corporation may from time to time with the previous sanction of the Government and subject to the provisions of this Act, and to such conditions, as may be specified by regulations, borrow any sum required for the purpose of this Act.

(2) The Government may for the purpose of this section, empower the corporation to borrow by the issue of bonds or stocks or otherwise and to make arrangements with bankers.

(3) The maximum amount, which the corporation may at any time raise as loan under sub-section (1), shall be twenty crores of rupees unless the government by notification in the Official Gazette fix a higher maximum amount.

(4) Stocks issued by the Corporation under this section shall be issued, transferred, dealt with and redeemed in such manner as may be specified by regulations.

19. The Government may guarantee in such manner, as it may think fit, the payment of the principal and interest of any loan proposed to be raised by the corporation or of either the principal or the interest:

Guarantee of
Loans.

Provided that the Government shall, so long as may such guarantees are in force, lay before the State Legislature in every year during the budget session, a statement of the guarantees, if any, given during the current financial year of the State, and an up to date account of the total sums, if any, which have been paid out of the State Revenues by reason of any such guarantees or paid into State Revenue towards repayment of any money so paid.

20. In respect of the loans advanced by the Government to the Corporation by virtue of the provisions of this Act, the corporation shall pay interest on the cost of such loans at such rates, as may from time to time, be fixed by the government in consultation with the corporation and such interest shall be deemed to be a part of the expenditure of the corporation.

Payment of
interest in
Government.

21. (1) The corporation shall cause proper accounts, and other records in relation thereto to be kept, including the proper system of internal check and prepare an annual statement of accounts, including the income and expenditure account and the balance sheet in such form as may be specified by regulations. The format of the accounting systems may be drawn up by a reputed external agency.

Accounts
and Audit.

(2) The accounts of the corporation shall be audited by such firm of auditors as may be appointed by the Board of Directors.

(3) The accounts of the corporation certified by the officer so appointed or any other official authorized by him in this behalf together with the audit report thereon, shall be forwarded annually to the Government and the Government may issue such instructions to the corporation in respect thereof, as it may deem fit and the corporation shall comply with such instructions.

(4) The Government may cause the accounts of the corporation together with the audit report thereon forwarded to it under sub section (3) to be laid annually before the State Legislature.

Authenticati
on of orders
and other
instruments
of the
corporation.

22. All orders and decisions of the corporation shall be authenticated by the signature of the Managing Director or any other officer authorized by the corporation in this behalf and all other instruments issued by the corporation shall be authenticated by the signature if such officer of the corporation as maybe authorized by the corporation in this behalf.

Directions
by the
Government.

23. (1) In the discharge of its functions under this Act, the corporation shall be guided by such directions on questions of policy relating to the functions of the State or in case of any emergency, as may be given to it by the Government.

(2) If any dispute arises between the Government and the corporation as to whether the question is or is not a question of policy relating to the functions of the State or whether an emergency has arisen, the decision of the Government thereon, shall be final.

(3) The corporation shall function under the general supervision of the Government and the Government shall have power to review the action of the corporation taken under this Act.

Inspection
and Control.

24. The Government shall have the right to cause an inspection to be made, by such person or persons, as it may direct, of the affairs and properties of the corporation, its buildings, laboratories, libraries, equipment maintained by the dispensaries and hospitals, medical institutions and also cause an enquiry to be made into the matter connected with the corporation. The Government shall in every case give notice to the corporation of its intention to cause such an inspection or enquiry to be made and the corporation shall be entitled to be represented thereat.

Power to
make
regulations.

25. The corporation may make regulations not inconsistent with this Act to provide for all or any of the following matters, namely :-

- (a) the duties of the members, officers and employees of the corporation and their salaries, allowances and other terms and conditions of services;
- (b) the procedure to be followed at the meetings of the corporation and the manner in which the corporation shall conduct its meetings;

- (c) the administration of the funds and other properties of the corporation and the maintenance of its accounts;
- (d) the procedure to be followed by the corporation in inviting, considering and accepting tenders ; and

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- (e) any other matter arising out of the functions of the corporation under this Act in which it is required, necessary or expedient to make regulations.

Repeal and
Saving.

26. (1) The Punjab Health Systems Corporation Ordinance, No. 4 (Punjab Ordinance 4 of 1995), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of this Act.

SCHEDULE

AMRITSAR				
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)		
C.H. Amritsar (150)	Taran Taran (50)	Lopoke (30)		
	Patti (50)	Majitha (30)		
	Ajnala (50)	Tarsika (30)		
	Baba Bakala (50)	Jandiala (Manawala) (30)		
		Ghariaia (30)		
		Khem Karan (30)		
		Sur Singh Wala (30)		
		Sirhali (30)		
		Naushera Pannuan (30)		
		Mianwind (30)		
BATHINDA				
District Hospital (Beds)	Special Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	Area Hospital (Beds)
Bathinda (50)	Children Hospital Bathinda (100)	Rampura Phul (50)	Goniana (30)	Bucho Mandi (30)
		Talwandi Sabo (50)	Sangat (30)	Maur Mandi (25)
			Nathana (30)	Raman Mandi (10)
			Bhagta (30)	
FARIDKOT				
District Hospital (Beds)	Community Health Centre (Beds)	Area Hospital (Beds)		
Faridkot (50)	Matta (30)	Jaitu (10)		
		Kot Kapura (50)		
FATEHGARH SAHIB				
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)		
Fatehgarh Sahib (100)	Amloh (25)	Gobindgarh (50)		
	Bassi Pathana (25)			
	Khamano (4)			
FEROZEPUR				
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)		
Ferozpur (100)	Fazilka (50)	Jalalabad (36)		
	Zira (50)	Mamdote (30)		
	Nehru Hospital, Abohar (106)	Firozshah (30)		
		Guru Harsahai (30)		
		Dhabwala kalan (30)		
		Sito Gunno (30)		
		Khui Khera (30)		
		Kot Ise Khan (30)		
GURDASPUR				
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)		
Gurdaspur (100)	Batala (50)	Qadian (30)		
	Pathankot (100)	Kot Santokh Rai (30)		
		Khanuwan (30)		
		Kalanaur (30)		
		Fatehgarh Churian (30)		
		Bam(30)		
		Gharota (30)		
		Bungal Badhani (30)		
		Narot Jaimal Singh (30)		
HOSHIARPUR				
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)		

C.H. Hoshiarpur (200)	Garh Shankar (50)	Bhunga (30)
	Mukerian (50)	Mand Mandher (30)
	Dasuya (100)	Budha Bar (30)
		Hajipur (30)
		Tanda (30)
		Mahalpur (30)

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JALANDHAR			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	Area Hospital (Beds)
C.H. Jalandhar (400)	Phillaur (50)	Kala Bakra (30)	Nur Mahal (30)
	Nakodar (56)	Kartar pur (30)	Shankar (25)
		Mukandpur (30)	
		Shakot (30)	
		Bandala (50)	
		Bara Pind (30)	
KAPURTHALA			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	
C.H. Kapurthala (125)	Phagwara (50)	Kala Sangian (30)	
	Sultanpur Lodhi (50)	Begowal (30)	
		Panchhat (30)	
		Tibba (30)	
LUDHIANA			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	
C.H. Ludhiana (100)	Samrala (50)	Sahnawal (30)	
	Khanna (106)	Malaud (30)	
	Raikot (0)	Pakhawal (30)	
	Jagraon (50)	Manupur (30)	
	Payal (30)	Machhiwara (30)	
		Sidhwan Bet (30)	
		Gur Sar Sudhar (30)	
MANSA			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	
C.H. Mansa (100)	Jhunir (50)	Khiata Kalan (30)	
MOGA			
District Hospital (Beds)	Community Health Centre (Beds)		
Moga (100)	Nihal Singh Wala (30)		
	Bagha Purana (30)		
	Dudeki (30)		
	Daroli Bhai (30)		
MUKTSAR			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	Area Hospital (Beds)
Muktsar (50)	Malout (38)	Chak Sherewala (30)	Giddhar Baha (50)
		Badal (50)	
		Doda (30)	
NAWAN SHAHAR			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	
Nawan Shahar (50)	Balachaur (30)	Banga (30)	
PATIALA			
Special Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	
M.K.H. Patiala (200)	Rajpura (100)	Model Town, Patiala (30)	

	Nabha (100)	Dudhan Sadhan (30)	
	Samana (25)	Kalo Majra (30)	
		Dera Bassi (30)	
		Ghanaur (30)	
		Bhadson (30)	
		Badshapur (30)	
		Shutrana (30)	
RUPNAGAR			
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)	Area Hospital (Beds)
C.H. Rupnagar (100)	Anandpur Sahib (30)	C.H. Chamkaur Sahib (30)	S.A.S. Nagar, Mohali (200)
	Kharar (50)	Nurpur Bedi (30)	
		Kurali (30)	

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SANGRUR		
District Hospital (Beds)	Sub-Divisional Hospital (Beds)	Community Health Centre (Beds)
C.H. Sangrur (100)	Barnala (100)	Dhuri (30)
	Malerkotla (100)	Bhadaur (30)
	Sunam (30)	Lehragaga (30)
		Longowal (30)
		Bhawanigarh (30)
		Dhanaula (30)
		Amargarh (30)
		Ahmadgarh (30)
		Kauhrian (30)
TOTAL HOSPITALS	150	

BAKSHISH KAUR
Secretary to Government of Punjab
Department of Legal and Legislative Affairs.

14115 LR (P) – Govt. Press, U.T., Chd.