

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 27TH SEPTEMBER, 2023**

NO.PAS/LEGIS-B-27/2023-The Sindh Medicolegal Bill, 2023 having been passed by the Provincial Assembly of Sindh on 26th July, 2023 and assented to by the Governor of Sindh on 24th August, 2023 is hereby published as an Act of the Legislature of Sindh.

THE SINDH MEDICOLEGAL ACT, 2023

SINDH ACT NO. XLI OF 2023

**AN
ACT**

to provide for the regulation of medicolegal system including administration, and all medicolegal examinations and postmortems conducted in the Province of Sindh.

WHEREAS it is expedient to provide for the regulation of medicolegal system including administration and all medicolegal examinations and postmortems conducted in the Province of Sindh and to provide for the matters ancillary thereto. **Preamble.**

1. (1) This Act may be called the Sindh Medicolegal Act, 2023.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once.

**Short title,
extent and
commencement.**

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

- (i) "Advisory Board" means the Sindh Medicolegal Advisory Board constituted under section 3;
- (ii) "Chief Police Surgeon" means the Chief Police Surgeon, Sindh who shall be the head of Medicolegal services in Sindh;
- (iii) "dead victim identification" means identifying of positive identification of dead victims, especially in the event of any disaster;
- (iv) "Department" means the Health Department;
- (v) "Directorate" means the Sindh Medicolegal Directorate established by the Department under section 6;
- (vi) "Director" means the head of the Forensic Science Laboratory;
- (vii) "District Special Medicolegal Board" means a District Board appointed to review medicolegal reports and

postmortem reports and reexamine examinee or review decisions taken by the Standing Medicolegal Board;

- (viii) “Examinee” refers to a person who has to undergo or has undergone a medicolegal examination;
- (ix) “expert witness” means a person who possesses the Degree or Diploma or expertise in the subject of Forensic Medicine and/or Medical Jurisprudence and is able to provide technical evidence;
- (x) “forensic evidence” means a document, material, equipment, impression or any other object connected with a civil or criminal case or any other proceedings;
- (xi) “forensic medicine” means an application of medical knowledge to the purposes of law, both civil and criminal;
- (xii) “Forensic Nurse” means a male or female for forensic examination purpose;
- (xiii) “forensic odontology” means handling, examination, and evaluation of dental evidence in a criminal justice context, including identification;
- (xiv) “forensic pathology” means a sub-specialty of medicine that deals with the investigation of unnatural and suspicious deaths;
- (xv) “forensic psychiatry” means the interface of law and psychiatry, mental health systems, and the relationship between mental disorders and antisocial behavior;
- (xvi) “forensic radiology” means use of imaging modalities for evaluation of a medicolegal case or scenario;
- (xvii) “Forensic Science Laboratory” means the Sindh Forensic Science Laboratory providing analytical support for different evidentiary samples collected by Police and Medicolegal Officers as per the standard guidelines issued by the Directorate;
- (xviii) “Government” means the Government of Sindh;
- (xix) “Institute” means the Sindh Institute of Forensic Medicine established under this Act to be headed by the Chief Police Surgeon Sindh;
- (xx) “Judicial Medical Officer” means a Medicolegal Officer (male or female), responsible for examining, collecting and preserving samples and documenting all medicolegal cases, whether dead or alive, presenting in his or her duty timings or when called for duty in the event of an immediate need or disaster and appear in court when summoned;

- (xxi) “medical jurisprudence” means knowledge of law in relation to the practice of Medicine;
- (xxii) “medicolegal” means the practical application of forensic medicine and toxicology and medical jurisprudence in clinical practice;
- (xxiii) “medicolegal clinic” means a facility in tertiary care hospital, District Headquarter hospital set up for provision of medicolegal services to the general public, which may include postmortem facility or otherwise;
- (xxiv) “Mortuary Assistant” means the nursing attendant assisting in the postmortem examination of the body (male or female);
- (xxv) “physical abuse” of any person, irrespective of sex, gender and/or age, means a single or repeated acts or failure to act which results in a serious physical harm;
- (xxvi) “prescribed” means as prescribed by the rules or guidelines;
- (xxvii) “Provincial Special Medicolegal Board” means a Board appointed at provincial level to review the cases already decided by the District Special Medicolegal Board in a manner to be prescribed;
- (xxviii) “Province” means the Province of Sindh;
- (xxix) “psychological abuse” of any person, irrespective of sex, gender and age, means emotional harm caused by physical action or words;
- (xxx) “rules”, “guidelines” means the rules or guidelines made or issued under this Act;
- (xxxi) “sexual abuse” of any person, irrespective of sex, gender and/or age, means single or repeated acts which results in penetration of natural body orifices (mouth, anus and vagina) with penis or any other animate or inanimate object;
- (xxxii) “Standing Medicolegal Board” means a Board appointed to examine the cases of alleged custodial torture, death in custody and carry out exhumations, in a manner to be prescribed;
- (xxxiii) “toxicology” means a branch of science concerned with the nature, effects and analytical detection of poisons, potential toxins, intoxicating or banned substances and prescription medications present in a human body; and
- (xxxiv) “virtual autopsy” means use of radiographical aids including X-rays, CT scans and/or MRI to scan the dead bodies with or without collection of body fluids or tissues in a minimally invasive manner to ascertain the cause of death.

3. (1) Government may, by notification, in the official gazette, constitute the Sindh Medicolegal Advisory Board, which shall consist of the following:-

Constitution of the Sindh Medicolegal Advisory Board.

- | | | |
|-------|---|------------------------------|
| (i) | Secretary Health Department, Government of Sindh | Chairperson |
| (ii) | Director-General, Sindh Forensic Science Laboratory | Member |
| (iii) | Additional Inspector-General, Sindh Police (Investigation) | Member |
| (iv) | Additional Inspector-General, Sindh Police (Operation) | Member |
| (v) | Prosecutor General Sindh or his Representative (not below the rank of BS-19) | Member |
| (vi) | Two medical professionals of Health Department, with no less than 10 years of experience in active medico-legal duty, at least one of whom shall be female. | Member |
| (vii) | Chief Police Surgeon, Sindh | Member/
Secretary |

(2) The Advisory Board may co-opt any person as a member for any particular purpose, but such person shall not have right of vote.

(3) An official members mentioned in clause (i) to (v) and clause (vii) of sub-section (1) appointed by virtue of their office shall cease to be the members on vacating such office.

(4) A non-official member mentioned under clause (vi) shall hold office for a period of three years from the date of his appointment or nomination, and shall be eligible for re-appointment for further one more term time as Government may determine.

(5) A non-official member may at any time, before the expiry of his term, resign from his office, or be removed from office by Government without assigning any reason.

(6) Any person appointed on a casual vacancy in the office of non-official member shall hold office for the unexpired portion of the term of such vacancy.

(7) No act or proceedings of the Advisory Board shall be invalid merely by reason of any vacancy or defect in the constitution of the Advisory Board.

4. The Advisory Board shall have the powers and functions to –

Powers and Functions of the Advisory Board.

- (a) consider the matters of policy and procedure and quality and accountability;
- (b) consult and keep the close liaison with the Department regarding working of the Directorate, as deemed necessary for achieving the objectives of this Act;
- (c) approve the standards of medico legal examinations;

- (d) review half-yearly, the medicolegal data collected by it from all districts of the Province; and
- (e) review the human resources and budget allocations of the Directorate and propose changes as deemed necessary.

5. (1) The Advisory Board shall meet at least once in a quarter on the dates to be fixed by the Secretary of the Board in consultation with the Chairperson:

Meetings of the Board.

Provided that the Chairperson may convene a meeting at any time.

(2) The Chairperson shall preside over the meeting.

(3) In the absence of the Chairperson, the meeting may be presided over by the member appointed by the members present in the scheduled meeting.

(4) The quorum for a meeting shall be one-third of the total number of members, a fraction being counted as one, but no quorum shall be necessary for the meeting held in lieu of the meeting which was adjourned for want of quorum.

(5) The Chairperson shall have and exercise a casting vote in the case of a tie.

(6) The Secretary of the Advisory Board shall record the minutes of meeting which shall be submitted by him at the next meeting for confirmation.

6.(1) As soon as after the commencement of this Act, the Department shall, by notification in the official Gazette, establish the Sindh Medicolegal Directorate for carrying out the purposes of this Act.

Establishment of Sindh Medicolegal Directorate.

(2) The Directorate shall be an Attached Department of the Department and shall oversee all matters pertaining to the provision of medicolegal services in the Province, including but not limited to administration, supervision and technical control and shall to provide technical guidance, oversee policy, procedures and quality, of medicolegal services being provided as well as prescribe checks and balances in the Province.

(3) The overall superintendence and administration of the Directorate shall vest in the Department.

7.(1) The Directorate shall, subject to directions given from time to time by the Government or Department, have the following powers and functions :-

Powers and Functions of the Sindh Medicolegal Directorate.

- (a) to administer the medicolegal examinations of living persons by Judicial Medical Officers and District Judicial Medical Officers assisted by Forensic Nurse;
- (b) to administer the post-mortem examinations of persons who have died under suspicious circumstances by Judicial Medical Officers and District Judicial Medical Officers;

- (c) to submit the requisition to the Department for hiring the services or posting of suitable Divisional Police Surgeons and/or District Judicial Medical Officers for conducting medico legal procedure to achieve the purposes of this Act;
- (d) to prescribe the procedures and standards for the conduct of medicolegal and post-mortem examinations;
- (e) to prescribe the procedures, guidelines and standards for Special Medicolegal Board, Divisional Standing Medicolegal Board and Provincial Standing Medicolegal Board;
- (f) to prescribe and enforce performance standards for Judicial Medical Officers and District Judicial Medical Officers certified to perform medicolegal and post-mortem examinations;
- (g) to prescribe administrative punishments or fines for contravention of the provisions of this Act, rules and/or guidelines;
- (h) to recommend to the Advisory Board through the Department prescribe a career pathway and performance based incentives for the judicial Medical Officers, District Judicial Medical Officers and Divisional Police Surgeons;
- (i) to review half-yearly the medicolegal examination reports, post-mortem reports and determinations made by the Special Medicolegal Board, Divisional Standing Medicolegal Board and Provincial Standing Medicolegal Board, in a manner to be prescribed;
- (j) to oversee the performance of Standing Medicolegal Board, District Special Medicolegal Board and Provincial Special Medicolegal Board on a half-yearly basis, in a manner to be prescribed;
- (k) to issue guidelines and standard operating procedures; and to ensure random tests and regular refresher courses for the Judicial Medical Officers, District Judicial Medical Officers & Divisional Police Surgeons, in a manner to be prescribed;
- (l) to conduct the training of District Judicial Medical Officers, Judicial Medical Officers and Divisional Police Surgeons at the Institute in the prescribed manner;
- (m) to conduct the training for all medical practitioners on domestic violence, child, elder, disabled and trans-person abuse sexual, gender-based violence;
- (n) to review the human resources and budgetary allocations to all Divisional Police Surgeons on a yearly basis after holding consultations every six months, in a manner to be prescribed;
- (o) to encourage uniform standards for the performance of

medico-legal and postmortem examinations in the Province;

- (p) to recommend the Government through Department the innovative norms of medicolegal and postmortem examinations and/or reports;
- (q) to develop standards for Certification of Judicial Medical Officers and Forensic Nurses, Mortuary Assistant and all relevant staff of the Directorate;
- (r) to develop an accreditation process for medicolegal and post-mortem facilities;
- (s) to perform any other function which is incidental or consequential to any of the aforesaid functions or perform such other functions as may be assigned to it by the Advisory Board or Government.

8. (1) The Chief Police Surgeon shall be appointed by the Minister Health on the recommendations of the Department from amongst the persons working with the Department possessing at least Postgraduate/Diploma holder in Medical Jurisprudence with fifteen years of active medicolegal experience at a tertiary-level hospital medicolegal facility with mortuary.

Chief Police Surgeon Sindh.

(2) The Chief Police Surgeon may be removed if, on an inquiry, he or she is found incapable of performing the functions of his/her office by reason of mental or physical incapacity or have been found guilty of misconduct or negligence.

(3) The Chief Police Surgeon shall head the administrative, financial and technical wings of the Directorate and Institute.

(4) The Medicolegal Clinics working under the Directorate shall perform functions under the directions of the Chief Police Surgeon.

(5) Subject to the general directions of the Chief Police Surgeon, all other Judicial Medical Officers within a district shall perform functions under the control of the District Judicial Medical Officers and Divisional Police Surgeons.

9. (1) Medicolegal Officers shall henceforth be called Judicial Medical Officers (male and female) and shall conduct medicolegal and post-mortem examinations and prepare medicolegal and post-mortem reports in accordance with the rules, standards and guidelines notified and updated by the Sindh Medicolegal Directorate from time to time.

Judicial Medical Officers.

(2) Judicial Medical officer shall perform the duties as assigned to him under this Act or as may be prescribed or until so prescribed as may be assigned to him, from time to time, by the Chief Police Surgeon or the Department.

10. (1) A medicolegal examination is the examination of a living person by a Judicial Medical Officer or a District Judicial Medical Officer assisted by Forensic Nurse for documentation of external and internal injuries, symptoms and the collection of forensic evidence,

Medicolegal Examinations.

which shall include, but not limited to –

- (a) descriptions of all internal or external injuries, including signs of sexual and gender based violence;
- (b) collection of all appropriate forensic samples for relevant categories of analysis;
- (c) invoking all referral pathways available as required;
- (d) document signs of poisoning, self-harm and/or abuse;
- (e) giving at least two reasons for declaring a case as fabricated, including self-suffered and self-inflicted;
- (f) conclusive opinion regarding nature of injuries and/or sexual assault, as prescribed in the relevant law.

(2) Medicolegal examinations shall ordinarily be conducted at medicolegal clinics at notified public health facilities.

(3) A medicolegal examination shall be conducted by a Judicial Medical Officer and District Judicial Medical Officer at the earliest, upon the Examinee being brought to a medicolegal clinic accredited by the Directorate.

(4) Where an Examinee with serious injuries is brought to a private health facility and there is a risk of injury from transportation, a Judicial Medical Officer from the nearest public health facility shall be directed to conduct a medico-legal examination on-site through District Judicial Medical Officer, in a manner to be prescribed.

(5) A medicolegal certificate along with any forensic samples or materials collected shall be issued and handed over by the Judicial Medical Officer or District Judicial Medical Officer to the authorized Investigation Officer before ending of his duty. A copy of the same is to be provided to the injured, victim or attendants.

(6) The Judicial Medical Officer shall ensure accurate collection and preservation of all forensic samples and maintain a diligent Chain of Custody in prescribed manner.

(7) A supplementary report for the medico legal certificate shall be issued by the Judicial Medical Officer or District Judicial Medical Officer, immediately upon receiving of reports and expert opinions, but not later than three working days following receiving of all required reports.

(8) All medicolegal cases shall be handled according to guidelines for ethical handling of medicolegal cases.

11.(1)A postmortem examination is the examination of the body of a deceased person who has died under suspicious circumstances, namely:-

- (a) the deceased died a violent death;

**Postmortem
Examinations.**

- (b) the deceased has died a sudden death;
- (c) the cause and manner of death is not known;
- (d) the deceased has died in a road traffic or industrial accident;
- (e) the deceased has died after sexual or gender based violence;
- (f) the deceased has been found dead;
- (g) the deceased has died as a result of asphyxia including ligature and drowning, exposure to extremes of temperature or any other unnatural cause;
- (h) the deceased has died as a result of suspected poisoning;
- (i) The deceased is a newborn infant or minor, found dead.

(2) A postmortem examination of the body shall be conducted by a Judicial Medical Officer or District Judicial Medical Officer, at the earliest assisted by mortuary assistant technically and ethically trained by the Institute, after receiving Inquest papers from the authorized officer of Sindh Police at an accredited medicolegal mortuary.

(3) A postmortem examination can be conducted in any autopsy suite or medicolegal mortuary that has received accreditation by the Directorate and the postmortem report shall be issued at the earliest and not later than twenty four hours of completion of the postmortem.

(4) All deceased shall be handled according to Guidelines for Ethical handling of dead bodies during and after postmortem, to be prescribed by the Directorate.

(5) For deaths occurring outside the Province and body being brought within the Province for postmortem examination, a proper authorization shall be required through related Departments or Agencies of both Provinces, as per inter-provincial communication guidelines.

12. A Forensic Nurse shall assist the Judicial Medical Officer during medicolegal examinations. **Forensic Nurse.**

13. (1) A Judicial Medical Officers, District Judicial Medical Officer, Divisional Police Surgeons shall act as Professional Witness, an ordinary deposition to be provided to the extent of what is recorded in medicolegal certificate or postmortem report, both provisional and final. **Professional Witness.**

(2) Medicolegal examination or post-mortem examination shall not be entrusted to a person who has been convicted of an offence related to giving false evidence or issuing a false medicolegal or postmortem report or found guilty of misconduct, moral or monetary, under any law for the time being in force.

14. (1) There shall be an Expert Witnesses who shall be appointed in the prescribed manner and such prescribed manner shall include the fees to be payable to him. **Expert Witness.**

(2) An Expert Witness may be appointed to appear in Court and provide his opinion based on all evidence as to the probable cause of injuries or death under Article 59 of the Qanun-e-Shahadat Order, 1984 (X of 1984).

(3) No person shall opine on the probable cause of injuries or death who has been convicted of an offence related to giving false evidence or issuing a false medicolegal or postmortem report or found guilty of misconduct, moral or monetary, under any law for the time being in force.

15. (1) Judicial Medical Officer or District Judicial Medical Officer shall ensure that consent is freely given by the living person to be examined. **Consent.**

(2) Where the Examinee is below the age of eighteen years or the Examinee is of unsound mind or mentally challenged, the consent for a medicolegal examination must be obtained from the parent or legal guardian of such Examinee. Such consent should be informed and expressed with full disclosure, obtained and documented in a manner to be prescribed.

(3) For postmortem examination, the authorization of Police or Magistrate will be required.

(4) Consent from the suspects in custody is not required for medicolegal examination and use of minimal force is allowed, as mandated in the law, for the time being in force.

16. (1) Upon presentation of a Magistrate's Order for disinterment and examination of a deceased person who has already been interred in accordance with sub-section (2) of section 176 of the Code of the Criminal Procedure, 1998 (**Ac V of 1998**), the relevant Divisional Police Surgeon shall constitute a Special Medicolegal Board comprising of, but not limited to – **Disinterment and postmortem examination / exhumation, death in custody and deaths due to alleged custodial torture.**

- (a) Professor/Associate Professor/Assistant Professor of Forensic Medicine from closest Public Sector Medical College and/or University;
- (b) a male Judicial Medical Officer;
- (c) the District Judicial Medical Officer;
- (d) in case of a female dead body, a female Judicial Medical Officer shall also be a part of the Special Medicolegal Board;
- (e) any other member as required by the Special Medicolegal Board.

(2) The Special Medicolegal Board shall follow the protocol for exhumation and postmortem of deaths in custody in a manner to be prescribed.

(3) A list of all Professors, Associate Professors and Assistant Professors working at the Department of Forensic Medicine at public sector Medical Colleges and/or Universities in the Province, shall be notified

(4) The postmortem report is to be issued within twenty four hours.

(5) The final cause of death is to be issued, if kept reserved in the postmortem report within three working days of receiving all required reports and documentation.

17. (1) The humanitarian forensic medicine shall include standards and guidelines for handling of mass disasters in a manner to be prescribed. **Humanitarian Forensic Medicine.**

(2) The dead victim identification and handing over the dead body to heirs shall be carried out as per specific guidelines.

(3) DNA profiling to ascertain the identity shall be carried out in dead victims who remain unidentified even after usual methods of identification in a manner to be prescribed.

(4) For mass disasters occurring outside the Province and utilization of services in the Province, the proper authorization shall be required through related Departments or Agencies of both Provinces, as per inter-provincial communication guidelines.

18. (1) The DNA samples collected for profiling and cross-matching in different medicolegal cases by the Judicial Medical Officer and the Investigating Officer during the course of any investigation from alleged suspects and scene of crime, shall be maintained as highly confidential and secured soft record at an ISO certified Lab in the Province, in close coordination with Sindh Police, to be utilized as required in a manner to be prescribed. **Sindh DNA Index System (SiDIS)**

(2) The DNA profiles maintained at any other center in the Province shall be incorporated in the SiDIS in a manner to be prescribed.

19. (1) The records of all medicolegal and postmortem reports and related documents in hard copies shall be maintained for twenty years following examination in relevant offices; provided that the records shall be maintained or perished in accordance with manner to be prescribed. **Digitization and Maintenance of Records.**

(2) All available record is to be digitized and kept as soft copies in a controlled and secured server, accessible only to the authorized individuals in a prescribed manner.

20. (1) It shall be the duty of every medical practitioner to immediately notify the medicolegal clinic or nearest police station or police control rooms where an injured person presents with – **Mandatory Reporting.**

- (a) ballistic injuries;
- (b) burn or acid injuries;
- (c) signs of physical abuse;
- (d) signs of child or elder abuse; or
- (e) signs of differently-abled person abuse;
- (f) sexual and gender-based violence,

but he shall provide emergency lifesaving treatment on a priority basis in accordance with the provisions of the Sindh Injured Persons Compulsory Medical Treatment (Amal Umer) Act, 2019 (**Sindh Act No.VIII of 2019**); provided that the identity of such a person is not to be disclosed to uninterested parties.

(2) It shall be the duty of every Judicial Medical Officer or District Judicial Medical Officer to notify the relevant police station or police control room where a dead body is brought to the Medicolegal Clinic or concerned hospital with suspicious history, with or without any mark of violence, for initiation of medicolegal formalities, in a manner to be prescribed.

(3) It shall be the duty of every Judicial Medical Officer or District Judicial Medical Officer to notify the relevant police station or police control where a seriously injured unidentified and/or unconscious person with suspicious history is brought to the Medicolegal Clinic, for initiation of medicolegal formalities, in a manner to be prescribed..

21. Statistical information shall be shared with the Health Department, Government of Sindh, on a yearly basis, for the purposes of monitoring public and mental health issues such as sexual assault, gender based violence, road traffic accidents, self-harm and attempted suicide, suicide, homicide and accidental deaths in a manner to be prescribed. . **Public Health Reporting.**

22. (1) An aggrieved party may request the Divisional Police Surgeon to re-examine an Examinee, and for this purpose the Divisional Police Surgeon shall refer the case to the Divisional Special Medicolegal Board in a manner to be prescribed. **Appeal.**

(2) If such aggrieved party is dissatisfied with the decision of the Divisional Special Medicolegal Board, a request may be submitted by the aggrieved party to the Chief Police Surgeon Sindh who shall then refer the case to the Provincial Special Medicolegal Board in a manner to be prescribed.

(3) An appeal under sub-section (1) and (2) shall be made by the aggrieved party on payment of fee as may be prescribed.

23. (1) The Directorate shall issue an explanation memo to any Judicial Medical officer, District Judicial Medical officer, Divisional Police Surgeon and any other staff member who fails to comply with the directions of Directorate in a manner to be prescribed.

Enforcement of Orders.

(2) The Chief Police Surgeon, upon recommendation of Divisional Police Surgeon, may suspend the services of any staff member and order inquiry, if complaint of misconduct is received, in a manner to be prescribed.

(3) The complaints of corruption involving any staff of the Directorate, upon adequate proof, shall lead to disciplinary proceedings against such delinquent in accordance with the relevant efficiency and disciplinary rules of Government applicable to such staff.

24. (1) Medicolegal certificates, post-mortem and supplementary reports shall be confidential documents and shall be issued a pre-determined code instead of mentioning the names, to ensure privacy and confidentiality. Manner of coding to be prescribed.

Confidentiality and Requests for Records.

(2) Nothing in sub-section (1) extends to any disclosure or provision of medicolegal or postmortem reports if it is -

(a) by or under order in writing of the officer-in-charge of the police station or police officer making investigation into such offence acting in good faith for the purposes of such investigation; or

(b) by or under order of Court;

25. The provisions of this Act, rules and guidelines made and certificates, reports issued thereunder shall have effect notwithstanding anything to the contrary contained in any other law, rule or regulation, for the time being in force and any such law, rule or regulation shall, to the extent of any inconsistency, cease to have any effect from the date this Act comes into force.

Relationship to Other Laws.

26. (1) An aggrieved party may file a written complaint with the Directorate against a Judicial Medical Officer or District Judicial Medical officer or any other person, for contravention of any provision of this Act or any order, rule, regulation, guidelines made or issued thereunder.

Complaints.

(2) The Directorate shall on receipt of a complaint, before taking any action thereon, give notice to the Judicial Medical Officer or District Judicial Medical officer or any other person against whom such complaint has been made, to show cause and provide an opportunity of being heard.

27. (1) After commencement of this Act, the Department shall, with the approval of Government, establish an Institute namely "Sindh Institute of Forensic Medicine" under Sindh Medicolegal Directorate, which may be affiliated with any public sector Medical University for

Establishment of Sindh Institute of Forensic Medicine.

the purposes of awarding diplomas for the courses referred to in sub-section (2).

- (2) The functions of the Institute shall include, but not limited to –
- (i) provide training and refresher courses to the Judicial Medical Officers, District judicial Medical officers and Divisional Police Surgeons;
 - (ii) provide training and refresher courses to forensic nurses on medicolegal handling of alive persons and dead bodies;
 - (iii) provide training and refresher courses to the medicolegal and mortuary assistants;
 - (iv) develop specific courses for investigating officers and prosecutors;
 - (v) develop a research wing for innovation on modern scientific developments.

28. Whoever contravenes the provisions of this Act or the rules made thereunder, shall be punished with imprisonment which may extend to six months or a fine not less than one hundred thousand rupees, or with both, in addition to any other penalty to which he may be liable under this Act or any other law for the time being in force. **Penalty.**

29. (1) No court other than the Court of First Class Magistrate shall take cognizance of an offence under this Act, upon receiving a complaint by the Chief Police Surgeon an officer authorized by him or her, as the case may be. **Taking Cognizance.**

(2) The offence punishable under this Act shall be tried by the Court in accordance with the procedure laid down in the Code of the Criminal Procedure, 1998 (**Act V of 1998**).

30. (1) Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act. **Power to make rules.**

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for -

- (a) accreditation of facilities to conduct medicolegal examinations and postmortems by government health facilities;
- (b) inspection of medicolegal and postmortem facilities to check against the minimum standard requirements;
- (c) development of Standard Operating Procedures for medicolegal and postmortem examinations;
- (d) development of Performance Management Framework and Key Performance Indicators;

- (e) review and audit of medicolegal and post-mortem reports and their timelines of issuance;
- (f) rewards and penalties in a manner to be prescribed;
- (g) developing proforma for reporting and other purposes;
- (h) any other matter incidental or consequential for the performance of any of its functions or the exercise, of any of its powers, or as may be entrusted by the Government to meet the objectives of this Act.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH