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SINDH ORDINANCE NO.X OF 1998

THE SINDH (TEXTILE INSTITUTE OF PAKISTAN) ORDINANCE, 1998

CONTENTS

Preamble

Sections

1. Short title and commencement.
2. Definitions.
3. Establishment and Incorporation of the Institute.
4. Powers and Functions of the Institute.
5. Institute open to all.
6. Teaching and Examinations.
7. Officers of the Institute.
8. The Patron.
9. Visitation.
10. The Chancellor
11. The Board of Governors.
12. Powers and functions of the Board.
13. Meetings of the Board.
14. The President.
15. Executive Council.
16. Academic Council.
17. Funds and Reports of the Institute.
18. Annual Statement of Accounts to be Submitted to the Board.
19. Indemnity and Bar of Jurisdiction.
20. Removal of Difficulties.

SINDH ORDINANCE NO.X OF 1998

THE SINDH (TEXTILE INSTITUTE OF PAKISTAN) ORDINANCE, 1998

[28th October, 1998]

An Ordinance *to provide for the establishment of a Textile Institute in the Province of Sindh.*

Preamble.

WHEREAS it is expedient to establish an Institute in the field of textile sciences in the Province of Sindh and for the purpose it is necessary to provide for the establishment of the Textile Institute of Pakistan at Karachi and for matters connected therewith and ancillary thereto;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance—

Short title and commencement.

1. (1) This Act may be called the Sindh (Textile Institute of Pakistan) Ordinance, 1998.

(2) It shall come into force at once and shall be deemed to have taken effect on and from 27th day of August, 1998.

Definitions.

2. In this Ordinance unless there is anything repugnant in the Subject or context:

(a) "Academic Council" means the Academic Council of the Institute;

(b) "Board" means the Board of Governors of the Institute;

(c) "Chairman" means the Chairman of the Board;

(d) "Chancellor" means the Chancellor of the Institute;

(e) "Faculty" means a Faculty of the Institute;

(f) "Foundation" means the National Textile Foundation, registered under the Societies Registration Act, 1860;

(g) "Founder Members" means the signatories to the memorandum of Association of the Foundation;

(h) "Government" means Government of Sindh;

(i) "Institute" means the Textile Institute of Pakistan established under this Ordinance;

(j) "Patron" means the Patron of the Institute.

(k) "President" means the President of the Institute;

(l) "Prescribed" means prescribed by regulations made under this Ordinance;

Establishment and Incorporation of the Institute.

3. (1) There shall be established an Institute to be called the Textile Institute of Pakistan consisting of—

(a) the Patron, the Chancellor, the President, and the members of the Board;

(b) the members, of such councils, committees and other advisory bodies as the Board may establish;

(c) the members of the Faculties and its constituent units; and

(d) such other officers and members of the staff as may, from time to time be specified by the Board.

(2) The Institute shall be a body corporate by the name of the Textile Institute of Pakistan having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property and shall by the said name sue and be sued.

Powers and Functions of the Institute.

4. Subject to the general control and direction of the Government, the Institute shall have powers: —

(a) to provide for the instructions in the field of textile sciences and in such other branches of learning as it may deem fit and to make provision for advancement and dissemination of knowledge in such manner as it may determine;

(b) to select and admit students;

(c) to prescribe courses of studies in textile and such other branches of learning as the Institute may determine;

(d) to hold examinations and confer or award degrees, diplomas, certificates and other academic distinctions to the persons who have been admitted to and have passed its examinations;

(e) to confer honorary degrees or other academic distinctions as the patron may approve;

(f) to determine the equivalence of the examinations passed and the periods of study spent by the students at other Universities and place of learning and to review and withdraw such equivalence;

(g) to cooperate with other Universities or institutions in such manner and for such purpose as it may determine;

(h) to affiliate or associate itself with other institutions;

(i) to decide teaching methods and strategies to ensure the effective educational, training and other programmes;

(j) to create posts for teaching, research, training administration and other related purposes and to appoint persons thereto;

(k) to supervise and control the discipline of students of the Institute;

(l) to use the financial and other resources allocated to the Institute for the execution of its objects;

(m) to enter into agreements, contracts and arrangements with organizations, Institutions, bodies and individuals for purpose of carrying out its functions and activities; and

(n) to do all such other acts or things as may be requisite to further the objectives of the Institute as a place of education, learning and research.

Institute open to all.

5. The Institute shall be open to all persons of either sex of what-ever religion, race, creed, colour or domicile who are academically for admission to the courses of study offered by the Institute, and no such person shall be denied the privileges of the Institute on the ground only of sex, religion, creed, race, class, colour or domicile.

Teaching and Examinations.

6. (1) The academic programmes of the Institute shall be conducted in the prescribed manner.

(2) No degree, diploma or certificate shall be granted unless a student has passed an examination in Islamic and Pakistan studies or, in the case of a non-Muslim student, in Earthiest and Pakistan Studies.

Officers of the Institute.

7. The following shall be the officers of the Institute, namely:

(a) the Chancellor;

(b) the President; and

(c) such other persons as may be prescribed to be the officers of the Institute.

The Patron.

8. The Governor of Sindh shall be the Patron of the Institute.

(1) The Patron shall, when present, preside at the convocation of the Institute.

(2) In the absence of the Patron, the Chancellor shall preside at the convocation.

(3) Every proposal to confer an honorary degree shall be subject to confirmation by the Patron.

Visitation.

9. (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the Institute and shall from time to time appoint one or more persons to conduct such inspection or enquiry;

(2) The Patron shall communicate to the President his views with regard to the result of an inspection or inquiry and shall, after ascertaining the reaction of the President, may advise the President on action to be taken.

(3) The President shall, within the specified time communicate to the Patron such action as has been taken if any, or may be proposed to be taken upon the results of inspection or inquiry.

(4) Where the President does not, within the time specified, take action to the satisfaction of the patron, the patron may issue such directions as he thinks fit and the President shall comply with such directions.

The Chancellor

10. (1) The Chancellor shall be a person of eminence, known for his contribution in the field of knowledge or service to the society and appreciated for his high moral and intellectual caliber.

(2) The Chancellor shall be appointed by the Patron on the recommendations of the Board, on such terms and conditions as may be prescribed by the Board

(3) The Chancellor shall be the Chairman of the Board.

(4) Should the Chancellor be incapacitated from acting as such due to illness or any other cause the President shall act for him.

The Board of Governors.

11. (1) The general supervision and control of the affairs and the power to lay down the policies of the Institute shall vest in the Board consisting of the following members: -

(a) the Chancellor	Chairman
(b) the President	Ex-officio Member

(c) seven Founder Members To be nominated by the Foundation	Ex-officio Member
(d) Chairman, All Pakistan Textile Mills Association.	Ex-officio Member
(e) two eminent academics/ intellectuals to be nominated by the Foundation.	Member
(f) Secretary (Education), Government of Sindh.	Ex-officio Member

(2) In the absence of the Chancellor, the Chairman of the Foundation shall act as the Chairman, and in his absence, the President shall act as Chairman.

(3) A casual vacancy in the office of a member of the Board shall be filled by a person nominated by the Authority which had nominated the member whose vacancy is to be filled.

(4) The members other than ex-officio members shall hold office during the pleasure of the Chancellor.

(5) No act or proceedings of the Board shall be invalid by reason only of the existence of a vacancy in or any defect in the constitution of the Board.

Powers and functions of the Board.

12. The Board shall exercise and perform the powers and functions as follows—

(a) to hold, control and administer the property, funds and resources of the Institute and borrow or raise funds for the purposes of the Institute upon such security as may be required;

(b) to formulate or approve the principles, Policies and plans governing the activities and operations of the Institute so as to ensure that the academic staff enjoy academic freedom in their research, teaching and other academic work;

(c) to frame regulations for the efficient and effective functioning of the Institute;

(d) to create components of the Institute such as Faculties, schools and Departments and to constitute such standing committees, councils and other administrative or academic advisory bodies as it deems necessary and review their work;

(e) to approve plans of work and annual budget of the Institute;

(f) to call for and consider reports relating to the activities of the Institute and the execution of the plans to work and to direct the President to furnish information relating to any matter specified by the Board;

(g) to create such academic or administrative posts as it may deem necessary and prescribe terms and conditions of teaching and non-teaching staff of the Institute including their qualifications and experience and make appointments of such staff;

(h) to frames regulations for suspension, punishment and removal from service of such staff;

(i) to undertake responsibility for the financial viability of the institute, including responsibility for ensuring effectiveness of its operations, their continuity and preservation of the autonomy of the Institute;

(j) to approve all arrangements through which other institutions may become associated with the Institute;

(k) to appoint from amongst its members such committees or other bodies including faculties as it may deem necessary;

(l) to frame regulations as are necessary for carrying out the purposes of this Ordinance;

(m) to take all such initiatives as it may consider necessary or desirable for the efficient and effective management and functioning of the Institute.

Meetings of the Board.

13. (1) The Board shall meet at least twice in a year on such dates to be fixed by the President in consultation with the Chairman:

Provided that a special meeting may be called at any time on a request having been made by they President or by not less than four members of the Board to consider any matter of urgent nature.

(2) In the case of a special meeting not less than ten clear days notice shall be given to the members of the Board, and the agenda of the meeting shall be restricted to the matter for which the special meeting is called.

(3) The quorum for a meeting of the Board shall be four (4) in the absence of a quorum, a meeting may be adjourned till such time as the quorum is complete.

(4) The decisions of the Board shall be expressed in terms of the views of the majority of the members present and voting and if the members are equally divided, the Chairman of the Board shall have and exercise the casting vote.

The President.

14. (1) The President shall be appointed by the Board on such terms and conditions as it may determine.

(2) The President shall be the chief academic and administrative officer of the Institute and shall have overall responsibility for the organization, direction, administration, execution of the programmes of the Institute in accordance with the guidelines and policies formulated by the Board and for the implementation of the decisions of the Board and in particular the President shall—

(a) submit plans of work and budget estimates of the Institute for the approval of the Board;

(b) direct the activities connected with the execution of programmes for instruction, training, research, demonstration, service and authorize expenditures provided for in the budget as approved by the Board;

(c) appoint, with approval of the Board, teachers, officers and members of the staff of the Institute and such other persons as may be necessary in accordance with regulations and procedure approved by the Board so as to ensure the highest intellectual and moral qualities in the persons appointed;

(d) submit to the Board, reports on the activities of the Institute and the execution of the plans of works;

(e) exercise general control and supervision over the affairs of the Institute and shall ensure that the provisions of this Ordinance regulation, rules, policies and directions of the Board are properly exercised; and

(f) perform such other functions, as may be entrusted to him by the Chancellor or the Board.

(3) The Board may delegate any of its powers to the President subject to such conditions as it may deem fit to impose.

Executive Council.

15. The Board shall constitute an Executive Council consisting of the Chairman and such members as may be appointed by the Board subject to the provision of the Ordinance regulations and directions of the Board, the Executive Council shall be responsible for the administration of the Institute and execution of policies and directions of the Board for carrying out the purpose of his Ordinance.

Academic Council.

16. (1) The Board shall constitute an Academic Council consisting of a Chairman and such members as may be appointed by the Board.

(2) The Academic Council shall be the highest academic body of the Institute and subject to the regulations, be responsible for all academic matters including courses, syllabi, examinations degrees, diplomas and certificate, and all matters connected therewith.

(3) The Academic Council shall advise the Board or Executive Council on academic matters.

(4) The meetings of the Academic Council shall be held as frequently as possible but not less than twice in a year.

(5) The quorum of a meeting of the Academic Council shall be one-half of the total number of members.

Funds and Reports of the Institute.

17. (1) The Institute shall have a Fund to which shall be credited income from fees, donations, trusts, bequests, endowments, contributions, sale proceeds, royalties and grants including those of the Foundation.

(2) No expenditure shall be made from the Fund unless it is within the budget grant and a bill for its payment has been audited by the prescribed auditor.

(3) The accounts of the Institute shall be maintained in such form and in such manner as may be prescribed, and shall be audited once in a year by an auditor appointed by the Foundation.

Annual Statement of Accounts to be Submitted to the Board.

18. The Annual Statement of Accounts and Audit Report thereon shall be submitted by the auditor to the Board.

Indemnity and Bar of Jurisdiction.

19. (1) No suit, prosecution of other legal proceedings shall lie against any person or authority for anything which is done in good faith or intended to be done under this Ordinance.

(2) No decision taken, or Act thing done, by the Chancellor or the Board under this Ordinance shall be called in question before any court of law or any other authority.

Removal of Difficulties.

20. (1) If any question arises as to the interpretation of any of the provisions of this Ordinance, it shall be placed before the Board whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Ordinance the Board may make such order, not inconsistent with the provisions of this Ordinance, as may appear to be necessary for removing the difficulty in question.

(3) Where this Ordinance makes any provision for anything to be done but no provision or insufficient provision has been made as respecting the authority by whom, or the time at which, or the manner in which, it shall be done, then, it shall be done by such authority, at such time, or in such manner as the Board may direct.