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SIND ORDINANCE NO. III OF 1977

THE NADIRSHAW EDULJI DINSHAW ENGINEERING AND TECHNOLOGY UNIVERSITY ORDINANCE, 1977.

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[1st March, 1977]

An Ordinance to establish a University of Engineering and Technology at Karachi.

Preamble

WHEREAS it is expedient to establish a University of Engineering and Technology at Karachi;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sind is satisfied that circumstances exists 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 Sind is pleased to make and promulgate the following Ordinance:--

CHAPTER—I
PRELIMINARY

Short title and commencement

1. (1) This Ordinance may be called the Nadirshaw Edulji Dinshaw Engineering and Technology University Ordinance, 1977.

(2) It shall come into force at once.

Definitions.

2. In this Ordinance, unless there is anything repugnant in the subject or context—

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

(b) "affiliated college" means the college affiliated to the University;

(c) "Authority" means an of the Authorities of the University specified in section 12;

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

(e) "college" means a college and includes an institution, in which arrangements exist for imparting instructions or practical training, in courses of studies relating to engineering, technology and such other subjects as may be prescribed;

(f) "Dean" means the Head of a Faculty;

(g) "Faculty" means a Faculty of the University;

(h) "Government" means the Government of Sind;

(i) "Officer" means any of the Officers of the University specified in section 26;

(j) "prescribed" means prescribed by Statutes, Regulations of Rules;

(k) "Principal" means the head of a college;

(l) "Pro-Chancellor" means the Pro-Chancellor of the University;

(m) "registered graduate" means a graduate of the University whose name has been entered in the register maintained for this purpose and includes a graduate, of any recognized university, in any of the subjects prescribed by or under this Ordinance and residing within the local limits of the division of Karachi, and whose name has been entered in the said register;

(n) "Regulations" means the Regulations made or deemed to have been made under this Ordinance;

(o) "Rules" means the Rules made or deemed to have been made under this Ordinance;

(p) "Senate" means the Senate of the University;

(q) "Statutes" means the Statutes made or deemed to have been made under this Ordinance;

(r) "Syndicate" means the Syndicate of the University;

(s) "teacher" means a person engaged for imparting instruction in the University or a college, in any

prescribed course or courses and includes a person declared as such by Regulations;

(t) "Teaching Department" means a Teaching Department established and maintained, or recognized, by the University;

(u) "University" means the Nadirshaw Edulji Dinshaw Engineering and Technology University established under this Ordinance;

(v) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER—II
THE UNIVERSITY

Incorporation.

3. (1) There shall be University of engineering and technology to be called the Nadirshaw Edulji Dinshaw Engineering and Technology University at Karachi.

(2) The University shall consist of the Chancellor, the Pro-Chancellor, all Officers, all University teachers and other members of the Authorities.

(3) The University shall be a body corporate having perpetual succession and a common seal and may, by the aforesaid name, sue and be sued.

(4) The University shall be competent to acquire and hold property, both movable and immovable, or, sell or otherwise transfer any property vested in it or enter into contract for the purposes of this Ordinance.

(5) All properties, owned or possessed and all rights and interests held or enjoyed, by, and all liabilities subsisting against, the University of Karachi, in respect of the additional campus set up in the former N.E.D. Engineering College of the said University, immediately before coming into force of this Ordinance, shall stand transferred to the University.

(6) All employees including teachers and Officers of the University of Sind serving at the aforesaid additional campus, immediately before coming into force of this Ordinance, shall stand transferred for service under the University on such terms and conditions as the University may determine:

Provided that such terms and conditions shall not be less favourable than those admissible to such employees immediately before their transfer to the University.

Powers of the University.

4. The University shall have the powers—

(a) to provide for instructions and research in, and advancement and dissemination of knowledge of, engineering, technology and such other allied subjects as may be prescribed.

(b) to prescribe courses of studies to be taught in the University and colleges;

(c) to hold examinations and confer degrees, diplomas, certificates and other academic distinctions on persons who have, under the prescribed conditions, been admitted to and passed, its examinations;

(d) to confer, in the prescribed manner, honorary degrees or other academic distinctions on such persons as the Chancellor may approve;

(e) to confer degrees on persons who have done independent research under prescribed conditions;

(f) to provide for teaching specified courses or training for persons not being the students of the University and grant certificates and diplomas to such persons;

(g) to affiliate or disaffiliate colleges in the prescribed manner;

(h) to admit colleges to its privileges or withdraw such privileges from them in the prescribed manner;

(i) to inspect colleges affiliated or seeking affiliation;

(j) to accept the examinations passed or the periods of study spent at other universities or places or learning, as equivalent to examinations or periods of study in the University of withdraw such acceptance;

(k) to co-operate with other universities or public authorities in such manner and for such purposes as it may determine;

(l) to create posts in connection with teaching, research, extension, administration, training and for any other purposes related thereto and appoint persons there against;

(m) to recognize any teacher of an affiliated college or such other person as University teacher;

(n) to institute and award fellowships, scholarships, bursaries, medals and prizes in the prescribed manner.

(o) to establish Teaching Departments, colleges, Faculties, institutes, centres of excellence, museums and other centres of learning for the development of teaching and research and make such arrangements for their maintenance, management and administration, as it may determine;

(p) to control the residence of the students of the University and the colleges, institute and maintain halls of residence and approve any place as hostel or lodging of students;

(q) to surprise and control the discipline of the students of the University and colleges and promote the extra-curricular and recreational activities of such students and make arrangements for promoting their health and general welfare;

(r) to take disciplinary action against, and impose penalty on, students, in the prescribed manner;

(s) to charge and receive such fees and other payments as it may determine;

(t) to receive and manage property transferred, and grants, bequests, trusts, gifts, donations, endowments and other contributions, made, to the University, and invest and fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;

(u) to provide for the printing and publication of research and other works; and

(v) to do such other acts or things, whether incidental to the powers aforesaid or not, as may be necessary to further the objects of the University as a place of education, learning and research.

Jurisdiction of the Univesity.

5. (1) The University shall have jurisdiction within the limits of its campus and in respect of all colleges within the division of Karachi:

Provided that Government may, in consultation with the University, by general or special order, modify the jurisdiction.

(2) On coming into force of this Ordinance, the provisions of all other laws corresponding to the provisions of this Ordinance, for the time being applicable within the jurisdiction of the University, shall cease to apply and be deemed to have been repealed.

(3) No college situating within the jurisdiction of the University shall, save with the permission of Government, seek

affiliation, or remain affiliated with any other University.

(4) Subject to sub-section (3), all colleges within the jurisdiction of the University shall, on coming into force of this Ordinance, stand affiliated with the University.

University open to all classes, creeds, etc.

6. The University shall be open to all persons irrespective of sex, religion, race, creed, class or colour and no person shall be denied the privileges of the University on any such grounds:

Provided that nothing in the section shall be deemed to prevent religious instruction being given to the students in their own religious faiths in such manner as may be prescribed.

Teaching in the University.

7. (1) All teaching in various courses in the University or colleges shall be conducted in the prescribed manner, and it may include lectures, tutorials, discussions, seminars, demonstrations, practical work, in laboratories and workshops and other methods of instruction.

(2) The teaching in any prescribed course in the University, colleges shall be organized by such Authority as may be prescribed.

(3) The courses and the curricula for teaching in the University or colleges shall be such as may be prescribed.

University Students union.

8. (1) There shall, in the prescribed manner, be constituted a Union of the students of the University hereinafter called the Union.

(2) The functions and privileges of, and other matters relating to, the Union shall be such as may be prescribed.

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CHAPTER—III
CHANCELLOR AND PRO-CHANCELLOR

Chancellor.

9. (1) The Governor of Sind shall be the Chancellor of the University.

(2) The Chancellor shall, when present, preside at a Convocation of the University.

Visitation.

10. (1) The Chancellor may cause an inspection or inquiry to be made in respect of any affair or matter directly or indirectly concerned with the University and appoint one or more persons to conduct such inspection or enquiry.

(2) The Syndicate shall be given a notice of an inspection or enquiry under sub-section (1) and shall be entitled to be represented at such inspection or enquiry.

(3) After the inspection or enquiry is completed, the Chancellor shall cause his views as to result thereof to be communicated to the Syndicate, and after ascertaining the re-actions of the Syndicate, the Chancellor may advise the Syndicate to take such action or refrain from doing such thing, within such time, as he may specify in this behalf.

(4) Where the Syndicate fails to carry out the advice of the Chancellor given under sub-section (3) within the specified time, the Chancellor may, after considering the explanation or representation, if any, made by the Syndicate, issue such directions as he deems fit, and it shall be the duty of the Vice-Chancellor to ensure due compliance of such directions.

Pro-Chancellor.

11.(1) The Minister for Education, Sind, shall be the Pro-Chancellor of the University.

(2) When the Chancellor is absent or is otherwise unable to act as such, the Pro-Chancellor shall exercises the powers and perform the functions of the Chancellor.

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CHAPTER—IV
AUTHORITIES OF THE UNIVERSITY

Authorities.

12. The following shall be the Authorities of the University:--

(i) the Senate;

(ii) the Syndicate;

(iii) the Academic Council;

(iv) the Boards of Faculties;

(v) the Boards of Studies;

(vi) the Selection Board;

(vii) the Advanced Studies and Research Board;

(viii) the Finance and Planning Committee;

(ix) the Affiliation Committee;

(x) the Discipline Committee; and

(xi) such other bodies as may be prescribed by Statutes.

Senate.

13. (1) The Senate shall consist of—

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) all Officers;

(iv) all Members of the Syndicate;

(v) all Professors of the University including Emeritus Professors;

(vi) four University teachers other than Professors,

having at least three years' service, to be elected by all University teachers;

(vii) all Principals of the affiliated colleges;

(viii) two representatives of students unions, namely the President of the Students, Union of the University and one of the Presidents of the Students' Unions of the affiliated colleges to be elected by such presidents;

(ix) the chairman of the Boards of Intermediate and Secondary Education, Karachi;

(x) one registered graduate to be elected by all such graduates form amongst themselves; and

(xi) two persons from amongst the eminent engineers and experts in engineering and technology to be nominated by the Chancellor.

(2) The Chancellor or in his absence, the Pro-Chancellor, or in the absence of both, the Vice-Chancellor, shall be the Chairman of the Senate.

(3) Members of the Senate, other than ex-officio members, shall hold office for three years, and if the office of any such member becomes vacant before the expiry of such term such vacancy shall be filled in accordance with sub-section (1) and, the member appointed to such vacancy shall hold office for the un-expired portion of the term.

(4) The Senate shall at least meet twice a year on the date to be fixed by the Vice-Chancellor with the consent of the Chancellor.

(5) The quorum for a meeting of the Senate shall be one-third of the total number of members, a fraction being counted as one.

Powers and duties of the Senate.

14. Subject to the provisions of this Ordinance, the Senate shall have the powers—

(a) to consider and pass Statutes;

(b) to consider and approve the annual report, the annual statement of accounts and the annual and revised budget estimates;

(c) to appoint members to the Authorities in accordance with the provisions of this Ordinance;

(d) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee; and

(e) to perform such other functions as may be prescribed by Statutes.

The Syndicate.

15. (1) The Syndicate shall consist of—

(i) the Vice-Chancellor (Chairman);

(ii) one Dean to be appointed by the Chancellor on the recommendation of the Vice-Chancellor;

(iii) one Professor of the university, and one teacher not being professor to be elected jointly by all the teachers of the University;

(iv) one of the Principals of affiliated colleges to be elected by all such Principals;

(v) one person from amongst the eminent engineers and experts in engineering and technology to be nominated by the Chancellor;

(vi) Secretary to Government of Sind, Education Department;

(vii) the Chief Justice of the High Court of Sind or his nominee; and

(viii) two members of the Provincial Assembly of Sind to be elected by the members of the Assembly from amongst themselves.

(2) Members of the Syndicate, other than ex-officio members, shall hold office for three years and if the office of any such member becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with sub-section (1), and the member appointed to such vacancy shall

hold office for the un-expired portion of the term.

(3) The quorum for a meeting of the Syndicate shall be one-half of the total members, a fraction being counted as one.

Powers and duties of Syndicate.

16. (1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Ordinance and the Statutes, exercise general supervision over the affairs and the property of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Ordinance and the Statutes, the Syndicate shall have the powers—

(a) to determine the form, provide for the custody and, regulate the use, of the common seal of the University;

(b) to hold, manage, receive, acquire in any manner or transfer by sale or otherwise, any movable or immovable property, on behalf of the University;

(c) to hold, administer and, control funds on behalf of the University and after giving due regard to the advice of the Finance and Planning Committee, invest such funds in Government securities or such other securities as may be prescribed;

(d) to consider the annual and revised budget estimates and advise the Senate thereon, and re-appropriate funds from one major head of expenditure to another;

(e) to cause to be maintained books of accounts of all financial transactions including the assets and liabilities of the University;

(f) to enter into contracts on behalf of the University;

(g) to provide buildings and other premises, libraries, furnitures, apparatus, equipment and such other

things required for the University;

(h) to establish and maintain halls of residence or hostels for students and approve any place as hostel or lodging of students;

(i) to affiliate and dis-affiliate colleges;

(j) to admit colleges to the privileges of the University and withdraw such privileges;

(k) to cause inspections to be made of colleges and the Teaching Departments;

(l) to create posts in connection with teaching, research, extension, administration, training and for any other purposes related thereto;

(m) to appoint, on the recommendation of the Selection Board, University Teachers and employees to posts carrying initial pay exceeding five hundred rupees;

(n) to appoint Emeritus Professors on such terms and conditions as may be prescribed;

(o) to suspend, punish and remove from service, Officers (other than the Vice-Chancellor), teachers and other employees in the prescribed manner;

(p) to appoint members to the Authorities in accordance with the provisions of this Ordinance;

(q) to confer, subject to the approval of the Chancellor, honorary degrees in accordance with the conditions as may be prescribed;

(r) to propose drafts of Statutes for submission to the Senate;

(s) to consider and approve the Regulations proposed by the Academic Council, or frame Regulations after calling for the advice of the Academic Council;

(t) to cause to be prepared annual report as regards the affairs of the University for submission to and approval of the Senate;

(u) to furnish report on any matter called for by the Senate;

(v) to deal with the matters concerning the University not provided for, in this Ordinance in any manner it may deem fit; and

(w) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee.

Academic Council.

17. (1) The Academic Council shall consist of—

(i) the Vice-Chancellor (Chairman);

(ii) the Deans;

(iii) the Professors of the University including Emeritus Professors;

(iv) the Chairman of the Teaching Departments;

(v) all Principals of affiliated colleges;

(vi) two persons from amongst the eminent engineers and experts in engineering and technology to be nominated by the Chancellor;

(vii) the Secretary to Government of Sind, Education Department;

(viii) the Registrar;

(ix) the Librarian; and

(x) the Controller of Examinations.

(2) Members of the Academic Council, other than ex-officio members, shall hold office for three years and if the office of any such member becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with sub-section (1), and the member appointed to such vacancy shall hold office for the un-expired portion of the term.

(3) The quorum for a meeting of the Academic Council shall be one-third of the total number of members, a fraction being counted as one.

Powers and duties of the Academic Council.

18. (1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Ordinance, the Statutes and the Regulations, have the powers to lay down proper standards of instructions, research and examinations and to regulate and promote the academic life of the University and the college.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Ordinance, the Statutes and the Regulations, the Academic Council shall have the powers—

(a) to advise the Syndicate on academic matters;

(b) to regulate the teaching, research and examination;

(c) to regulate the admission of students to the courses of studies and examinations of the University;

(d) to regulate the award of studentships, scholarships, medals and prizes;

(e) to regulate the conduct and discipline of the students of the University;

(f) to propose to the Syndicate scheme for the constitution and organization of Faculties, Teaching Departments and Boards of Studies;

(g) to initiate Regulations for consideration and approval of the Syndicate;

(h) to propose Regulations annually, on the recommendations of any Board of Faculty or the Board of Studies, prescribing the courses of studies, the syllabi and the outlines of texts for all Universities examinations; provided that if the recommendations of such Board are not received

by the prescribed date, the Academic Council may, subject to the approval of the Syndicate, permit such Regulations to continue for the next following year;

(i) to recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;

(j) to appoint members to the Authorities in accordance with the provisions of this Ordinance; and

(k) to perform such other functions as may be prescribed by Statutes.

Constitution, functions and powers of other Authorities.

19. The constitution, functions and powers of the Authorities for which no specific provision has been made in this Ordinance shall be such as may be prescribed by Statutes.

Appointment of Committees by certain Authorities.

20. Any Authority may, from time to time, constitute such standing, special or advisory committees, as it may deem fit, and appoint persons not being members of such Authority, as members of the Committee.

Commencement of term of office of members of Authorities.

21. Where a member has been elected, appointed or nominated, to any Authority or body for any fixed term under this Ordinance, such term shall unless the date of its commencement has been prescribed, be reckoned from the date of the election, appointment or nomination, as the case may be.

Disputes about membership of authorities.

22. When a dispute arises if any person is eligible to become or continue as member of any Authority, it shall be referred to a committee consisting of the Vice-Chancellor, the most Senior Dean and the Chief Justice of the High Court of Sind or his nominee, and the decision of such committee shall be final.

Voids in the constitution of

23. Where the office of a member of an Authority or body

Authorities.

has become vacant owing to the abolition of any office under Government or dissolution of an organization, institution or other body competent to elect, appoint or nominate such member, or such organization, institution or body has ceased to function, or for some other reason, it has become difficult to fill the vacancy, such vacancy shall be filled in such manner and, subject to such conditions as the Chancellor may direct.

Validity of proceedings of Authorities.

24. No act or proceeding of any Authority or body of the University shall be invalid merely by reason of any vacancy in such Authority or body or defect in its constitution.

Annulment of proceedings of Authorities.

25. (1) Where the Chancellor is satisfied that the proceedings of any Authority are not in accordance with the provisions of this Ordinance, the Statutes, the Regulations, or the Rules, he may, after calling upon such Authority to show cause why such proceedings should not be annulled, by order in writing, annual such proceedings.

(2) Where a member of any Authority has been convicted of an offence involving moral turpitude, or has become of un-sound mind or has otherwise been incapacitated from performing his functions as member of Authority, such person shall be removed from membership of the Authority by the Chancellor.

CHAPTER—V
OFFICERS OF THE UNIVERSITY

Officers of the University.

26. The following shall be the officers of the University:—

(i) the Vice-Chancellor;

(ii) the Deans;

(iii) the Chairman of the Teaching Departments;

(iv) the Registrar;

(v) the Director of Finance;

(vi) the Controller of Examinations;

(vii) the Resident Auditor;

(viii) the Librarian; and

(ix) such other persons prescribed by the Regulations.

Vice-Chancellor.

27. (1) The Vice-Chancellor, shall be appointed by the Chancellor for a period of four years on such terms and conditions as the Chancellor may determine, and shall hold office during the pleasure of the Chancellor.

(2) When the office of the Vice-Chancellor is vacant, or he is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor shall make such arrangements as he may deem fit.

(3) The Vice-Chancellor shall be principal executive and academic Officer of the University.

Power and duties of the vice Chancellor.

28. The Vice-Chancellor shall have power—

(i) to ensure the due observance of the provisions of this Ordinance and the Statues, the Regulation and the Rules;

(ii) to preside in the absence of both the Chancellor and Pro-Chancellor, at a Convocation of the University and the meetings of the Senate;

(iii) to attend and preside at the meetings of the Authority or other bodies of the University of which he may or may not be the Chairman;

(iv) to take such action, in an emergency, which he considers necessary and report, as soon thereafter as possible, the action so taken to the Officer, Authority or other body which in the ordinary course, would have taken that action;

(v) to create temporary posts for a period not exceeding six months and fill such posts;

(vi) to make appointments to posts carrying initial pay not exceeding five hundred rupees per month;

(vii) to sanction expenditure within the approved budget and if necessary re-appropriate funds within the same major head of expenditure;

(viii) to sanction, by re-appropriation, an amount not exceeding five thousand rupees, for an unforeseen expenditure not provided for in the budget, and report it to the Syndicate at its next meeting;

(ix) to appoint paper setters and examiners for all examinations of the University, after considering panels of names received from the relevant Authorities;

(x) to make arrangements for the scrutiny of papers, compilation of marks sheets and preparation of examination results;

(xi) to assign to teachers, Officers and other employees of the University such duties of teaching, research, examination, administration or other activities of the University as he deems fit;

(xii) to delegate , subject to such conditions, as may be prescribed, any of his powers under this Ordinance, to any Officer or employee of the University; and

(xiii) to exercise such powers and perform such functions as may be prescribed.

Registrar.

29. (1) The Registrar, shall be a whole-time Officer of the University, and, shall be appointed by the Syndicate; provided that the first Registrar, immediately after coming into force of this Ordinance, shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor.

(2) The Registrar, shall be appointed on such terms and conditions as may be determined by the Chancellor and, shall hold office for three years and, shall be eligible for re-appointment.

(3) The Registrar shall—

(a) be the custodian of the common seal and the academic records of the University;

(b) maintain a register of registered graduates in the prescribed manner;

(c) conduct elections of members to the Authorities in the prescribed manner; and

(d) perform such other duties as may be prescribed.

Director of Finance.

30. (1) The Director of Finance, shall be a whole-time Officer of the University and, shall be appointed by the Chancellor on such terms and conditions as he may determine.

(2) The Director of Finance shall—

(a) manage the property, finances and investments of the University;

(b) prepare the annual and revised budget estimates of the University and place such estimates before the Finance and Planning Committee, the Syndicate and the Senate;

(c) ensure that the funds of the University are expended for the purposes they are provided; and

(d) perform such other duties as may be prescribed.

Controller of Examinations.

31. (1)The Controller of Examinations, shall be a whole-time Officer of the university and, shall be appointed by the Syndicate on such terms and conditions as it may determine; provided that the first Controller of Examinations, immediately after the coming into force of this Ordinance, shall be

appointed by the Chancellor on the recommendations of the Vice-Chancellor.

(2) The Controller of Examination shall be responsible for all matter connected with the conduct of examinations, and shall perform such duties as may be prescribed.

Resident Auditor.

32. (1) The Resident Auditor, shall be a whole-time Officer of the University and shall be appointed by the Syndicate on such terms and conditions as it may determine; provided that the first Resident Auditor, immediately after the coming into force of this Ordinance, shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor.

(2) The Resident Auditor, shall be responsible for all matters connected with the auditing of accounts of the University and shall perform such other duties as may be prescribed.

Other Officer.

33. The terms and conditions of service and powers and duties of the officers not provided for hereinbefore shall be such as may be prescribed.

CHAPTER—VI
OFFICERS, TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY

Transfer of Officers, etc. to or from other universities or Government offices.

34. (1) Any officer, teacher or other employee of the University shall, as the Chancellor may direct, serve, for such period as may be fixed or extended from time to time by the Chancellor, in any post under the Federal or a Provincial Government or a local authority, or a corporation or body set up or established by any such Government or any university in Pakistan, and on terms and conditions not less favourable than those admissible to him in the University.

(2) The Chancellor may fill any post in the University by appointing a person in the service of Pakistan or an officer, teacher or other employee of any other university in Pakistan or an employee of a local authority, or a corporation or body set up by the Federal or a Provincial Government.

Opportunity to show cause.

35. No Officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired form service unless he has been given a reasonable opportunity of showing cause against such action:

Provided that nothing in this section shall apply to a case where any such Officer, teacher or other employee is convicted of an offence involving moral turpitude or where, in the opinion of the competent authority, it is not reasonable practicable to give him such an opportunity of showing cause.

Appeal to and review by the Syndicate.

36. (1) Where any officer (other than the Vice-Chancellor), teacher or other employee of the University has been punished or any of the terms and conditions of his service, has been varied to his disadvantage by an order passed by the Vice-Chancellor or any other competent authority the appeal against such order shall lie to the Syndicate; provided that where the order has been made by the Syndicate, the aggrieved person may, instead of filing appeal, apply to the Syndicate for review of that order.

(2) The appeal or application for review under sub-section (1) shall be routed through the Vice-Chancellor who shall place it before the Syndicate alongwith his views and such appeal or application shall be disposed by the Syndicate as it deems fit.

Age of superannuation.

37. An Officer, teacher or other employee of the University shall retire from service—

(i) on such date, after he has completed twenty-five years of service qualifying for pension or other retirement benefits, as the competent authority may direct; or

(ii) where no direction is given under clause (i), on the completion of sixty years of age.

Explanation.—In this section "competent authority" means the appointing authority or a person duly authorized by the appointing authority in that behalf, not being a person lower in rank to the Officers, teacher or other employee concerned.

Pension, insurance, gratuity provident fund and benevolent fund.

38. The University may, in such manner and subject to such conditions as may be prescribed, institute pension, insurance, gratuity, provident fund and benevolent fund for the benefit of its Officers, teachers and other employees:

Provided that if any provident fund is instituted under this section, the provisions of the Provident Fund Act, 1925 (Act XIX of 1925) shall apply to such fund as if it were the Government provident fund.

CHAPTER—VII
UNIVERSITY FUND

University fund.

39. (1) There shall be a fund for the University to be called the University fund to which shall be credited all moneys received by the University from fees, donations, trusts, bequests, endowments, contributions, grants and other sources.

(2) No expenditure shall be made from the University fund unless a bill for payment has, in the prescribed manner, been audited by the Resident Auditor.

Audit and accounts.

40. (1) The accounts of the University shall be maintained in such form and in such manner as may be prescribed.

(2) The accounts of the University shall, in the prescribed manner, be audited once a year by the auditor appointed by Government in this behalf.

(3) The annual statement of accounts of the University signed by the Director of Finance and the Resident Auditor shall be submitted to Government within six months of the closing of the financial year.

(4) The accounts of the University together with audit objections, if any, and the observations of the auditor appointed by Government and the Director of Finance shall, in the prescribed manner, be presented to the Syndicate.

SIND ORDINANCE NO. III OF 1977

THE NADIRSHAW EDULJI DINSHAW ENGINEERING AND TECHNOLOGY UNIVERSITY ORDINANCE, 1977.

CHAPTER—VIII
AFFILIATION OF COLLEGES TO THE UNIVERSITY

Affiliation.

41. (1) A college seeking affiliation to the University shall make an application satisfying the University that—

(a) the college is under the management of Government or a regularly constituted governing body;

(b) the financial resources of the college are sufficient to ensure its continued maintenance and efficient working;

(c) the strength, qualifications and the terms and condition of service of the teaching and other staff of the college are satisfactory for the purpose of teaching of prescribed courses of studies and training in the college;

(d) the college has proper rules governing the conduct and discipline of its employees;

(e) the building of the college is suitable and commodious for its requirements;

(f) the college has, or can make, a provision, in the prescribed manner, for the residence of students, not residing with their parents or guardians, and other supervision and physical and general welfare;

(g) the college has a provision for a library and adequate library services;

(h) the college has a properly equipped laboratory, museum and other places of practical work required for courses of studies taught in the college;

(i) the college has, or can make provision for the residence of its Principal and other members of the teaching staff in the college building or near such

building or the residence of students; and

(j) the affiliation of the college will not be injurious to the provisions made by another college or educational institution in the neighbourhood for the interests of education or discipline of its students.

(2) The application shall further contain an undertaking by the college that after affiliation any changes, in the management or the teaching staff, shall forthwith be reported to the University, and that the teaching staff shall possess such qualifications as may be prescribed.

(3) The Syndicate shall, after considering the recommendations of the Affiliation Committee, dispose the application for affiliation in accordance with such procedure as may be prescribed and may grant or refuse affiliation:

Provided that the affiliation shall not be refused, unless the college has been given an opportunity of making a representation against the proposed decision.

Addition of courses.

42. Where an affiliated college desires to add to the courses of studies in respect of which it has been granted affiliation, the application for permission of the University for such addition shall, as far as may be, be made and disposed in the same manner as if it were an application for affiliation.

Reports from affiliated educational institution.

43. (1) Every affiliated college shall furnish such reports, returns and other information as the University may acquire, to enable it to judge the efficiency of the college.

(2) The University may call upon any affiliated college to take such action in respect of any matters mentioned in sub-section (1) of section 41 and within such period as it may deem fit.

Withdrawal of affiliation.

44. Where any affiliated college has failed to fulfil any requirement of this Ordinance, or has failed to observe any of the conditions of the affiliation or its affairs are conducted in a

manner prejudicial to the interest of education, the Syndicate may, in the prescribed manner on the recommendation of the Affiliation Committee, and after considering the representation as the college may wish to make, modify or withdraw all or any of the privileges conferred on the college by the affiliation.

Appeal against refusal or of withdrawal of affiliation.

45. Where any college has been refused affiliation under section 41 or all or any of the privileges conferred on any college by the affiliation have been modified or withdrawn under section 44, an appeal shall lie within the prescribed period to the Senate against such refusal or, as the case may be, modification or withdrawal, and be disposed in such manner as may be prescribed.

CHAPTER—IX
STATUTES, REGULATIONS AND RULES

Statutes.

46. (1) Statutes may be made to provide for and regulate all or any of the following matters:—

(a) the scales of pay and other terms and conditions of service of Officers, teachers and other employees of the University and institution of the pension, insurance, gratuity, provident fund and benevolent fund for such Officers, teachers and employees;

(b) the conduct and discipline of the employees of the University; including officers and teachers;

(c) the constitution, powers and duties of the Authorities and conduct of elections to such Authorities and matters related thereto;

(d) the maintenance of the register of registered graduates;

(e) the affiliation and disaffiliation of colleges and matters related thereto;

(f) the admission of educational institutions to the

privileges of the University and the withdrawal of such privileges;

(g) the establishment of Faculties, institutes, colleges and academic divisions;

(h) the powers and duties of Officers, teachers and other employees of the University;

(i) the conditions for appointment of Emeritus Professors;

(j) the conditions on which the University may enter into arrangements with public bodies or other organizations for purposes of research and advisory services;

(k) the general scheme of studies including the duration of courses and the number of subjects and papers for examinations;

(l) the award of honorary degrees; and

(m) the other matters which ought or, are required, to be prescribed by Statutes.

(2) The Syndicate shall make a proposal for any Statutes to the Senate which may, after considering the proposal, approve it with or without any modifications or refer it back to the Syndicate for reconsideration or reject it:

Provided that the Statutes affecting the constitution or powers of any Authority shall not be proposed until such Authority has been given an opportunity of expressing its opinion in writing on the proposal:

Provided further that the Statutes in respect of any matter mentioned in clause (a) of sub-section (1), passed by the Senate shall not be effective until they have been approved by the Chancellor:

Provided also that Statutes in respect of the matter

mentioned in clause (b) of sub-section (1), shall be made by the Chancellor.

(3) Notwithstanding anything contained in sub-section (2), the Chancellor shall promulgate the First Statutes which shall remain in force until amended or replaced by the Statutes framed by the Syndicate.

Regulations.

47. (1) Subject to the Statutes, the Regulations may be made in respect of all or any of the following matters:—

(a) the courses of studies for degrees, diplomas and certificates of the University;

(b) the manner and method of teaching conducted in the University and colleges;

(c) the admission of students to the University and conditions under which they are allowed to take courses and examinations of the University and become eligible for the award of degrees, diplomas and certificates;

(d) the conduct of examinations;

(e) the fees and other charges to be paid by students for admission to the courses of studies and the examinations of the University;

(f) the conduct and discipline of students of the University;

(g) the residence of the students of the University or the colleges, and fees for residence in halls of residence and hostels and approval of hostels and lodgings for students;

(h) conditions for carrying out independent research for acquiring a degree;

(i) the institution of fellowships, scholarships, medals and prizes;

(j) the institution of stipends and free and half fee studentships;

(k) the academic costume;

(l) the use of the Library;

(m) the formation of Teaching Departments and Boards of Studies; and

(n) the other matters which, under this Ordinance or Statutes, are to be or may be prescribed by Regulations.

(2) The Academic Council shall prepare and submit the Regulations to the Syndicate, which may approve them with or without modification or refer them back to the Academic Council for reconsideration or, reject them.

Rules.

48. (1) Any Authority or body of the University may make Rules consistent with this Ordinance, Statutes and Regulations, to regulate the conduct of its business and the time and place of its meetings and other matters related thereto.

(2) The Syndicate may direct for amendment or repeal of any rules made by any Authority or body other than the Senate;

Provided that if any such Authority or body is dis-satisfied with such direction given by the Syndicate, it may appeal to the Senate whose decision shall be final.

CHAPTER—X
GENERAL PROVISIONS

Bar of Jurisdiction.

49. No Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done or purported to have been done or intended to be done under this Ordinance.

Indemnity.

50. No suit or legal proceedings shall lie against Government, the University or any Authority, Officer or employee of Government or the University or any person, in respect of anything which is done or purported to have been done or intended to be, or has been, done under this

Removal of difficulties.

51. Where any difficulty arises within twelve months of the coming into force of this Ordinance, as to implementation of any of the provisions of this Ordinance, the Chancellor may, on the recommendation of the Vice-Chancellor, give appropriate directions for removal of such difficulty.