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SINDH ORDINANCE NO.IV OF 2012

ESTABLISHMENT OF THE SINDH MEDICAL UNIVERSITY ORDINANCE, 2012.

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SINDH ORDINANCE NO.IV OF 2012

ESTABLISHMENT OF THE SINDH MEDICAL UNIVERSITY ORDINANCE, 2012.

[01st June, 2012]

An Ordinance to provide for the establishment of the University known as the Sindh Medical University at Karachi.

Preamble.

WHEREAS it is expedient to provide for the establishment of the University known as the Sindh Medical University at Karachi and to provide for the matters connected therewith or ancillary thereto.

AND WHEREAS the Provincial Assembly is not in session and the Governor 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, 1973, the Governor is pleased to make and promulgate the following Ordinance: -

CHAPTER-I
PRELIMINARY

Short title and commencement.

1. (1) This Ordinance may be called the Sindh Medical University Ordinance, 2012.

(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 but not maintained or administered by it;

(c) "affiliated institute" means an institute affiliated to the University but not maintained and administered by it;

(d) "Authority" means any of the Authorities of the University specified in section 23;

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

(f) "college" means a constituent college or affiliated college imparting instructions or practical training in courses of studies relating to health sciences and allied sciences;

(g) "Commission" means the Higher Education Commission;

(h) "constituent college" means a college maintained and administered by the University;

(i) "constituent institute" means an institute maintained and administered by the University;

(j) "Dean" means the head of a Faculty;

(k) "Director" means the head of a institute;

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

(m) "Government" means the Government of Sindh;

(n) "honorary Professor" means a Professor who provides academic service on honorary basis;

(o) "Officer" means any of the officer of the University specified in section 9;

(p) "prescribed" means prescribed by statutes, regulations or rules;

(q) "Principal" means the head of a constituent or affiliated college;

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

(s) "Professor Emeritus" means a retired Professor working in the University;

(t) "Pro-Vice Chancellor" means the Pro-Vice Chancellor of the University;

(u) "registered graduate" means a graduate of the University who has his name entered in the register maintained for the purpose;

(v) "Registrar" means the Registrar of the University;

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

(x) "statutes", "regulations" and "rules" means respectively the statutes, the regulations and the rules made under this Ordinance;

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

(z) "teacher" means a teacher engaged as Professor, Associate Professor, Assistant Professor and Lecturer and such other persons as may be declared to be teachers by regulations;

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

(bb) "University" means the Sindh Medical University, Karachi;

(cc) "Vice-Chancellor" means the Vice-Chancellor of the University; and

(dd) "visiting teacher" means a teacher who is invited for teaching by the University for a short period;

CHAPTER-II
THE UNIVERSITY

Incorporation.

3. (1) The Sindh Medical University at Karachi is established in accordance with the provisions of this Ordinance.

(2) University shall consist of –

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice Chancellor, Pro-Vice Chancellor, Deans, Principals of the colleges, Directors of the constituent institutions, Chairmen of Teaching Departments, Registrar, Director of Finance, Controller of Examinations, Chief Accountant, Resident Auditor and such other officers as may be prescribed;

(iv) the members of the Senate, the Syndicate, the Academic Council and other Authorities of the University;

(v) all University Teachers; and

(vi) Professors Emeritus.

(3) The University shall be a body corporate by the name of Sindh Medical University, Karachi and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(4) The University shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.

Assets and Liabilities and transfer of staff.

4. (1) All properties and assets, right and interest of whatever kind, used, enjoyed, possessed, owned or vested in, or held in trust by the Sindh Medical College and all liabilities legally subsisting against them shall stand transferred to the University.

(2) All person serving in the Sindh Medical College, in any capacity immediately before the commencement of this Ordinance shall, notwithstanding any law or terms and conditions for their service, stand transferred for service to the University on the terms and conditions as may be prescribed:

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

Jurisdiction of the University.

5. (1) The University shall exercise the powers conferred on it by or under this Ordinance within the territorial limits and in respect of the institutions as specified by Government:

Provided that Government may, in consultation with the University, by general or special order, modify the extent and scope of the aforesaid powers of the University with regard to such territorial limits of institutions.

(2) No educational institution of health sciences situated within the territorial limits of the University shall, save with the consent of the University and the sanction of Government, be associated in any way with or seek admission to the privileges of any other University.

(3) The University may admit to its privileges under the prescribed conditions, an educational institution falling within the territorial limits of another University whether inside or outside Pakistan, provided that consent of such other University is first obtained.

University open to all classes, creeds, etc.

6. (1) The University shall be open to all persons of either sex of whatever religion, race, creed, class or colour who are academically qualified for admission to the courses of study offered by the University, and no such person shall be denied the privileges on the ground only of sex, religion, race, creed, class or colour.

(2) Notwithstanding the provisions of sub-section (1) and other provisions of this Ordinance, the allocation of seats for admissions in the University and its constituent colleges and constituent institutes shall be made by Government (Chief Minister), in order to provide equal opportunity of admissions to all the students of the Province.

Powers of the University.

7. The University shall have the powers -

(i) to provide for the dissemination of knowledge and technology and to make provisions for instructions, training, research, demonstration and service in the health sciences and allied sciences;

(ii) to admit and examine students and to confer or award degrees, diplomas, certificates and other academic distinctions on the persons who have passed its examinations under the prescribed conditions;

(iii) to affiliate itself or associate with other institutions within and outside the country and establish faculties and the teaching departments to discharge its functions and responsibilities for the betterment of education;

(iv) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;

(v) to prescribe courses of studies and undertake research as it may determine;

(vi) to provide and support other facilities of education, professional training and research;

(vii) to affiliate and disaffiliate colleges or institutes and to inspect such institutes or associate itself with other selected educational training and research institutions, provide them with services and facilities for the effective discharge of their functions and responsibilities and determine teaching methodology techniques and strategies in order to ensure the most effective educational training and research programmes;

(viii) to acquire, receive and manage property, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University and to invest them in such manner as it may deem fit;

(ix) to enter into agreements, contracts and arrangements with Government, organizations, institutions, bodies and individuals for carrying out its functions and activities;

(x) to demand and receive such fees and other charges as it may determine;

(xi) to appoint members of the various bodies and committees as the Syndicate may determine for instructional and co-curricular activities and admit students of the University and its colleges and institutes;

(xii) to provide for appointment of teaching and non-teaching staff and to determine their salaries, allowances, benefits, their promotions, holidays, administrative conditions, powers and duties of such officers and staff and to provide for efficiency and disciplinary matters in respect thereof;

(xiii) to establish faculties, teaching departments, research institutes and other learning centers and to provide or support other facilities for education, professional training and research;

(xiv) to cooperate with other Universities and public authorities in such manner and for such purposes as it may determine;

(xv) to institute Professorships, Associate Professorships, Assistant Professorships, Senior Registrarships and Lecturerships and any other posts;

(xvi) to create professional research, administrative post and all such other posts as may be necessary for the purposes of the University;

(xvii) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;

(xviii) to control the residence of the students of the University and the colleges and constituent institutes as per policy framed by the University;

(xix) to institute and maintain halls, residence, hostels and lodgings and guest houses;

(xx) to supervise and control the discipline of the students of the University, constituent colleges and institutes, to promote the extracurricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

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

(xxii) to undertake such research as it may determine; and

(xxiii) to do all such other acts and things as may be requisite in order to further its objectives.

Teaching at the University.

8. (1) All recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, as well as practical work in the laboratories, hospitals, and other methods of instructions.

(2) The authority responsible for organizing recognized teaching shall be such as may be prescribed.

(3) The courses and the curricula shall be such as may be prescribed:

Provided that the level of Bachelor's degree in all faculties, a discipline to be called the Islamic and Pakistan Studies discipline shall be compulsory for Muslim students, and non-Muslim students shall, in lieu of such discipline, have option to have Ethics and Pakistan Studies.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

Officers of the University.

9. The following shall be the Officers of the University:-

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice Chancellor;

(iv) the Pro-Vice Chancellor;

(v) the Deans;

(vi) the Principals of the constituent colleges;

(vii) the Vice-Principals of the constituent colleges;

(viii) the Chairmen of the teaching departments;

(ix) the Registrar;

(x) the Controller of Examinations;

(xi) the Deputy Controller of Examinations;

(xii) the Director Planning and Development;

(xiii) the Director of Finance;

(xiv) the Librarian;

(xv) the Assistant Controller of Examinations;

(xvi) the Resident Auditor;

(xvii) the Chief Accountant;

(xviii) the Director Administration;

(xix) the Director Student Affairs;

(xx) the Director Legal Affairs;

(xxi) the Director of Research;

(xxii) the Research Officer;

(xxiii) the Bursar; and

(xxiv) such persons as may be prescribed by the regulations to be the officers.

Chancellor.

10. (1) The Governor of Sindh shall be the Chancellor of the University.

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

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

(4) The Chancellor shall have the power to assent to such statutes as are required to be submitted to him by the Senate or withhold assent and refer them back to the Senate for reconsideration.

(5) The Chancellor may remove any person from the membership of any Authority if such person -

(i) has become of unsound mind; or

(ii) has been incapacitated to function as member of such Authority; or

(iii) has been convicted by a court of law of an offence involving moral turpitude.

Visitation.

11. (1) The Chancellor may cause an inspection or inquiry to be made in respect of any matter connected with the University, and shall, from time to time, appoint such person or persons in consultation with Government for the purposes of carrying out inspection of -

(i) the University, its buildings, laboratories, libraries, museums, workshops and equipment;

(ii) any institution, college or hostel maintained or recognized by or affiliated to the University;

(iii) the teaching and other work conducted by the University; and

(iv) the conduct of examinations held by the University;

(2) The Chancellor shall, in every such case as aforesaid, give notice to the Syndicate of his intention to cause an inspection or enquiry to be made, and the Syndicate shall be entitled to be represented there-at.

(3) The Chancellor shall communicate to the Syndicate his views with regard to the results of such inspection or inquiry and shall, after ascertaining the views thereon of the Syndicate, advise the Syndicate on the action to be taken.

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

(5) Where the Syndicate does not, within a specified time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Syndicate, issue such directions as he thinks fit, and the Vice Chancellor shall comply with such directions.

Pro-Chancellor.

12. (1) The Minister for Health shall be the Pro-Chancellor of the University.

(2) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the Pro-Chancellor shall exercise all the powers and perform all the duties of the Chancellor.

Vice-Chancellor.

13. (1) There shall be a Vice Chancellor of the University who shall be a Professor of medical profession and an eminent academic or a distinguished administrator and shall be appointed by the Chancellor on the advice of Government for a period of four years, which may be extended for one more term only, on such terms and conditions as Government may determine.

(2) At any time when the office of the Vice Chancellor is vacant, or the Vice Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor shall on the advice of Government make such arrangements for the performance of the duties of the Vice Chancellor.

Powers and duties of the Vice Chancellor.

14. (1) The Vice Chancellor shall be the principal executive and academic officer of the University, and shall ensure that the provisions of this Ordinance, the statutes, the regulations and the rules are faithfully observed in order to promote the general efficiency and good order of the University. He shall have all powers necessary for this purpose including administrative control over all officers, teachers and other employees of the University.

(2) The Vice Chancellor shall, in the absence of the Chancellor and Pro-Chancellor, preside at the Convocation of the University and the meetings of the Senate and shall, if present, preside at the meetings of the Authorities of which he is the Chairman and be entitled to attend and preside at any meeting of any other Authority or body of the University.

(3) The Vice Chancellor may, in an emergency, which in his opinion requires immediate action, take such action as he may consider necessary and shall, as soon thereafter as possible, report his action to the officer, authority or other body which in the ordinary course, would have dealt with the matter.

(4) The Vice Chancellor shall also have the powers -

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

(ii) to sanction all expenditure provided for in the approved budget, and to re-appropriate funds within the same major head of expenditure;

(iii) to sanction by re-appropriation of funds for an unforeseen item not provided for in the budget, and report it to the Syndicate at the next meeting;

(iv) to appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;

(v) to make such arrangements for the scrutiny of papers, marks and results as may be necessary;

(vi) to direct teachers, officers and other employees of the University to take up such assignments in connection with teaching, research, examination, administration and such other activities in the University as he may consider necessary;

(vii) to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under this Ordinance to an officer or officers of the University;

(viii) to appoint employees of such categories in respect of which powers have been delegated to him by the Syndicate;

(ix) to exercise and perform such other powers and functions as may be prescribed; and

(x) to make appointments to the posts in all grades of the Basic Scales of pay up to grade 16.

Pro-Vice Chancellor.

15. (1) The Chancellor may, on the advice of Government and in consultation with the Vice Chancellor, appoint a Pro-Vice Chancellor for the main campus or of the additional campus, if any, or for both the campuses jointly or separately, on such terms and conditions and for such period not exceeding four years at a time as Government may determine.

(2) Where a Pro-Vice Chancellor is appointed under sub-section (1), he shall, notwithstanding anything contained in this Ordinance, exercise such powers and perform such functions of the Vice Chancellor or such other powers and functions, in respect of the campus for which he is appointed, as the Chancellor may delegate to him.

(3) The Pro-Vice Chancellor, if appointed, shall be ex-officio member of the Senate, Syndicate and Academic Council.

Registrar.

16. (1) The Registrar shall be a whole-time officer of the University and shall be appointed by Government on such terms and conditions as it may determine.

(2) The Registrar shall –

(a) hold office for a period of three years on the expiry of which he shall be eligible for re-appointment;

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

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

(d) conduct election of members to the various authorities in the prescribed manner; and

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

Director of Finance.

17. (1) The Director of Finance shall be a whole-time officer of the University and shall be appointed by Government on such terms and conditions as it may determine.

(2) The Director Finance shall -

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

(b) prepare the annual and revised budget estimates of the University and present them to the Finance Committee, the Syndicate and the Senate;

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

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

(3) The Director of Finance shall be assisted by the Chief Accountant and the Resident Auditor.

The Resident Auditor.

18. (1) The Resident Auditor shall be whole-time officers of the University and shall be appointed by Government on such terms and conditions as it may determine.

(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.

19. The Controller of Examinations of the University shall be a whole-time officer of the University and shall be appointed by the Chancellor on the advice of Government and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed. **Controller of Examinations**.

20. The Director Planning and Development shall be a whole time officer of the University and shall be appointed by Government on such terms and conditions as it may determine. **The Director Planning and Development.**

21. All the other remaining officers mentioned in section 9, shall be appointed by such officer or authority as authorized by Government on such terms and conditions as it may determine. They shall perform their duties as may be prescribed. **Other whole-time Officers.**

22. Jinnah Post Graduate Medical Center (JPMC), National Institute of Child Health (NICH) and National Institute of Cardio Vascular Diseases (NICVD), shall be the Teaching and affiliated Hospitals of the University. **Affiliated Teaching Hosp8itals.**

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

23. The following shall be the Authorities of the University:- **Authorities.**

(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 Discipline Committee; and

(x) such other Authorities as may be prescribed by the statutes.

24. (1) The Senate shall consist of – **Senate.**

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice-Chancellor;

(iv) the Pro-Vice Chancellor;

(v) the Members of the Syndicate;

(vi) the Deans;

(vii) the Directors;

(viii) the Principals of the constituent colleges;

(ix) the University Professors and Professors Emeritus;

(x) the Chairmen of the Teaching Departments;

(xi) one registered graduate to be elected by all such graduates from amongst themselves;

(xii) two persons from amongst the eminent members of medical and dental professions;

(xiii) one nominee of the Pakistan Medical and Dental Council;

(xiv) the Registrar;

(xv) the Director of Finance;

(xvi) the Controller of Examination; and

(xvii) the Librarian;

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

(3) The 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 meet at least twice in every year on dates 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.

25. Subject to the provisions of this Ordinance, the Senate shall have the powers to –

(a) consider the drafts of statutes proposed by the Syndicate and dispose of them in the manner indicated in sub-section (2) of section 32;

(b) consider and pass resolution on the annual report, the annual statement of accounts, and the annual and revised budget estimates;

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

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

(e) perform such other functions as may be prescribed by the statutes.

The Syndicate.

26. (1) The Syndicate shall consist of –

(i) the Vice Chancellor, who shall be its Chairman;

(ii) one member of the Provincial Assembly to be nominated by the Speaker of Provincial Assembly;

(iii) two members of the Senate to be elected by the Senate;

(iv) a Judge of the High Court of Sindh nominated by the Chief Justice;

(v) the Secretary to the Government of Sindh, Health Department or his nominee not below the rank of an Additional Secretary;

(vi) one nominee of the Higher Education Commission;

(vii) one Dean to be nominated by the Chancellor on the recommendations of the Vice-Chancellor;

(viii) one Professor to be elected by the Professors of the University from amongst themselves;

(ix) one Associate Professor to be elected by the Associate Professor of the University from amongst themselves;

(x) one Assistant Professor of the University to be elected by the Assistant Professors from amongst themselves;

(xi) one lecturer with minimum service of two years to be elected by the lecturers of the University from amongst themselves;

(xii) three persons of eminence to be nominated by the Chancellor from among the persons recommended by Government; and

(xiii) one Principal of an affiliated college, if any, and the Principals of constituent colleges;

(2) The 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 for 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 number of members, a fraction being counted as one.

Powers and duties of Syndicate.

27. (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 management of the property of the University.

(2) Without prejudice to the generality of the foregoing powers, the Syndicate shall have 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 the due regard to the advice of the Finance and Planning Committees, 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 proper books of accounts of all financial transaction including the assets and liabilities of University;

(f) to enter into, vary, carry out and cancel contracts on behalf of the University;

(g) to provide buildings and other premises, libraries, furniture, apparatus, equipment and such other things required for the University;

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

(i) to affiliate and disaffiliate colleges;

(j) to admit colleges to the privileges of the University;

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

(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 in Basic Scale 17 and above;

(n) to appoint Professors Emeritus 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 manner prescribed;

(p) to appoint members to the various 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 regulations proposed by the Academic Council, or frame regulations after calling the advice of the Academic Council;

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

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

(v) to create, suspend or abolish such administrative, research, extension or other posts as may be necessary;

(w) to prescribe the duties of Officers, Teachers, and other employees of the University;

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

(y) to perform such other functions as have been assigned to it by the other provisions of this Ordinance or may be assigned to it by the statutes.

Academic Council.

28. (1) The Academic Council shall consist of -

(i) the Vice Chancellor, who shall be its Chairman;

(ii) the Pro-Vice Chancellor;

(iii) the Deans;

(iv) the Directors of the Institutes;

(v) the Principals of the constituent colleges;

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

(vii) the Chairmen of the Teaching Departments;

(viii) all Principals of the affiliated colleges, if any;

(ix) the Registrar;

(x) the Librarian;

(xi) the Controller of Examination; and

(xii) the Administrator of the University Hospital, who must be a Professor.

(2) The members appointed, other than the 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.

Powers and duties of the Academic Council.

29. (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, scholarship, research and examinations, and to regulate and promote the academic life of the University and the colleges.

(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 conduct of teaching, research and examinations;

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

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

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

(f) to propose to the Syndicate schemes 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 University examinations; provided that if the recommendations of such Boards 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 various Authorities in accordance with the provisions of this Ordinance;

(k) to consider or formulate proposals for the planning and development of teaching and research in the University;

(l) to arrange short and long term training and courses within the country and abroad as prescribed under the rules; and

(m) to perform such other functions as may be prescribed by the statutes.

Constitution, functions and powers of other Authorities.

30. 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 the statutes.

Appointment of Committees by certain Authorities.

31. 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 Authorities, as members of the Committee.

CHAPTER V
STATUTES, REGULATIONS AND RULES

Statutes.

32. (1) Subject to the provisions of this Ordinance, statutes may be made to regulate or any of the following matters:-

(a) the terms and conditions of service of officers, teachers and other employees of the University, including scales of pay, constitution of pension, insurance, gratuity, provident fund and benevolent fund and other fringe benefits;

(b) the establishment of Faculties, Teaching Departments and other academic units and divisions;

(c) the powers and duties of officers and teachers;

(d) conditions under which the University may enter into arrangements with other public or private institutions for the purposes of instruction, research and other scholarly activities;

(e) conditions of appointment of Professors Emeritus and award of honorary degrees;

(f) efficiency and discipline of the employees of the University;

(g) acquisition and administration of properties and investments of the University; and

(h) all other mattes which under this Ordinance are required to be or may be prescribed or regulated by the 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.

(3) No statute shall be effective until it has been assented to by the Chancellor.

Regulations.

33. (1) Subject to the provisions of this Ordinance and the statutes, regulations may be made for all or any of the following matters, namely:-

(a) schemes of studies and research, including the duration of courses, number of subjects or papers for examination;

(b) syllabi and courses of study and research programmes leading to degrees, diplomas and certificates;

(c) conduct and supervision of examinations, appointment of examiners, scrutiny, tabulation and declaration of results;

(d) determination of fees and other charges for admission to various courses, examinations and hostels;

(e) maintenance of discipline among students and schemes for their welfare;

(f) institution of fellowship, scholarships, prizes, medals, honoraria and other financial assistance for students and research scholars;

(g) conduct of convocation and form of academic costumes;

(h) conditions of residence of students; and

(i) all other academic matters which by this Ordinance, or statutes are to be or may be prescribed by the regulations.

(2) The Syndicate shall have power to approve the regulations submitted to it or refer them back to the Academic Council for reconsideration.

(3) No regulation shall be valid until it has been approved by the Syndicate.

Rules.

34. (1) The Authorities and the other bodies of the University may make rules consistent with this Ordinance, statutes and the regulations, to regulate the conduct of their business and the time and place of meetings and related matters:

Provided that the Syndicate may direct the amendment or the annulment of any rules, made by any Authority or body excepting the Senate, under this section:

Provided further that if such other Authority or body is dissatisfied with such direction it may appeal to the Senate whose decision in the matter shall be final.

(2) The Syndicate may make rules to regulate any matter relating to the affairs of the University which has not been specifically provided for by this Ordinance, the statutes or regulations.

Amendment and repeal of statutes and regulations.

35. The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making statues and regulations.

CHAPTER VI
UNIVERSITY FUND

University Fund.

36. There shall be 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.

Audit and Accounts.

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

(2) No expenditure shall be made from the funds of the University unless a bill for its payment has, in accordance with the statutes, been audited by the Resident Auditor and the payment is included in the approved budget of the University.

(3) The accounts of the University shall, in the prescribed manner, be audited once a year by the Auditor appointed by the Syndicate.

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

(5) The accounts of the University together with audit objections, if any, and the observations of the Auditor and the Director of Finance shall, in the prescribed manner, be presented to the Senate.

CHAPTER-VII
GENERAL PROVISIONS

Retirement from service.

38. An officer, teacher or other employee of the University shall retire from the service of the University -

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

Provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed to be taken against him and has been given reasonable opportunity of showing cause against that action; or

(ii) where no direction is given under clause (i), on the completion of sixty years 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 officer, teacher or other employee concerned.

Opportunity to show cause.

39. Except as otherwise provided in this Ordinance, no officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

Appeal or review.

40. (1) Where an order is passed punishing any officer (other than the Vice Chancellor), teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by the Vice Chancellor or any other officer or teacher of the University, have the right to appeal to the Syndicate against the order, and where the order is made by the Syndicate, have the right to apply to that authority for review of that order.

(2) The appeal or application for review shall be submitted to the Vice Chancellor and he shall lay it before the Syndicate with his views alongwith the record of the case.

(3) No order in appeal or review shall be made unless the appellant or the applicant, as the case may be, has been given an opportunity of being heard.

Pension, Insurance, Gratuity, Provident Fund and Benevolent Fund.

41. (1) The University shall constitute for the benefit of its officers, teachers and other employees in such manner and subject to such conditions as may be prescribed, such pension, insurance, gratuity, provident funds and benevolent fund scheme as it may deem fit.

(2) Where any provident fund has been constituted under this Ordinance, the provisions of the Provident Funds Act, 1925 (Act-XIX of 1925) shall apply to such funds as if it were the Government Provident Fund.

Commencement of term of office of members of Authority.

42. (1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under this Ordinance, shall commence from such date as may be prescribed.

(2) Where a member nominated or elected to any Authority, fails to attend three meetings consecutively, he shall cease to be the member.

Filling of casual vacancies in Authorities.

43. Any casual vacancy among the elected, appointed or nominated members of any Authority shall be filled, as soon as conveniently may be, by the person or persons or the body who elected, appointed or nominated the member whose place has become vacant and the person elected, appointed or nominated to vacancy, shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.

Cessation of members of the Authorities.

44. (1) Notwithstanding anything contained in this Ordinance, a person nominated or appointed to any Authority shall cease to be a member of such Authority as soon as he has ceased to hold the position by virtue of which he was nominated or appointed.

(2) If a question arises whether any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of the Vice Chancellor and the Judge of the High Court, who is the member of the Syndicate and a nominee of the Chancellor and the decision of the committee shall be final and binding.

Proceedings of Authorities not invalidated by vacancies.

45. No act, proceedings, resolution or decision of any Authority shall be invalid by reason of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority.

First Statutes.

46. Notwithstanding anything contained in this Ordinance, the statutes set out in the Schedule to this Ordinance, shall be deemed to be the statues framed under section 32 and shall continue to remain in force until they are amended or replaced by new statutes framed in accordance with the provisions of this Ordinance.

Bar of Jurisdiction.

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

Indemnity.

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

Constituent Institutions.

49. Notwithstanding anything contained in this Ordinance, the Sindh Medical College, Karachi shall be the constituent college as defined in this Ordinance.

Public Interest.

50. Notwithstanding anything contained hereinbefore —

(a) any officer, teacher or other employee of the University shall as the Chancellor may in the public interest and in consultation with Government direct, serve in any post under Government or any other University or an educational or research institution:

Provided that in the case of a teacher, the Syndicate shall be consulted before issuing the direction;

(b) the Chancellor may, in the public interest, and in consultation with Government direct, any post in the University to be filled by appointing any employee of Government or any other University or an educational or research institution:

Provided that in the case of a teacher, the Selection Board shall be consulted before filling in the post.

(2) Where any appointment or transfer has been made under this section, the terms and conditions of service of the appointee or transferee shall not be less favourable than those admissible to him immediately before such appointment or transfer and he shall be entitled to all benefits of his past service.

Removal of difficulty.

51. If any difficulty arises to the first constitution or reconstitution of any Authority upon coming into force of this Ordinance, or otherwise in giving effect to any provision of this Ordinance, the Government may, give appropriate directions to remove such difficulty.

52. The provisions of the Dow University and Health Sciences Act, 2004 relating to Sindh Medical College, are hereby repealed. **Repeal.**

SCHEDULE
FIRST STATUTES
(See section 46)

1. (1) The University shall include the following Faculties:- **Faculties.**

(i) the Faculty of Basic Medical Sciences;

(ii) the Faculty of Medicine;

(iii) the Faculty of Dentistry;

(iv) the Faculty of Nursing and Paramedical Sciences;

(v) the Faculty of Biological Sciences;

(vi) the Faculty of Pharmaceutical Sciences;

(vii) the Faculty of Health Management;

(viii) the Faculty of Surgery;

(ix) the Faculty of Community Health Sciences;

(x) the Faculty of Bio Medical Engineering; and

(xi) such other Faculty of allied sciences as may be prescribed by the statutes.

(2) Each Faculty shall include such Institutes, teaching Department, Centres or other teaching or research units as may be prescribed by the statutes.

(3) There shall be Board of each Faculty which shall consist of -

(a) the Dean;

(b) the Professors, Associate Professors and the Chairmen of the Teaching Departments comprised in the Faculty;

(c) one member of each Board of Studies comprised in the Faculty to be nominated by the Board of Studies concerned; and

(d) three teachers to be nominated by the Academic Council by reason of their specialized knowledge of subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty.

(4) The members mentioned in sub-clauses (c) and (d) of clause (3) shall hold office for three years.

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

(6) The Board of each Faculty shall, subject to the general control of the Academic Council and the Syndicate, have the powers -

(a) to coordinate the teaching and research work in the subject assigned to the Faculty;

(b) to scrutinize the schemes of courses syllabi proposed by the Board of Studies comprised in the Faculty, and forward them to the Academic Council alongwith its observation;

(c) to scrutinize the recommendations of the Board of Studies comprised in the Faculty, on the appointment of paper setters and examiners, except for research examiners and forward them to the Vice Chancellor; and

(d) to perform such other functions as may be prescribed.

Dean.

2. (1) There shall be a Dean of each Faculty who shall be the Chairman and convener of the Board of Faculty.

(2) The Dean of each Faculty shall be appointed by the Chancellor on the recommendations of the Vice Chancellor from amongst the three most senior Professors in the Faculty for a period of three years.

(3) The Dean shall present candidates for admission to degrees, except honorary degrees, in the courses falling within the purview of the Faculty.

(4) The Dean shall exercise such other powers and perform such other duties as may be prescribed.

Teaching Department.

3. (1) There shall be a Teaching Department for each subject or a group of subjects as may be approved and each Teaching Department shall be headed by a Chairman.

(2) The Chairman of the Teaching Department shall be appointed by the Syndicate on the recommendations of the Vice Chancellor from amongst the senior teachers of the department for a period of three years.

(3) The Chairman shall plan, organize and supervise the work of the Department in accordance with the provisions of this Ordinance and shall be responsible to the Dean of the Faculty in which his Department is comprised for the work of his Department.

Boards of Studies.

4. (1) There shall be a separate Board of Studies for each subject or group of subjects, as may be prescribed by the regulations.

(2) Each Board of Studies shall consist of-

(a) the Chairman of the Teaching Department;

(b) all Professors and Associate Professors in the Teaching Department concerned;

(c) two University teachers, other than the Professors or Associate Professors, to be appointed by the Academic Council; and

(d) three experts, other than University Teachers, to be appointed by the Vice Chancellor.

(3) The term of office of members of the Board of Studies other than ex-officio members shall be three years.

(4) The quorum for meetings of the Board of Studies shall be one-half of the total number of members, a fraction being counted as one.

(5) The Chairman of the Teaching Department concerned shall be the Chairman and convener of the Board of Studies.

(6) The functions of the Board of Studies shall be -

(a) to advise the Authorities on all academic matters connected with instruction, research and examination in the subject or subjects concerned;

(b) to propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;

(c) to suggest a panel of names of paper-setters and examiners in the subject or subjects concerned; and

(d) to perform such other functions as may be prescribed by regulations.

Advanced Studies and Research Board.

5. (1) There shall be Advanced Studies and Research Board consisting of -

(i) the Vice Chancellor, who shall be the Chairman;

(ii) the Deans;

(iii) three University Professors other than Deans to be appointed by the Syndicate;

(iv) three University Teachers having research qualifications and experience to be appointed by the Academic Council; and

(v) the Professors Emeritus.

(2) The term of office of members of the Advanced Studies and Research Board other than ex-officio members shall be three years.

(3) The quorum for a meeting of the Advanced Studies and Research Board shall be one-half of the total number of members, a fraction being counted as one.

(4) The functions of the Advanced Studies and Research Board shall be -

(a) to advise the Authorities on all matters connected with the promotion of advanced studies and research in the University;

(b) to propose regulations regarding the award of research degrees;

(c) to appoint supervisors for research students and to determine the subjects of their thesis;

(d) to recommend panels of names of paper setters and examiners for research examinations after considering the proposals of the Board of Studies in this behalf; and

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

Selection Board.

6. (1) The Selection Board shall consist of -

(i) the Vice Chancellor who shall be the Chairman;

(ii) a Judge of the High Court of Sind nominated by the Chief Justice;

(iii) two persons of eminence to be nominated by the Syndicate; provided that none of them is an employee of the University;

(iv) Dean of the Faculty concerned; and

(v) the Chairman of the Teaching Department concerned;

(2) The members mentioned in sub-clause (iii) of sub-section (1) shall hold office for two years.

(3) The quorum for meeting of the Selection Board shall be four members.

(4) No member of the Selection Board who is a candidate for the post to which appointment is to be made shall take part in the proceeding of the Selection Board.

(5) In selecting candidates for the posts of Professors and Associate Professors, the Selection Board shall co-opt or consult three experts in the subject concerned, and in selecting candidates for other teaching posts, two experts in the subject concerned, to be nominated by the Vice Chancellor, from a standing list of experts for each subject approved by the Syndicate on the recommendation of the Selection Board and revised from time to time.

Functions of Selection Board.

7. (1) The Selection Board shall consider the applications for teaching and other posts received in response to an advertisement and shall recommend to the Syndicate the names of suitable candidates for appointment to such posts.

(2) The Selection Board may recommend the grant of a higher initial pay in a suitable case for reasons to be recorded.

(3) The Selection Board may recommend to the Syndicate the appointment of an eminently qualified person to a Professorship in the University on the terms and conditions other than those prescribed.

(4) The Selection Board shall consider all cases of promotion of officers of the University and recommend to the Syndicate the names of suitable candidates as may be prescribed.

(5) In the event of an unresolved difference of opinion between the Selection Board and the Syndicate, the matter shall be referred to the Chancellor whose decision shall be final.

Finance and Planning Committee.

8. (1) There shall be Finance and Planning Committee consisting of –

(a) the Vice-Chancellor who shall be the Chairman;

(b) two nominees of the Senate;

(c) one nominee of the Syndicate;

(d) two experts in the field of finance and planning to be nominated by the Chancellor;

(e) one Dean to be nominated by the Chancellor on the recommendations of the Vice-Chancellor; and

(f) the Director of Finance;

(2) The term of office of the members of the Finance and Planning Committee other than ex-officio members shall be three years.

(3) The quorum for a meeting of the Finance and Planning Committee shall be three members.

Functions of the Finance and Planning Committee.

9. The functions of the Finance and Planning Committee shall be –

(a) to consider the annual statement of accounts and the annual and revised budget estimates and advise the Syndicate thereon;

(b) to review periodically the financial position of the University;

(c) to advise the Syndicate on all matters relating to planning, development, finance, investment and accounts of the University;

(d) to prepare short term and long term development plans; and

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

Affiliation Committee.

10. (1) There shall be an Affiliation Committee consisting of–

(i) the Vice-Chancellor who shall be the Chairman;

(ii) one member of the Syndicate to be nominated by the Syndicate; and

(iii) two Professors to be nominated by the Academic Council.

(2) The term of office of the appointed members of the Committee excluding ex-officio members shall be two years.

(3) The Affiliation Committee may co-opt not more than three experts.

(4) The quorum for a meeting of the Affiliation Committee shall be three members.

(5) An officer of the University to be designated by the Vice Chancellor for this purpose shall act as the Secretary of the Committee.

Disciplinary Committee.

11. (1) The Disciplinary Committee shall consist of -

(a) the Vice-Chancellor or his nominee;

(b) two Professors to be nominated by the Academic Council;

(c) one member to be nominated by the Syndicate; and

(d) the Teacher or Officer in-charge of Students Affairs by whatever name called (Member-Secretary).

(2) The term of office of the members of the Disciplinary Committee, excluding ex-officio members, shall be two years.

(3) The quorum for a meeting of the Disciplinary Committee shall be four members.

(4) The functions of the Disciplinary Committee Shall be–

(i) to propose regulations to the Academic Council for the conduct of University students, maintenance of discipline and for dealing with cases of indiscipline; and

(ii) to perform such other functions as may be prescribed by the regulations.