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SINDH ACT NO.XVI OF 2012

THE HABIB UNIVERSITY ACT, 2012.

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SINDH ACT NO.XVI OF 2012

THE HABIB UNIVERSITY ACT, 2012.

[8th October, 2012]

An Act to provide for the establishment of the Habib University at Karachi.

WHEREAS it is expedient to provide for the establishment of the Habib University at Karachi and to provide for matters ancillary thereto; Preamble.

It is hereby enacted as follows:-

CHAPTER-I
PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Habib University Act, 2012.

(2) It shall come into force at once.

Definitions.

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

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

(b) "Affiliated College" means an educational institution affiliated to the University but not maintained or administered by it;

(c) "Authority" means any of the Authorities of the University specified in section 16;

(d) "Board" means the Board of Governors of the University;

(e) "Chairman" means the Chairman of the Teaching Department;

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

(g) "College" means a college and includes an institution in which arrangement exist for imparting instructions in general, technical professional education or other disciplines of higher learning and such other subjects as may be prescribed;

(h) "Dean" means the Head of Faculty;

(i) "Director" means the head of a teaching or administrative division of an institute;

(j) "Faculty" means an academic division within the University comprising of one or more Teaching Departments;

(k) "Foundation" means the Habib Foundation, a company limited by guarantee incorporated in Pakistan and registered at Karachi and licensed under section 42 of the Companies Ordinance,1984;

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

(m) "Officer" means any of the Officers of the University specified in section 5;

(n) "Patron" means the Patron of the University;

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

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

(q) "Professor Emeritus" means a retired Professor working in the University in an honorary capacity;

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

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

(t) "Statutes", "regulations" and "rules" means respectively the statutes, regulations and rules made under this Act;

(u) "Teaching Department" means a Teaching Department of the University;

(v) "Teacher" means whole time teacher engaged as Professor, Associate Professor, Assistant Professor, Lecturer and such other persons as may be declared to be the Teachers;

(w) "University" means the Habib University established under this Act;

CHAPTER-II
THE UNIVERSITY

Incorporation.

3. (1) There shall be established a University to be called the Habib University, consisting of the Patron, the Chancellor, the President, the Provost, the Deans, the Chairmen of the Teaching Departments and members of the Board, the members of the Academic Council and such other Officers as may be prescribed.

(2) The University shall be a body corporate by the name of the Habib University, owned by the Foundation and shall have perpetual succession and a common seal and may sue and be sued by the said name.

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

(4) The University shall be open to all persons of either sex or whatever religion, race, creed, color or domicile who are academically qualified for admission to the courses of study offered by the University and no such person shall be denied the privilege on such ground.

(5) The University shall take measures to setup campus or campuses.

Powers and Functions of the University.

4. (1) The University shall be an autonomous body and shall have the powers to –

(a) provide for instructions in such branches of learning as it may deem fit, and to make provision for the advancement and dissemination of knowledge in such manner as it may determine; provided that the faculty of medicine shall be established as per requirement of the Pakistan Medical and Dental Council;

(b) affiliate itself or associate with other institutions and establish faculties and the Teaching Departments to discharge its functions and responsibilities for imparting education;

(c) prescribe courses of studies and curricula;

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

(e) confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;

(f) establish faculties, teaching departments, research institutes and other learning centers in any and all branches of learning and to provide and support other facilities for education, professional training and research;

(g) affiliate and disaffiliate educational institutions and inspect colleges and other educational institutions affiliated or seeking affiliation with it;

(h) cooperate with the other Universities and public authorities in such manner and for such purposes as per rules and regulations;

(i) institute Professorship, Associate Professorship, Assistant Professorship and Lectureship and any other posts and to appoint persons thereto;

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

(k) institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes in such manner as may be prescribed;

(l) control the residence of the students of the University, to institute and maintain halls of residence and to approve or license hostels and lodgings;

(m) supervise and control the discipline of the students of the University and the colleges, to promote the extra-curricular and recreational activities of such students and to make arrangement for promoting their health and general welfare;

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

(o) enter into, carry out, vary or cancel contracts;

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

(q) undertake such research as it may determine in any and all branches of learning;

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

(s) appoint members of various bodies and committees, as the Board may determine for academic and administrative activities;

(t) appoint such officers and staff and prescribe terms and conditions and powers and duties of such officers and staff;

(u) establish academic linkages and collaborative activities with other institutions for the betterment of academic standards; and

(v) do all such acts and things, as may be requisite to further its objectives.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

5. The following shall be the officers of the University:- **Officers of the University.**

(a) the Chancellor;

(b) the President;

(c) the Provost;

(d) the Deans;

(e) the Directors;

(f) the Chairmen of the Teaching Departments;

(g) the Registrar;

(h) the Director of Finance;

(i) the Controller of Examinations;

(j) the Internal Auditor;

(k) the Librarian; and

(l) such other persons as may be prescribed by regulations to be the officers;

Patron.

6. (1) The Governor of Sindh shall be the Patron of the University.

(2) The Patron shall, when present, preside at the convocation of the University.

Visitation.

7. (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the University and shall, from time to time, direct any person or persons to inquire into or carry out inspection of -

(a) the University, its building, libraries and other facilities;

(b) any institution, department or hostel maintained by the University;

(c) the adequacy of financial and human resources;

(d) the teaching, research, curriculum, examination and other matters of the University; and

(e) such other matters as may be specified by him.

(2) The Patron shall communicate to the Board his views with regard to the result of visitation and shall after ascertaining the views of the Board, advise the Board on the action to be taken by it.

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

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

Chancellor.

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

(2) Subject to sub-section (1), the Chairman of the Foundation shall be the Chancellor of the University who shall be appointed by the Foundation for a period of four years on the terms and conditions as the Foundation may determine.

(3) The Chancellor shall, in the absence of the Patron, preside at the convocation of the University.

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

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

(a) has become unsound mind; or

(b) has been incapacitated or is unable to function as member; or

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

(6) If the Chancellor is satisfied that the proceedings of any Authority are not in accordance with the provisions of this Act, the statues, 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, annul the proceedings.

(7) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the President or any person authorized by the Board shall exercise all the powers and perform all the duties and functions of the Chancellor.

(8) The Chancellor may cause a visitation or inquiry to be made in respect of any matter connected with the affairs of the University and appoint such person as may deem fit for the purpose.

(9) The Chancellor shall, on receipt of a report under sub-section (6) above, issue such directions as he thinks fit and the President will comply with such directions through the Board.

President.

9. (1) The President shall be appointed by the Chancellor on the recommendations of the Board, for a period of four years, which may, in the discretion of the Chancellor, be further extended, on such terms and conditions as the Chancellor may determine.

(2) At any time when the office of the President is vacant, or the President is absent or is unable to perform the functions of his office due to illness or other cause, the Chancellor shall make such arrangements for the performance of the duties of the President as he may deem fit.

Powers and duties of the President.

10. (1) The President shall be the principal executive officer of the University and shall be responsible for implementation of the provisions of this Act, the statutes, the regulations and the rules and execution of the policies and the programs of the University.

(2) The President shall, in the absence of the Chancellor, preside over the meetings of the Authorities of which the Chancellor is the Chairman; provided that the meetings of the Board shall be presided by the member elected from amongst the members present in the meeting.

(3) The President may, in any 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) In particular and without prejudice to the generality of the foregoing powers, the President shall also have the powers:

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

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

(c) to sanction or re-appropriate an amount as fixed and revised by the Board from time to time for an unforeseen item not provided for in the budget and report it to the Board at the next meeting;

(d) to make such arrangements for the security of papers, grades and results as he may consider necessary;

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

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

(g) to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under this Act, to an officer or other employee of the University; and

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

Provost.

11. (1) The Provost shall be the Chief Academic officer of the University with overall responsibility for the academic and research program and shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Provost shall, subject to the statutes, regulations and rules, have powers to –

(a) direct the activities connected with the execution of programmes for instruction, training, research, demonstration and service; and

(b) direct teachers to take such assignment in connection with teaching, research, examination;

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

(d) perform such other functions and exercise such other powers as may be prescribed.

Registrar.

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

(2) The Registrar shall –

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

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

Director Finance.

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

(2) The Director of Finance shall –

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

(b) prepare the annual and revised budget estimates of the University and present them to the Finance and Planning Committee and the Board;

(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.

Controller of Examination.

14. The Controller of Examination shall be a whole time officer of the University and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

Internal Auditor.

15. The Internal Auditor shall be a whole time officer of the University and shall be responsible for internal audit of the University.

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

Authorities.

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

(a) The Board of Governors;

(b) The Academic Council;

(c) The Boards of Faculties;

(d) The Boards of Studies;

(e) The Selection Board;

(f) The Board of Advanced Studies and Research;

(g) The Finance and Planning Committee;

(h) The Discipline Committee;

(i) The Affiliation Committee; and

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

Board of Governors.

17. (1) The Board shall consist of –

(a) the Chancellor, who shall be its Chairman;

(b) the President;

(c) the Chief Justice of the High Court of Sindh or a sitting or retired Judge of High Court nominated by him;

(d) the Chairman, Higher Education Commission or whole time member of the Commission nominated by him;

(e) the Provost;

(f) Secretary to Government of Sindh, Education Department or his nominee;

(g) four persons of outstanding merit nominated by the Foundation;

(h) Five persons of eminence representing various disciplines and professions nominated by the Chancellor in consultation with the President.

(2) The Registrar shall act as Secretary of the Board.

(3) A nominated member shall hold office for a term of three years and shall be eligible for re-nomination on the expiry of his term.

(4) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence or his nomination is changed by the Authority nominated him.

Powers and duties of the Board.

18. (1) The Board shall be the executive and governing body of the University and shall subject to the provisions of this Act and the statutes, exercise general supervision over the affairs and management of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act and the statutes, the Board shall have the powers –

(a) to hold, control and administer the property and funds of the University;

(b) to govern and regulate, with due regard to the advice of the relevant Committee, the finances, accounts and investments of the University and for that purpose, to appoint such agents as it may think fit;

(c) to consider annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another;

(d) to transfer and accept transfer of movable or immovable property on behalf of the University;

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

(f) to cause proper books of accounts to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;

(g) to receive and manage any property transferred and grants, bequests, donations, endowments and other contributions made to the University;

(h) to administer any funds placed at the disposal of the University for specified purposes;

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

(j) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;

(k) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;

(l) to institute Professorship, Associate Professorship, Assistant Professorship, Lectureship and other teaching posts or to suspend or abolish such posts;

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

(n) to make appointments on the recommendation of the Selection Board to the posts of teachers, officers and such other cadres as may be determined by the Board;

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

(p) to confer honorary degrees on the recommendation of the Academic Council in accordance with the prescribed conditions;

(q) to prescribe the duties of officers, teachers and other employees of the University;

(r) to suspend, impose penalty and remove from service officers (other than the President), teachers and other employees in the manner prescribed;

(s) to appoint members of the various Authorities in accordance with the provisions of this Act;

(t) to propose statutes for submission to the Chancellor;

(u) to consider and dispose of the regulations made by the Academic Council; provided that the Board may frame the Regulations on its own initiative and approve it after consulting the Academic Council;

(v) to regulate, determine and administer all other matters concerning the University and, to this end, exercise all other powers not specifically mentioned in this Act and the statutes;

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

(x) to perform such other functions as have been assigned to it under this Act, or may be assigned to it by the statutes.

Meetings of the Board.

19. (1) The Board shall meet at least three times in a year on the dates to be fixed by the President; provided that a special meeting may be called at any time on the direction of the Chancellor or on a requisition made by not less than four members of the Board to consider a matter of urgent nature.

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

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

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

(5) Subject to sub-section (3), the members of the Board may take part in a meeting of the Board by using any communication equipment and the member shall be deemed to have participated in the meeting.

(6) A resolution in writing signed by the majority of the members of the Board shall be valid and effectual as if it had been passed in a meeting of the Board duly called and constituted.

Academic Council.

20. (1) The Academic Council shall consists of -

(a) the President who shall be the Chairman;

(b) the Provost;

(c) the Deans;

(d) the University Professors including Emeritus and Distinguished Professors;

(e) the Chairmen of the Teaching Departments;

(f) three eminent persons known for their intellectual caliber on international level, service to society or leadership in profession nominated by the Chancellor on the recommendation of Board;

(g) the Controller of Examination;

(h) the Registrar who shall act as its Secretary.

(2) A nominated member shall hold office for a term of three years and shall be eligible for re-nomination on the expiry of his term.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Council without sufficient cause or leave of absence or his nomination is changed by the nominating Authority.

(4) The quorum for a meeting of the Council shall be one half of the total number of members, a fraction being counted as one.

Powers and duties of the Academic Council.

21. (1) The Academic Council shall be highest academic body of the University and shall, subject to the provisions of this Act and the statutes, have the powers to lay down proper standards of instruction, scholarship, research and examinations and to regulate and promote the academic life of the University.

(2) In particular and without prejudice to the generality of the foregoing provisions, the Council shall have the powers -

(a) to advise the Board on academic matters;

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

(c) to propose to the Board, schemes for the constitution and organization of Faculties, Teaching Department, Institutes and Boards of Studies;

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

(e) to make regulations on the recommendations of the Board of Faculties and the Boards of Studies prescribing the course of Studies and the syllabi for all University examinations; provided that, if the recommendations of the Board of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination;

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

(g) to frame regulations for submission to the Board;

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

CHAPTER-V
STATUTES, REGULATIONS AND RULES

Statutes.

22. (1) Subject to the provisions of this Act, Chancellor may, with the approval of the Board, make and promulgate statutes to regulate or prescribe all or any of the following matters, namely:-

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

(b) terms and conditions of contractual appointment of teachers, researchers and officers;

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

(d) powers and duties of Officers and Teachers;

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

(f) conditions of appointment of Professor Emeritus and Distinguished Professor.

(g) award of honorary degrees;

(h) standard of evaluation of efficiency and exercising disciplinary measures over the employees of the University;

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

(j) all other matters which under this Act are required to be or may be prescribed or regulated by the statutes.

(2) The draft of statutes shall be proposed by the Board for the approval of the Chancellor who may refer them back to the Board for reconsideration.

(3) The Chancellor shall have the powers to assent to the statutes submitted to him for approval.

(4) No statute shall be valid until it has been approved by the Chancellor.

Regulations.

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

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

(b) the admission of students to the University;

(c) the conditions under which students shall be admitted and shall become eligible for the award of degrees, diplomas and certificates;

(d) the conduct of examinations;

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

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

(g) conditions of residence of the students of the University or the colleges, including the levy of fees for residence in the halls of residence and hostels;

(h) the approval and licensing of hostels and lodgings;

(i) conditions under which a person should carry on independent research to entitle him to a degree;

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

(k) the institution of stipends and free and half-free studentships;

(l) the academic costumes;

(m) the use of Library;

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

(o) all other matters which by this Act and the statutes are to be or may be prescribed by regulations.

(2) The Regulations shall, with regard to the academic research and students matters, be prepared by the Academic Council and shall be submitted to the Board which may approve them or with hold approval or refer them back to the Academic Council for reconsideration.

(3) A Regulation prepared by the Academic Council shall not be valid, unless it receives the approval of the Board.

Amendment and repeal of Statutes and Regulations.

24. 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 the statutes and regulations.

Rules.

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

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

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

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

CHAPTER-VI
THE UNIVERSITY FUND

University Fund, Audit and Accounts.

26. (1) The University shall have a Fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, contributions, grants and all other sources.

(2) Capital and recurrent expenditure of the University shall be met out from its Fund and contributions made by the Foundation including any other trust, Universities, associations, Societies or individuals and from the income derived from any other source.

(3) No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability for the University or which may involve an activity not included in the programs for the time being, shall be accepted without the prior approval of the Board.

(4) The accounts of the University shall be maintained in such form and in such manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by a firm of Chartered Accountants appointed by the Board.

(5) The accounts, together with the report of the Auditor thereon, shall be submitted to the Board for approval.

(6) The Auditor's report shall certify that the report has complied with the standards of audit and certification laid down by the Institute of the Chartered Accountants of Pakistan.

CHAPTER-VII
GENERAL PROVISIONS

Retirement from service.

27. An employee of the University shall retire from service at such age as may be prescribed by the statutes or regulations.

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

28. (1) The University may constitute for the benefit of its employees in such manner and subject to such conditions as may be prescribed, schemes such as insurance, gratuity, provident fund and benevolent fund as it may deem fit.

(2) Where any Provident Fund has been constituted under this Act, the provisions of the Provident Funds Ordinance, 1925, shall apply to such funds.

Term of office of members of Authorities.

29. When a member of a newly constituted Authority is appointed or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed.

Filling of casual vacancies in Authorities.

30. (1) Any casual vacancy among the appointed or nominated members of any Authority shall be filled, as soon, as conveniently may be, by the person or the body who appointed or nominated the member whose place has become vacant, and the person appointed or nominated to the 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:

Provided that where a vacancy in the membership of an Authority, other than the Board, cannot be filled for the reason that the member was ex-officio, and the office has ceased to exist, or the organization, institution or other body, other than the University has ceased to exist or has ceased to function, or for any other circumstances which make it impracticable to fill the vacancy, the vacancy shall be filled in such manner as the Chancellor may direct on the recommendations of the Board.

(2) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Authority without sufficient cause or leave of absence, or his nomination is changed by the nominating Authority.

Disputes about membership of Authorities.

31. (1) Notwithstanding anything contained in this Act, 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 President, the judge of the High Court of Sindh, who is the member of the Board and a nominee of the Chancellor and the decision of the committee shall be final and binding.

Constitution, Functions and Powers of other Authorities.

32. The constitution, functions and powers of other Authorities for which no specific provision or insufficient provision has been made in this Act shall be such as may be prescribed by the statutes.

Appointment of Committee by the Authority.

33. The Board, the Academic Council or other Authorities may appoint such Standing, Special or Advisory Committees, as they may consider advantageous in the performance of their functions.

First Statutes.

34. Notwithstanding anything contained in this Act, the statutes set out in the Schedule, shall be deemed to be the statutes framed under section 22 and shall remain in force until they are amended or replaced by new statutes framed in accordance with this Act.

35. If any difficulty arises as to the first constitution or reconstitution of any Authority upon coming into force of this Act or otherwise in giving effect to any provision of this Act, the Chancellor may give appropriate directions to remove such difficulty. **Removal of difficulties.**

36. No act, proceedings, resolution or decision of any Authority shall be invalid by reason only of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority. **Proceedings of Authorities not invalidated by vacancies.**

37. 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 Act. **Bar of Jurisdiction.**

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

THE SCHEDULE
FIRST STATUTES
(See section 34)

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

(a) Faculty of Science;

(b) Faculty of Health and Medical Sciences;

(c) Faculty of Engineering;

(d) Faculty of Information Technology;

(e) Faculty of Arts;

(f) Faculty of Agriculture and Agricultural Engineering;

(g) Faculty of Veterinary Medical Sciences;

(h) Faculty of Management Sciences;

(i) Faculty of Law;

(j) Faculty of Pharmacy;

(k) Faculty of Fashion Designing;

(l) Faculty of Humanities and Social Sciences;

(m) Faculty of Mass Communication;

(n) Faculty of Alternative Energy;

(o) any other faculty as may be prescribed by the statutes.

(2) Each Faculty shall include such institutes, teaching departments, centers, or other teaching or research units as may be prescribed by the statutes.

Board of Faculties.

2. (1) There shall be a Board of each Faculty consisting of -

(a) the Deans;

(b) the Professors, Associate Professors and 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.

(2) The members, mentioned in clauses (c) and (d) of sub-section (1) shall hold office for three years.

(3) 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.

(4) The Board of each Faculty shall, subject to the general control of the Academic Council and the Board, have the powers –

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

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

(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 and degrees examiners), to the President; and

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

Deans.

3. (1) There shall be a Dean for each Faculty who shall be the Chairman of the Board of Faculty and shall be appointed by the President on the recommendations of the Provost.

(2) The Dean shall hold office for three years.

(3) The Dean shall present candidates for admission to degrees, except honorary 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.

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

(2) The Chairman of a Teaching Department shall be appointed by the President on the recommendations of the Provost.

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

Board of Studies.

5. (1) There shall be a 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 concerned;

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

(c) such University Teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;

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

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

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

(5) The functions of the Board of Studies shall be –

(a) to advise the Authorities on all academic matters connected with instructions, research and examinations in the subjects concerned;

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

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

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

Board of Advanced Studies and Research.

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

(a) the Provost who shall be the Chairman;

(b) the Deans;

(c) three University Professors other than Deans to be appointed by the Board;

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

(e) the Professors Emeritus.

(2) The term of office of the 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 to determine the subject of their thesis;

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

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

Selection Board.

7. (1) There shall be a Selection Board consisting of –

(a) the President who shall be the Chairman;

(b) one member of the Board to be nominated by the Chancellor;

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

(d) the Provost;

(e) the Dean of the Faculty concerned;

(f) the Chairman of the Teaching Department concerned.

(2) The members of the Selection Board, other than ex-officio members, shall hold office for three years.

(3) The quorum for a 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 such proceedings of the Selection Board.

(5) In selecting candidates for the post 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 President, from a standing list of experts of each subject approved by the Board on the recommendation of the Selection Board as revised from time to time.

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

(a) to consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of suitable candidates for appointment to such posts;

(b) to recommend to the Board the grant of higher initial pay in a suitable case for reasons to be recorded in writing;

(c) to recommend to the Board the appointment of an eminently qualified person to a position in the University on the terms and conditions as may be prescribed;

(d) to consider all cases of promotion of academic staff and officers of the University and recommend to the Board the names of suitable candidates for such promotions; and

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

Finance and Planning Committee.

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

(a) the Chancellor, who shall be its Chairman;

(b) the President;

(c) four members of the Board, of whom at least two will be nominees of the Foundation;

(d) the Director Finance of the University who shall be the Member/Secretary.

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

(3) The functions of Finance and Planning Committee shall be –

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

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

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

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

(e) to prepare staff and resource development plans; and

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

Discipline Committee and its functions.

9. (1) The Discipline Committee shall consist of –

(a) the President or his nominee;

(b) the Provost;

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

(d) one member to be nominated by the Foundation; and

(e) the Teacher or Officer Incharge of Students Affairs by whatever name called who shall act as Member Secretary.

(2) The term of office of members of the Discipline Committee, other than ex-officio members shall be two years.

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

(4) The functions of the Discipline Committee shall be -

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

(b) to perform such other functions as may be assigned to it by the statutes or regulations.

Affiliation Committee.

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

(a) the President who shall be the Chairman;

(b) the Provost;

(c) one member of the Board to be 8nominated by the Board;

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

(2) The term of office of the 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 or an inspection by the Affiliation Committee shall be three members.

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