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SINDH ACT NO.VIII OF 2012

THE INDUS UNIVERSITY ACT, 2011.

CONTENTS

Preamble
Sections

1. Short title and commencement.
2. Definitions.
3. Incorporation.
4. Powers and Functions of the University.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

5. Officers of the University.
6. Patron.
7. Visitation.
8. Chancellor.
9. Vice Chancellor.
10. Powers and duties of the Vice Chancellor.
11. Pro-Vice Chancellor.
12. Registrar.
13. Director Finance.
14. Controller of Examination.
15. Resident Auditor.
16. Director of Planning and Development.

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

17. Authorities.
18. Board of Governors.
19. Powers and duties of the Board.
20. Meetings of the Board.
21. Academic Council.
22. Powers and duties of the Academic Council.

CHAPTER-V
STATUTES, REGULATIONS AND RULES

23. Statutes.
24. Regulations.
25. Amendment and repeal of Statutes and Regulations.
26. Rules.

CHAPTER-VI
THE UNIVERSITY FUND

27. University Fund, Audit and Accounts.

CHAPTER-VII
GENERAL PROVISIONS

28. Term of office of members of Authorities.
29. Filling of casual vacancies in Authorities.
30. Disputes about membership of Authorities.
31. Constitution, Functions and Powers of other Authorities.
32. Appointment of Committee by the Authority.
33. First Statutes.
34. Removal of difficulties.
35. Proceedings of Authorities not invalidated by vacancies.
36. Bar of Jurisdiction.
37. Repeal and Saving.
38. Indemnity.

THE FIRST STATUTES
(See section 45)

1. Faculties.
2. Board of Faculties.
3. Deans.
4. Teaching Department.
5. Boards of Studies.
6. Board of Advanced Studies and Research.
7. Selection Board.
8. Finance and Planning Committee.
9. Discipline Committee and its functions.
10. Affiliation Committee.

SINDH ACT NO.VIII OF 2012

THE INDUS UNIVERSITY ACT, 2011.

[2nd April, 2012]

An Act to provide for upgradation of the Indus Institute of Higher Education to the status of the Indus University at Karachi.

Preamble.

WHEREAS it is expedient to provide for upgradation of the Indus Institute of Higher Education to the status of the Indus University at Karachi and to provide for matters ancillary thereto;

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Indus University Act, 2011.

(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 institution or college" means an educational institution or college 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) "Chairperson" means the Chairperson of a 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) "constituent or institution college" means an institution or college maintained and administered by the University;

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

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

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

(l) "Foundation" means Pakistan National Building Material Display Centre Foundation established by a deed of Foundation executed on 11th day of January 2002 and registered under the Registration Act 1860 under Registration No.0006 of 2002;

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

(n) "HEC" means Higher Education Commission, Government of Pakistan;

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

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

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

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

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

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

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

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

(w) "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;

(x) "University" means the Indus University established under this Act;

(y) "Vice Chancellor" means the Vice Chancellor of the University;

Incorporation.

3. (1) There shall be established a University to be called the Indus University, consisting of the Chancellor, the Vice Chancellor, Pro- Vice Chancellor, the Deans, the Chairpersons 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 Indus University, owned, managed and administered 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 the ground only of sex, religion, creed, race, class, color or domicile.

(5) The moral and ethical codes employed on the University campus, affiliated colleges or institutes and the constituent institutions will be based on and derived from the cardinal principles and the guidance embodied in the Holy Quran and the Sunnah of the Prophet (SAWW).

(6) The University may take measures to setup campus or campuses within or outside the Province as per guidelines and instructions issued by Government from time to time.

Powers and Functions of the University.

4. (1) The University shall have the powers subject to the instructions of Government as issued from time to time, 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 the betterment of education;

(c) prescribe courses of studies and curricula;

(d) admit students and hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and 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 the ordained 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 Lecturership 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 under prescribed conditions;

(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 the ordained 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 required to further its objectives.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

Officers of the University.

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

(i) the Chancellor;

(ii) the Vice Chancellor;

(iii) The Pro-Vice Chancellor;

(iv) the Deans;

(v) the Directors;

(vi) the Chairpersons of the Teaching Departments;

(vii) the Registrar;

(viii) the Director of Finance;

(ix) Director of Planning and Development;

(x) the Controller of Examinations;

(xi) the Resident Auditor;

(xii) the Librarian; and

(xiii) 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.

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 Chairperson 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 over 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 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 Vice Chancellor 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 Vice Chancellor will comply with such directions.

Vice Chancellor.

9. (1) The Vice Chancellor shall be appointed by the Chancellor, for a period of three years, which may, in the discretion of the Chancellor, be further extended, on such terms and conditions for a further period of three years.

(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 other cause, the Chancellor shall make such arrangements for the performance of the duties of the Vice Chancellor as he may deem fit.

Powers and duties of the Vice Chancellor.

10. (1) The Vice Chancellor shall be the principal executive and academic 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 Vice Chancellor shall, in the absence of the Chancellor, preside over the meetings of the Authorities of which the Chancellor is the Chairperson.

(3) The Vice Chancellor may, in any emergency, which in his opinion requires immediate action, under permission of the Chancellor 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 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 expenditures provided for in the approved budget and to re-appropriate funds within the same major head of expenditure;

(iii) 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;

(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 security of papers, grades and results as he may consider necessary;

(vi) 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;

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

(viii) to delegate, subject to the approval of the Chancellor, any of his powers under this Act, to an officer or other employee of the University; and

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

Pro-Vice Chancellor.

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

(2) The Pro-Vice Chancellor shall, notwithstanding anything contained in this Act, 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.

Registrar.

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

Resident Auditor.

15. The Resident Auditor shall be a whole time officer of the University and shall be responsible for pre-audit of all payments from the University fund.

Director of Planning and Development.

16. The Director of Planning and Development shall be a whole time officer of the University and shall be responsible for planning and development of the University and shall also be responsible for preparation of short and long term development plans for the resources, the facilities and the amenities and shall perform such functions as may be prescribed.

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

Authorities.

17. 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.

18. (1) The Board of Governors shall consist of –

(a) the Chancellor, who shall be its Chairperson; (b) the Vice Chancellor;

(c) the Pro-Vice Chancellor;

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

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

(f) two Deans to be appointed by the Chancellor in consultation with the Vice Chancellor;

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

(h) President Chambers of Commerce and Industries Karachi;

(i) One scientist of national or international repute to be nominated by the Board;

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

(k) four persons of eminence representing various disciplines and professions nominated by the Chancellor in consultation with the Vice Chancellor;

(l) the Registrar who shall act as Secretary of the Board;

(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 Board without sufficient cause or leave of absence or his nomination is changed by the Authority nominated him.

(4) A casual vacancy shall be filled by a person nominated by the Authority which had nominated the member whose vacancy is to be filled.

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

Powers and duties of the Board.

19. (1) The Board shall be the executive 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 –

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

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

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

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

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

(vi) 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;

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

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

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

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

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

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

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

(xiv) 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;

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

(xvi) to confer honorary degrees in the fields of ordained disciplines in accordance with the conditions prescribed;

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

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

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

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

(xxi) 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;

(xxii) 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;

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

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

Meeting of the Board.

20. (1) The Board shall meet at least two times in a year on the dates to be fixed by the Vice Chancellor; 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 Chairperson of the Board shall have and exercise a casting vote.

Academic Council.

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

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

(ii) the Pro-Vice Chancellor;

(iii) the Deans;

(iv) the Directors;

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

(vi) the Chairpersons of the Teaching Departments;

(vii) 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 the Vice Chancellor;

(viii) the Controller of Examination;

(ix) the Librarian; and

(x) 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.

22. (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 publication, printing 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 -

(i) to advise the Board on academic matters;

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

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

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

(v) 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;

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

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

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

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

CHAPTER-V
STATUTES, REGULATIONS AND RULES

Statutes.

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

(i) terms and conditions of service of employees of the University including scales of pay;

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

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

(iv) powers and duties of Officers and teachers;

(v) affiliation and disaffiliation of institutions and related matters;

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

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

(viii) award of honorary degrees;

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

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

(xi) 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.

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

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

(ii) the admission of students to the University;

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

(iv) the conduct of examinations;

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

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

(vii) 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;

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

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

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

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

(xii) the academic costumes;

(xiii) the use of Library;

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

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

(2) The regulations shall 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 Chancellor.

Amendment and repeal of Statutes and Regulations.

25. 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.

26. (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.

27. (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 made from the contributions made by the Foundation including any other Foundation or Trust, Universities, associations, Societies or individuals and from the income derived from any other source.

(3) 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 Chartered Accountant & approved by the Finance and Planning Committee.

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

(5) The Auditor's report shall certify that the report has complied with the standards of audit and certification.

CHAPTER-VII
GENERAL PROVISIONS

Terms of office of members of Authorities.

28. 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.

29. (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.

30. (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 three persons to be appointed by the Chancellor shall be final and binding.

Constitution, Functions and Powers of other Authorities.

31. 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.

32. 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 Stautes.

33. Notwithstanding anything contained in this Act, the statutes set out in the Schedule, shall be deemed to be the statutes framed under section 23 and shall remain in force until they are amended or replaced by new statutes framed in accordance with this Act.

Removal of difficulties.

34. 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.

35. 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.**

36. 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.**

37. (1) On commencement of this Act, the Indus Institute of Higher Education Act, 2006 (Sindh Act No. I of 2006) shall stand repealed. **Repeal and Saving.**

(2) Notwithstanding the repeal of the Indus Institute of Higher Education Act, 2006 under sub-section (1), everything done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships, studentships, or exhibitions instituted, or privileges granted and orders issued by the Indus Institute of Higher Education, if not inconsistent with the provisions of this Act or the statutes, the regulations or the rules made under this Act, be continued and, so far as may be, be deemed to have been respectively done, taken, incurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under this Act.

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.**

SINDH ACT NO.VIII OF 2012

THE INDUS UNIVERSITY ACT, 2011.

THE FIRST STATUTES
(See section 33)

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 Social Sciences and Islamic Learning. (k) Faculty of Pharmacy.

(l) Faculty of Fashion Designing.

(m) Faculty of Humanities and Performing Arts.

(n) Faculty of Mass Communication.

(o) Faculty of Alternative Energy.

(p) Faculty of Textile.

(q) Faculty of Fine Arts.

(r) Faculty of Visual Studies.

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

(2) The Islamic Education and Pakistan Studies shall be compulsory for Muslim Students and Non-Muslim students shall in lieu of subjects have option to offer Ethics and Pakistan Studies subjects in all faculties.

(3) 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 Chairpersons of the Teaching Departments comprised in the faculty;

(c) two members 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, through 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 along with 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 Vice Chancellor; 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 Chairperson of the Board of Faculty and shall be nominated by the Chancellor from amongst the three senior most Professors in the Faculty, on the recommendations of the Vice-Chancellor.

(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 and each Teaching Department shall be headed by a Chairperson.

(2) The Chairperson of a Teaching Department shall be appointed by the Board from amongst the senior teachers of the Department.

(3) The Chairperson 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 –

(i) the Chairperson of the Teaching Department concerned who shall act as its Chairperson and Convener;

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

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

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

(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–

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

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

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

(iv) 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 -

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

(ii) the Pro-Vice Chancellor;

(iii) the Deans;

(iv) three University Professors other than Deans to be appointed by the Chancellor;

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

(vi) three scholars of eminence in a field not represented on the Board of Advanced Studies and Research to be appointed by the Vice Chancellor on the recommendation of the Academic Council; and

(vii) 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-

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

(ii) to consider and report to the Authorities on the institution of research degree in the University;

(iii) to propose Regulations regarding the award of research degrees;

(iv) to appoint supervisors for research students to determine the subject of their thesis;

(v) 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

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

Selection Board.

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

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

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

(iii) the Dean of the Faculty concerned;

(iv) the Chairperson of the Teaching Department concerned;

(v) two persons to be nominated by the Foundation.

(vi) 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 one half of the 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 Vice Chancellor, from a standing list of experts of each subject approved by the Chancellor on the recommendation of the Selection Board as revised from time to time.

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

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

(ii) 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;

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

(iv) 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: –

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

(ii) the Pro-Vice Chancellor;

(iii) two nominees of the Foundation;

(iv) a nominee of the Board;

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

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

(vii) 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 one half of the members.

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

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

(ii) to review periodically the financial position of the University; (iii) to advise the Board on all matters relating to planning, development, finance, investments and accounts of the University;

(iii) to prepare short term and long term development plans; (v) to prepare staff and resource development plans; and

(iv) 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 –

(i) the Vice-Chancellor or his nominee;

(ii) the Pro-Vice Chancellor;

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

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

(v) 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 -

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

(ii) 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 -

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

(ii) the Pro-Vice Chancellor;

(iii) one member to be nominated by the Chancellor;

(iv) 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 one half of the 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.