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SINDH ACT NO.VI OF 2012

THE SINDH MADRESSATUL ISLAM UNIVERSITY ACT, 2011.

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SINDH ACT NO.VI OF 2012

THE SINDH MADRESSATUL ISLAM UNIVERSITY ACT, 2011.

[29th February, 2012]

An Act to provide for the establishment of Sindh Madressatul Islam University at Karachi.

WHEREAS it is expedient to provide for establishment of Sindh Madressatul Islam University at Karachi. **Preamble.**

It is hereby enacted as follows:-

CHAPTER-I
PRELIMINARY

1. (1) This Act may be called the Sindh Madressatul Islam University Act, 2011. **Short title and commencement.**

(2) It shall come into force at once.

2. In this Act unless there is anything repugnant in the subject or context – **Definitions.**

(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 21;

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

(e) "College" means a constituent college or affiliated college;

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

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

(h) "Dean" means the head of Faculty or the head of an academic body granted the status of Faculty by this Act, the statutes or regulations;

(i) "Director" means the head of a Teaching Department or an institute established as a constituent institution by the University;

(j) "educational institution" means an institution imparting instruction in a subject or subjects relating to a Faculty;

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

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

(m) "prescribed" means prescribed by statutes, regulations or rules; (n) "Principal" means the head of a College;

(o) "Professional college" means a college providing for instruction in courses of study leading to a degree in medicine, engineering, agriculture, commerce, education, law, fine arts or such other subject as may be prescribed by regulations to be professional subjects;

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

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

(r) "Research Officer" means a person engaged whole-time by the university for research and equivalent in rank to a University Teacher;

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

(t) "statutes", "regulations" and "rules" mean respectively the statutes, the regulations and the rules made or deemed to have been made under this Act and for the time being in force;

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

(v) "Teachers" include Professors, Associate Professors, Assistant Professors, Lecturers engaged whole-time by the University or by the College for teaching degree, honours or post-graduate classes, and such other persons as may be declared to be Teachers by regulations;

(w) "University" means Sindh Madressatul Islam University Karachi, as constituted under this Act;

(x) "University Teacher" means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and

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

CHAPTER-II
THE UNIVERSITY

Incorporation.

3. (1) The Sindh Madressatul Islam University shall be constituted at Karachi in accordance with the provisions of this Act.

(2) The University shall consist of –

(i) The Chancellor and the Pro-Chancellor, and –

(a) at the main campus, the Vice Chancellor, Pro-Vice Chancellor, Deans, Principals, Directors, Chairmen of Teaching Departments, Registrar, Director of Finance, Controller of Examinations, Librarian, Chief Accountant, Bursar, Resident Auditor and such other officers as may be prescribed;

(b) at the additional campus, the Pro-Vice Chancellor, Deans, Chairmen of Teaching Departments and such other officers as may from time to time be appointed by the Chancellor on the recommendations of the Government.

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

(iii) all University Teachers; and

(iv) Emeritus Professors:

Provided that the Chancellor, on the recommendation of Government, may set up in any educational institution or college under the control and management of the University a Board of Governors, in lieu of the officers and employees mentioned in sub- clause (b) of clause (i).

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

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

Assets and liabilities and transfer of staff.

4. (1) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in trust by the Sindh Madressatul Islam and all liabilities legally subsisting against them shall stand transferred to the University.

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

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

Powers of the University.

5. The University shall have the powers –

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

(b) to prescribe courses of studies to be conducted by it and the colleges;

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

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

(e) to provide for such instructions for persons not being students of the University as it may determine, and to grant certificates and diplomas to such persons;

(f) to confer degrees on persons who have carried on independent research under prescribed conditions;

(g) to admit educational institutions to its privileges and to withdraw such privileges under prescribed conditions;

(h) to affiliate and disaffiliate educational institutions under prescribed conditions;

(i) to inspect colleges and other educational institutions associated or seeking association with it;

(j) to accept the examinations passed and the periods of study spent by students of the University at other Universities and places of learning as equivalent to such examinations and periods of study in the University, as it may determine, and to withdraw such acceptance;

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

(l) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;

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

(n) to recognize selected members of the teaching staff of colleges or educational institutions admitted to the privileges of the University Teachers;

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

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

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

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

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

(t) to make provision for research and advisory services and with these objects to enter into arrangements with other institutions or with public bodies under prescribed conditions;

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

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

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

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

Jurisdiction of the University.

6. (1) Not withstanding anything contained in any law the University shall have jurisdiction within the limit of its Campuses and in respect of Colleges in such areas as may be notified by Government:

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

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

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

University open to all classes, creeds, etc.

7. The University shall be open to all persons of either sex gender and of whatever religion, race, creed, class or colour and no person shall be denied the privileges of the University on the grounds of religion, race, caste, creed, class or colour:

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

Teaching at the university.

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

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

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

THE SINDH MADRESSATUL ISLAM UNIVERSITY ACT, 2011.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

Officers of the University.

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

(a) The Chancellor;

(b) The Pro-Chancellor;

(c) The Vice Chancellor;

(d) The Pro-Vice Chancellor;

(e) The Deans;

(f) The Principals of the constituent colleges; (g) The Chairman of the teaching departments;

(h) he Registrar;

(i) The Director of Finance;

(j) The Controller of Examinations;

(k) The Chief Accountant;

(l) The Bursar;

(m) The Resident Auditor;

(n) The Librarian; and

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

Chancellor.

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

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

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

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

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

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

(i) has become of unsound mind; or

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

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

(7) The Chancellor may, subject to the provisions of this Act, and general or special orders of Government, delegate all or any of the powers and functions of any Authority, officer or employee of the University at its main campus, to any Authority, officer, employee or any other person at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus and for this purpose the Chancellor in consultation with the Government may create new posts or positions at the additional campus.

Visitation.

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

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

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

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

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

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

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

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

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

Pro-Chancellor.

12. (1) The Minister for Education shall be the Pro-Chancellor.

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

Vice-Chancellor.

13. (1) There shall be a Vice-Chancellor of the University who shall be an eminent academic or a distinguished administrator and shall be appointed by the Chancellor on the recommendation of Government for a period of four years:

Provided that Principal, Sindh Madressatul Islam, Karachi shall be the first Vice-Chancellor of the University.

(2) At any time when the office of the Vice-Chancellor is vacant, or the Vice Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor shall 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.

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

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

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

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

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

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

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

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

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

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

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

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

(ix) to make appointments to the posts in all grades of the Basic Scales of pay up to BS-16.

Pro-Vice Chancellor.

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

(2) Where a Pro-Vice Chancellor is appointed under sub-section (1), he 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.

(3) The Pro-Vice Chancellor, if appointed, shall be ex-officio member of the Senate, Syndicate and Academic Council and shall be deemed to be included in the University under sub-section (2) of section 3 and be an officer of the University under section 9.

Registrar.

16. The Registrar shall be a whole-time officer of the University and shall be appointed by the Chancellor from among the persons recommended by Government. He shall-

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

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

(c) maintain a register of registered graduates in the prescribed manner; (d) conduct election of members to the various authorities in the prescribed manner; and

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

Director of Finance.

17. (1) The Director of Finance shall be a whole-time officer of the University and shall be appointed by the Chancellor from among the persons recommended by the Government on such terms and conditions as may be prescribed. He 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 Committee, the Syndicate and the Senate;

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

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

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

Controller of Examinations.

18. he Controller of Examinations of the University shall be a whole-time officer of the University and shall be appointed by the Chancellor from among the persons recommended by the Government and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

The Chief Accountant, Bursar and Resident Auditor.

19. he Chief Accountant, Bursar and Resident Auditor shall be whole-time officers of the University on such terms and conditions as the Syndicate may determine.

Other whole-time Officers.

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

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

Authority.

21. The Following shall be the Authorities of the University:-

(i) the Senate;

(ii) the Syndicate;

(iii) the Academic Council;

(iv) the Boards of Faculties;

(v) Boards of Studies;

(vi) the Selection Board;

(vii) the Advanced Studies and Research Board;

(viii) the Finance and Planning Committee;

(ix) the Discipline Committee; and

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

Senate.

22. (1) The Senate shall consist of:-

(i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice-Chancellor;

(iv) the Pro-Vice Chancellor, if appointed;

(v) the Members of the Syndicate;

(vi) the Deans;

(vii) the Directors;

(viii) the Principals of the constituent colleges;

(ix) the University Professors and Emeritus Professors;

(x) the Chairmen of the Teaching Departments;

(xi) the Officer or Teacher In-charge of student's affairs (by whatever designation called);

(xii) twelve University Teachers having at least three years service to be elected by all University Teachers;

(xiii) two registered graduates to be elected by all such graduates from amongst themselves;

(xiv) three persons eminent in the Arts, Sciences and the Professions; one from each category;

(xv) The Registrar;

(xvi) The Director of Finance;

(xvii) The Controller of Examination; and

(xviii) The Librarian;

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

(3) Members of the Senate, other than ex-officio members shall hold office for three years.

(4) The Senate shall meet at least twice in every year on dates be fixed by the Vice Chancellor with the consent of the Chancellor.

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

Powers and duties of the Senate.

23. Subject to the provisions of this Act, the Senate shall have the powers –

(a) to consider the drafts of statutes proposed by the Syndicate and deal with them in the manner indicated in sub-section (2) of section 30;

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

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

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

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

The Syndicate.

24. (1) The Syndicate shall consist of –

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

(ii) the Pro-Vice Chancellor, if appointed;

(iii) three members of the Provincial Assembly to be nominated by the Speaker of Provincial Assembly;

(iv) one member of National Assembly to be nominated by the Speaker of National Assembly;

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

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

(vii) one nominee of the Higher Education Commission;

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

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

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

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

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

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

(xiv) one Alim and one woman not serving in any educational institution to be nominated by the Chancellor from among the persons recommended by the Government;

(2) Members of the Syndicate, other than ex-officio members, shall hold office for three years.

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

Powers and duties of Syndicate.

25. (1) The Syndicate 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 property 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 Syndicate shall have 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 Finance and Planning Committee in this behalf, the finances, accounts and investments of the University and for that purpose, to appoint such agents as it may deem fit;

(c) to consider annual report, the annual and revised budget estimates and to advice the Senate thereon, 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 University;

(g) to invest any money belonging to the University including any unapplied income in any of the securities described in section 20 of the Trusts Act,1882 (Act 11 of 1882), or in the purchase of immovable property or in such other manner, as it may determine, with the like power of varying such investments;

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

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

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

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

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

(m) to affiliate and disaffiliate colleges;

(n) to admit educational institutions to the privileges of the University and withdraw such privileges;

(o) to arrange for the inspection of colleges and the Teaching Departments;

(p) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or suspend or to abolish such posts;

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

(r) to make appointment on the recommendations of the Selection Board to the posts in Grade 17 and above of the National Scales of Pay;

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

(t) to confer Honorary Degrees in accordance with the conditions prescribed;

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

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

(w) to report to the Senate on matters on which it has been asked to report;

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

(y) to propose drafts for statutes for submission to the Senate;

(z) to consider and deal in the manner prescribed in subsection (2) of section 31, the regulations made by the Academic Council; provided that the Syndicate may frame a Regulation at its own initiative and approve it after calling for the advice of the Academic Council;

(aa) 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;

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

(cc) to perform such other functions as have been assigned to it by the other provisions of this Act or may be assigned to it by the Statutes;

Academic Council.

26. (1) The Academic Council shall consist of:

(i) the Vice Chancellor (Chairman);

(ii) the Pro-Vice Chancellor, if appointed;

(iii) the Deans;

(iv) the Directors;

(v) the Principals of the constituent colleges;

(vi) the University Professors including Emeritus Professors; (vii) the Chairmen of the Teaching Departments;

(vii) Education Secretary or his nominee not below the rank of an Additional Secretary;

(viii) two Associate Professors, other than Chairmen of the Teaching Departments to be elected by and from amongst themselves;

(ix) four Assistant Professors and Lecturers to be elected by and from amongst themselves;

(x) three persons eminent in the arts; the sciences and the professions, of whom one shall be from each category, to be nominated by the Chancellor from among the persons recommended by the Government;

(xi) the Registrar;

(xii) Librarian; and

(xiii) the Controller of Examination.

(2) Members appointed by nomination or election shall hold office for three years.

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

Powers and duties of the Academic Council.

27. (1) The Academic Council shall be the 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 instructions, research and examinations and to regulate and promote the academic life of the University and the colleges.

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

(a) to advise the Syndicate on academic matters;

(b) to regulate the conduct of teaching, research and examinations;

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

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

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

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

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

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

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

(j) to frame Regulations for submission to the Syndicate;

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

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

Constitution, functions and powers of other Authorities.

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

Appointment of Committees by certain Authorities.

29. The Senate, the Syndicate, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such Committees persons who are not members of the Authorities appointing the committees.

CHAPTER-V
STATUTES, REGULATIONS AND RULES

Statutes.

30. (1) Subject to the provisions of this Act, the statutes may be made to regulate or prescribe all or any of the following matters:-

(a) the constitution of pension, insurance, gratuity, provident fund and benevolent fund for University employees;

(b) the scales of pay and other terms and conditions of service of Officers; Teachers and other employees of the University;

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

(d) affiliation and disaffiliation of educational institutions and related matters;

(e) admission of educational institution to the privileges of the University and the withdrawal of such privileges;

(f) the conduct of elections for membership of the Authorities of University and related matters;

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

(h) the powers and duties of Officers and Teachers;

(i) conditions under which the University may enter into arrangements with others institutions or with public bodies for purposes of research and advisory services;

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

(k) efficiency and discipline of University employees;

(l) the general scheme of studies including the duration of courses and the number of subjects and papers for an examination; and

(m) all other mattes which by this Act are to be or may be prescribed or regulated by statutes.

(2) The draft of statutes shall be proposed by the Syndicate to the Senate which may approve it or pass it with such modification as the Senate may think fit, or may refer it back to the syndicate for reconsideration, or may reject it:

Provided that the Syndicate shall not propose draft of Statutes affecting the constitution or powers of any Authority of the University; until such Authority has been given an opportunity of expressing an opinion in writing upon the proposal:

Provided further that the draft of Statutes concerning any of the matters mentioned in clauses (a) and (b) of subsection (1), shall be forwarded to the Chancellor and shall not be effective until it has been approved by Chancellor:

Provided also that Statutes concerning any of the matters mentioned in clause (k) of sub-section (1) shall be made by the Chancellor.

Regulations.

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

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

(b) the manner in which the recognized teaching referred to in sub- section (1) of section 8 shall be organized and conducted;

(c) the admission of students to the University;

(d) the conditions under which students shall be admitted to the courses and the examination of the University shall become eligible for the award of degrees, diploma and certificates;

(e) the conduct of examinations;

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

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

(h) conditions of residence of the students of the University or the colleges; including the levying of fees for residence in halls of residence and hostels;

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

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

(k) the institution of fellowships, scholarship, exhibitions medals and prizes;

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

(m) the academic costume;

(n) the use of Library;

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

(p) 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 Syndicate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulation prepared by the Academic Council shall not be valid, unless it receives the approval of the Syndicate.

Amendment and repeal of statutes and regulations.

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

Rules.

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

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

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

(2) The Syndicate may make Rules to regulate any matter relating to the affairs of the University which has not been specifically provided for by this Act, the Statutes or Regulation.

CHAPTER-VI
UNIVERSITY FUND

University Fund.

34. The University shall have a Fund to which shall be credited its income from fees, donation, trusts, bequests, endowments contributions, grants and all other sources.

Audit and Accounts.

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

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

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

(4) The accounts of the University shall be audited once a year in conformity with the statutes, regulations and rules by the Auditor appointed by Government for this purposes.

(5) The observations of the Government Auditor, together with such annotations as the Director of Finance may make shall be presented to the Syndicate.

CHAPTER-VII
GENERAL PROVISIONS

Opportunity to show cause.

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

Appeal to and review by the Syndicate.

37. Where an order is passed punishing any Officer (other than the Vice Chancellor), Teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by the Vice Chancellor or any other Officer or Teacher of the University, have the right to appeal to the Syndicate against the order, and where the order is made by the Syndicate, have the right to apply to that authority for review of that order. The appeal or application for review shall be submitted to the Vice Chancellor and he shall lay it before the Syndicate with his views.

Age of superannuation.

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

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

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

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

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

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

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

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

Commencement of term of office of members of Authority.

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

(2) Nothing in sub-section (1) shall affect the provisions of Section 41.

(3) Where a member, who has been nominated or elected to any Authority, fails to attend three consecutive meetings of the Authority consecutively, he shall cease to be the member.

(4) Where a member who has accepted any assignment or for any such other reason remains absent from the University for a period of not less than six months, he shall be deemed to have resigned and vacated his seat.

Filling of casual vacancies in Authorities.

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

Voids in the constitution of Authorities.

42. Where there is a void in the constitution of an Authority as constituted by this Act, because of the abolition of a special office under Government or because an organization, institution or other body outside the University has been dissolved or has ceased to function or because of some other similar reason, the void shall be filled in such manner as the Chancellor may direct.

Disputes about membership of Authorities.

43. If a question arises whether any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of the Vice Chancellor and the Judge of the High Court and the senior most Dean who are members of the Syndicate and the decision of this committee shall be final and binding.

Proceedings of Authorities not invalidated by vacancies.

44. No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.

First Statutes.

45. Notwithstanding anything to the contrary contained in this Act, the Governor of Sindh, shall promulgate the First Statutes which shall be deemed to be the statues framed under section 30 and shall continue to remain in force until amended or replaced or till such time as new Statutes are framed in accordance with the provisions of this Act.

Repeal and Savings.

46. (1) The notifications, legislative instruments constituting the Sindh Madressatul Islam Karachi shall stand repealed from the date of commencement of this Act.

(2) Notwithstanding the repeal of the notifications and legislative instruments envisaged 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 Sindh Madressatul Islam shall, 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.

Transitory provisions.

47. (1) Notwithstanding anything contained in this Act, the University shall continue to arrange for imparting education from class one to twelve in accordance with its historical tradition till the Authorities of the University alter, modify or abolish the programme.

(2) Government shall continue to provide funds for the education from class one to twelve mentioned in sub-section (4) as per practice in vogue at the time of commencement of this Act.

Removal of difficulties.

48. If any difficulty arises as to the first constitution or reconstitution of any Authority upon the coming into force of this Act, or otherwise in first implementation of the provisions of this Act, the Chancellor may, on the recommendation of the Vice Chancellor, give appropriate directions to remove such difficulty.

Bar of Jurisdiction.

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

Indemnity.

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

Power to require officers, teachers or employees to serve under any Government or Organizations.

51. (1) Notwithstanding anything contained in this Act –

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

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

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

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

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

SINDH ACT NO.VI OF 2012

THE SINDH MADRESSATUL ISLAM UNIVERSITY ACT, 2011.

THE FIRST STATUTES
(See section 45)

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

(i) the Faculty of Arts.

(ii) the Faculty of Science.

(iii) the Faculty of Education.

(iv) the Faculty of Law.

(v) the Faculty of Medicine.

(vi) the Faculty of Islamic Studies.

(vii) the Faculty of Management, Business Administration and Commerce.

(viii) the Faculty of Engineering.

(ix) the Faculty of Pharmacy.

(x) the Faculty of Social Sciences.

(xi) the Faculty of Language and Culture Studies.

(xii) the Faculty of Policy Planning and Development.

(xiii) the Faculty of Marine Sciences.

(xiv) the Faculty of Information Technology.

(xv) such other Faculties as may be prescribed by Statutes.

(2) There shall be Board of each Faculty which shall consist of –

(i) the Dean;

(ii) the Professors and the Chairmen of the Teaching Departments;

(iii) two members of each Board of Studies comprised in the Faculty to be nominated by the Board of Studies concerned; and

(iv) 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.

(3) The members mentioned in sub-clauses (iii) and (iv) of clause (2) shall hold office for three years.

(4) 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.

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

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

(b) to scrutinize the recommendation of the Boards of Studies comprised in the Faculty in regard to the appointment of paper setters and examiners, except for research examinations and to forward the panels of suitable paper-setters and examiners for each examination to the Vice Chancellor;

(c) to consider any other academic matter relating to the Faculty and to report thereon to the Academic Council; and

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

Dean.

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

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

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

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

Teaching Department.

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

(2) The Chairman or Chairperson of a Teaching Department or Director of an Institute shall be appointed by the Syndicate on the recommendations of the Vice Chancellor from amongst three most senior Professors and three most senior Associate Professors of the Department for a period of three years:

Provided that where there is no Professor or Associate Professor in a Department, it shall be looked after by the Dean of the Faculty with the assistance of the most senior teacher of the Department.

(3) The Chairman or Chairperson of the Department shall plan, organize and supervise the work of the Department and shall be responsible to the Dean for the work of his Department.

Boards of Studies.

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

(2) Each Board of Studies shall consist of-

(i) the Chairman of the Teaching Department;

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

(iii) one Assistant Professor and one Lecturer by rotation in order of seniority from the Department concerned; and

(iv) two experts to be appointed by the Vice Chancellor.

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

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

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

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

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

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

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

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

Advanced Studies and Research Board.

5. (1) The Advanced Studies and Research Board shall consist of -

(i) Vice Chancellor (Chairman);

(ii) the Deans;

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

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

(v) the Emeritus professors.

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

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

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

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

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

(c) to propose regulations regarding the award of research degree;

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

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

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

6. (1) The Selection Board shall consist of – **Selection Board.**

(i) The Vice Chancellor (Chairman or Chairperson);

(ii) the Chairman, or a member of the Sindh Public Service Commission to be nominated by the Chairman;

(iii) the Dean of the Faculty concerned;

(iv) the Chairman of the Teaching Department concerned; and

(v) one member of the Syndicate and two other men of eminence, to be appointed by the Syndicate, provided that none of the three are employees of the University;

(2) Members mentioned in sub-clause (v) of sub-section (1) shall hold office for two years.

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

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

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

Functions of Selection Board.

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

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

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

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

Finance and Planning Committee.

8. (1) The Finance and Planning Committee shall consist of –

(i) the Vice-Chancellor (Chairman);

(ii) one member of the Senate to be appointed by the Senate;

(iii) one member of the Syndicate to be appointed by the Syndicate; (iv) two Deans of the University to be nominated by the Vice- Chancellor;

(iv) one nominee of the Chancellor;

(v) the Director of Finance; and

(vi) one nominee of the Higher Education Commission.

(2) The term of office of the appointed members shall be three years.

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

Functions of the Finance and Planning Committee.

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

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

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

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

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

Affiliation Committee.

10. (1) The Affiliation Committee shall consist of –

(i) the Vice-Chancellor (Chairman);

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

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

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

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

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

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

Discipline Committee.

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

(a) the Vice-Chancellor or his nominee;

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

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

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

(e) the President of the University Students Union.

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

(3) The quorum for a meeting of the Discipline Committee shall be four 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 indiscipline; and

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