

[Gazette of Sind, Extraordinary, 20th November, 1970]

**SIND PRIVATE COLLEGES (ELECTION OF THE
CHAIRMAN) RULES, 1970.**

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No. O.S.D.(H.E.)-5-8/70.- In exercise of the powers conferred by clause (e) of subsection (2) of section 21 of the Sind Private Colleges (Management and Control) Ordinance, 1970 the Government of Sind are pleased to make the following rules, prescribing the procedure for election of the Chairman of the Governing Bodies under the said Ordinance, namely:

1. **Short title and commencement—** (1) These rules may be called the Sind Private Colleges (Election of the Chairman) Rules, 1970.

(2) They shall come into force at once.
2. **Definition:-** (1) In this Ordinance, unless there is anything repugnant in the subject or context, the following terms shall have the meaning hereby respectively assigned to them, that is to say—
 - (a) "Ordinance" means of Sind Private Colleges (Management and Control) Ordinance, 1970;
 - (b) "Member-Secretary" means the Member-Secretary of the Governing Body;
 - (c) "Qualified Members" means the members of the Governing Body entitled under section 4(2) of the Ordinance to elect the Chairman;
(2) Words and expressions used but not defined in these rules shall carry the same meaning as respectively assigned to them under the Ordinance.
3. **Date of holding election.—** Election to the office of the Chairman shall be held within ten days from the date of—
 - (a) The constitution of the Governing Body; or
 - (b) The occurrence of a vacancy in the office of the Chairman due to death, resignation, disability, removal from office, expiry of the term of office, or any other cause.
4. **Meeting for electing Chairman.—** (1) For the purposes of electing the Chairman, the Member-Secretary shall call a meeting of the qualified members.
 - (2) Seven days clear notice shall be given for the meeting convened under the provisions of this rule.
 - (3) Only the qualified members shall be eligible to attend the meeting.
 - (4) The quorum for the meeting shall be three-fourths of the total member of qualified members.

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(5) The meeting shall be convened and presided over—

(a) by the outgoing Chairman, in case he does not seek re-election;
and

(b) in other cases, by the Member-Secretary (hereinafter referred to as the presiding authority).

(6) The election meeting shall be held within the college premises and during the normal working hours.

5. **Candidates.**— Any qualified member present at the meeting called under rule 4 may propose the name of any qualified member as the Chairman, and if another member seconds the proposal, the person so proposed and seconded shall be deemed to be a candidate for the office of the Chairman (hereinafter referred to as the candidate).

6. **Withdrawal.**— A candidate may withdraw his candidature before the presiding authority proceeds to declare the result or to take poll and thereupon such person shall cease to be a candidate.

7. **Uncontested election.**— (1) If there is only one candidate, that candidate shall be declared by the presiding authority to have been duly elected as the Chairman.

(2) If there are more candidates than one, the issue shall be decided by taking a poll.

8 **Poll.**— (1) Votes for the election of the Chairman shall be given by ballot.

(2) The presiding authority shall supply to each qualified member present at the meeting a ballot paper.

(3) Each member shall after taking the ballot paper write thereon the name of the candidate for whom he wishes to vote and sign the ballot.

(4) The signed ballot papers shall then be collected by the presiding authority.

(5) When all the ballot papers have been collected the presiding authority shall count the votes cast in favour of each candidate and the candidate obtaining the highest number of votes shall be declared by the presiding authority to have been elected as the Chairman.

(6) Where two or more candidates have secured an equal number of votes, and the addition of one vote for one such candidate would entitle him to be declared elected as the Chairman, the presiding officer shall forthwith draw a lot in respect of such candidates, and the candidate on whom the lot falls shall be deemed to have been elected as the Chairman.

9. **Sealing of Ballot Papers.**— Immediately after the election is over, all the ballot papers will be sealed in presence of all the qualified members present and forthwith

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sent to the competent authority.

10. **Election of Dispsute.**— (1) In case of a dispute concerning the election of the Chairman, the aggrieved party may, within seven days from the date of election, file an appeal with the competent authority and the competent authority, after allowing the parties concerned an opportunity to be heard shall give its decision kin writing.
- (2) The decision of the competent authority under this rule will be final and binding on all the parties.