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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 24TH FEBRUARY, 2025.

NO.PAS/LEGIS-B-02/2025-The M.H. Panhwar Institute of Sindh Studies Bill, 2025 having been passed by the Provincial Assembly of Sindh on 03rd February, 2025 and assented to by the Governor of Sindh on 13th February, 2025 is hereby published as an Act of the Legislature of Sindh.

THE M.H. PANHWAR INSTITUTE OF SINDH STUDIES ACT, 2025

SINDH ACT NO. IV OF 2025.

AN
ACT

to provide for the establishment of an Institute known as the M.H. Panhwar Institute of Sindh Studies.

WHEREAS it is expedient to provide for the establishment of an Institute known as the M.H. Panhwar Institute of Sindh Studies to promote and conduct research in the fields of natural sciences and social sciences and to create close liaison between different research institutes and organizations in the Province of Sindh at regional and international level to provide support for the matters connected therewith or ancillary thereto. **Preamble.**

It is hereby enacted as follows:-

CHAPTER – I
Preliminary

1. (1) This Act may be called the M.H. Panhwar Institute of Sindh Studies Act, 2025. **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.**
- (i) “Board” means the Board of Governors of the Institute constituted under section 5;
- (ii) “Chairperson” means the Chairperson of the Board;
- (iii) “Director” means the Director of the Institute;
- (iv) “Department” means the Culture, Tourism, Antiquities and Archives Department, Government of Sindh;
- (v) “Fund” means the fund of the Institute established under this Act;
- (vi) “Government” means the Government of Sindh;
- (vii) “Institute” means M.H. Panhwar Institute of Sindh Studies;
- (viii) *M.H. Panhwar means the Muhammad Hussain Panhwar.*
- (ix) “Member” means a member of the Board;
- (x) “prescribed” means prescribed by rules or regulations;
- (xi) “regulations” means regulations made under this Act;
- (xii) “rules” means rules made under this Act; and
- (xiii) “Trust” means M.H. Panhwar Trust registered under registration No.KAR/SOUTH/044/2022 dated the 2nd June, 2022.

CHAPTER – II
Establishment of the Institute

3. (1) Government shall, as soon as after the commencement of this Act, establish, by notification in the official gazette, establish an Institute known as the M.H. Panhwar Institute of Sindh Studies for carrying out the purposes of this Act. **Establishment of the Institute.**
- (2) The Institute shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire hold and dispose of any property, both movable and immovable, and shall by its name sue and be sued.

(3) The headquarters of the Institute shall be at Jamshoro but it may with the approval of *Board of Governors* establish its offices at such place or places in or outside the Province of Sindh as it may consider necessary.

4. (1) The general directions and administration of the Institute and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Institute.

Management of the Institute.

(2) The Board in discharging of its functions shall act on sound principles to achieve the purpose of this Act and shall be guided on questions of policy by such directions as Government, may from time to time, give.

(3) If any question arises as to whether any matter is a matter of policy or not, the decision of Government shall be final.

5. (1) The Board shall consist of the following:-

Constitution of the Board.

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| (i) Chairperson of the Board appointed under section 6; | Chairperson |
| (ii) Secretary, Culture, Tourism, Antiquities and Archives Department | Member |
| (iii) Director General (Culture), Culture, Tourism, Antiquities and Archives Department | Member |
| (iv) Secretary Finance or his nominee not below the rank of an Additional Secretary (BPS-19) | Member |
| (v) Seven persons possessing good reputation and proven research experience in the respective fields specified by the Department, to be appointed by <i>Chief Minister</i> | Members |
| (vi) Director of the Institute | Member / Secretary |

(2) The Board may coopt any person having good reputation as a member for particular purpose, but such person shall not have right to vote.

(3) The members, other than ex-officio members shall, unless Government otherwise direct, hold office for a period of three years.

(4) Any person ceasing to be a member of the Board by reason of the expiry of the term of his office shall be eligible for re-appointment for another term of three years or for such shorter term as *Chief Minister* may determine.

(5) A Member other than official Member, shall cease to hold office if he does not attend three consecutive meetings of the Board without any valid reason.

(6) Any person appointed on a casual vacancy by *Chief Minister*, in the office of non-official member, shall hold office for the unexpired portion of the term of such vacancy.

(7) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Board.

(8) Any member other than an *ex-officio* member may by writing under his hand addressed to Chief Minister, resign his office.

6. (1) The Chairperson of the Board shall be appointed by *Chief Minister* from amongst the panel of three persons recommended by the Board, who shall hold office for a period of three years which may be extended for further period of one more term. **Chairperson.**

(2) Where the office of the Chairperson falls vacant by a reason of leave, illness or other cause, the *Chief Minister* may nominate the Chairperson from its Members with two-third majority. He shall discharge his duties until the Chairperson assumes his office.

(3) The appointment of the Chairperson shall be notified by the Department.

7. (1) The Board shall, subject to the provisions of this Act and rules or regulations, exercise administrative and financial powers in respect of the Institute as may be necessary for its proper and efficient functioning. **Powers and functions of the Board.**

(2) In particular and without prejudice to the generality of the forgoing provisions, the Board shall have the powers –

- (i) to hold, control and administer the property, funds and resources of the Institute;
- (ii) to exercise supervision and over all control over the Institute;
- (iii) to consider and approve annual research programme, annual reports and audit statements of account of the Institute and submit the same to Government for approval;
- (iv) to create, suspend or abolish such posts in the Institute;
- (v) to cause proper books of accounts to be kept for all sums of money received and expended by the Institute and for assets and liabilities of the Institute;
- (vi) to lay down its own rules of procedure with approval of Government;
- (vii) to frame rules and regulations;
- (viii) to appoint committees or sub-committees as deemed fit for carrying out the purpose of this Act; and
- (ix) to delegate any of its powers to the Director, excepting the approval of budgetary estimates.

(3) Until the Board is duly constituted, the Chairperson shall exercise the powers, discharge the duties and perform the functions of the Board.

8. (1) The meetings of the Board shall be regulated by regulations but until regulations are framed, the meetings shall be held as and when required by the Chairperson. **Meetings of the Board.**
- (2) The Chairperson shall preside over every meeting of the Board. In case of his absence, he may nominate a Member to preside over such meeting.
- (3) Half of the total membership of the Board shall constitute a quorum for a meeting of the Board.
- (4) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Board shall be taken in such meeting.
- (5) The decision of the Board shall be taken by the majority of its members present and, in case of a tie, the Chairperson or Member presiding a meeting shall have a casting vote.
- (6) All orders, determination and decision of the Board shall be taken in writing and shall be signed by the Secretary of the Board.

CHAPTER-III

Functions, Powers and Duties of the Institute

9. The Institute shall, subject to the provisions of this Act, exercise the powers and perform the functions as follows: - **Powers and Functions of the Institute**
- (i) to conduct and preserve books and magazines, research journals, newsletters, monographs, research papers, charts and illustrations in the fields or disciplines assigned under this Act or as specified by the Board;
 - (ii) to keep close liaison and collaborate with universities and other research oriented institutes established within or outside Pakistan to meet the objectives of the Institute;
 - (iii) to hold seminars, workshops and lectures for promoting research studies on Sindh and to hold national and international conferences for achieving the objectives of this Act;
 - (iv) to establish research library which may have online facility with the books digitalized by the Institute and other sources;
 - (v) to publish research papers, studies, and such other works as are completed at the Institute or are prepared in collaboration with any other similar Institute or agency, local or foreign or which are otherwise of substantial value to the Institute;
 - (vi) to undertake all such activities or do such other acts and things as may be necessary to further the objectives of the Institute.

CHAPTER—IV
Establishment

10. (1) There shall be a Director of the Institute who shall be whole time officer of the Institute to be appointed by the *Department* on the recommendations of the Board for such period and on such terms and conditions as may be determined by the Board. His appointment shall be notified by the Department. **Director of the Institute.**

(2) The Director shall be the Chief Executive of the Institute and shall exercise such powers and perform such duties as may be prescribed and until so prescribed as may be assigned to him by the Board.

(3) The Director may resign from his office by writing under his hand addressed to the *Board* on one month's notice.

11. (1) The Institute may, for efficient performance of its functions, appoint officers, advisers, consultants, experts and other staff possessing such requisite qualifications and experience and on such terms and conditions as may be prescribed by rules. **Appointment of officers and staff etc.**

(2) The officer, advisers, consultants, experts and other staff appointed under sub-section (1) shall be liable to such disciplinary action and in such manner as may be prescribed by rules.

12. The Institute may set up administrative, financial, technical and such other committees as may be considered necessary to achieve the objectives of the Institute. **Committees.**

CHAPTER—V
FINANCES

13. (1) There shall be created an Endowment Fund for the sustainability of the Institute and may generate funds from its own resources. **Fund.**

(2) The Institute may receive funds, donations, contributions and gifts for carry out the aims and objectives of the Institute.

(3) The funds of the Institute shall be maintained in any scheduled bank with the approval of the Board.

14. (1) The Institute may invest the funds in any profitable schemes of scheduled bank having AAA category and recognized by the State Bank of Pakistan with the approval of the Board. **Investment of funds.**

(2) The Director may withdraw the investment of funds in case of imminent loss with the approval of the Board.

(3) The Director shall be responsible to present status of all investments in every meeting of the Board.

15. The Budget shall be prepared and approved in the manner as may be prescribed by rules. **Budget.**

16. (1) The accounts of the Institute shall be operated by the Director and / or any officer authorized by the Board. **Accounts.**
17. (1) The accounts of the Institute shall be maintained in such form and manner as may be prescribed. **Audit of Accounts.**
- (2) The accounts shall be audited by an Auditor General of Pakistan or by any qualified firm of Chartered Accountants on annual basis.
- (3) The report of the Chartered Accountant along with audited accounts shall be presented to Government.

CHAPTER—VI Miscellaneous

18. *Department* may require the Institute to furnish to it any information, return statement for statistics regarding any matter concerning the Institute and the Institute shall comply with such requisition. **Requisition of Government.**
19. The Institute at the close of every financial year shall prepare and publish annual report of its activities and performance and submit the report to *Department* within a fortnight of its publication. **Annual Report.**
20. All persons acting or purporting to act in pursuance of any provision of this Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code. **Public Servants.**
21. No Court shall have jurisdiction to grant any injunction or make any order or entertain any proceedings in relation to anything done or intended to be done under this Act. **Jurisdiction barred.**
22. No suit or legal proceedings shall lie against Government, Institute, or any other person in respect of anything done or intended to be done under this Act. **Indemnity.**
23. Government may make rules for carrying out the purposes of this Act. **Rules.**
24. Subject to the provisions of this Act, and the rules, the Board may make regulations for carrying out the purposes of this Act. **Regulations.**

