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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 19TH MARCH, 2013.

NO.PAS/Legis-B-15/2013- The Shaheed Benazir Bhutto City University Bill, 2013 having been passed by the Provincial Assembly of Sindh on 7th March, 2013 and assented to by the Governor of Sindh on 13th March, 2013 is hereby published as an Act of the Legislature of Sindh.

THE SHAHEED BENAZIR BHUTTO CITY
UNIVERSITY ACT, 2013.

SINDH ACT NO. XXI OF 2013.

AN
ACT

to provide for the establishment of the Shaheed Benazir Bhutto City University at Karachi.

WHEREAS it is expedient to provide for the establishment of the Shaheed Benazir Bhutto City University at Karachi and to provide for matters ancillary thereto; **Preamble.**

It is hereby enacted as follows:-

CHAPTER-I PRELIMINARY

1. (1) This Act may be called the Shaheed Benazir Bhutto City University Act, 2013. **Short title and commencement.**

(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) "Chairman" means the Chairman of a Teaching Department;
- (f) "Chancellor" means the Chancellor of the University;
- (g) "college" means a college and includes an institution in which arrangement exists for imparting instructions in general, technical professional education or other disciplines of higher learning and such other subjects as may be prescribed;
- (h) "Commission" means the Higher Education Commission;
- (i) "constituent institution or college" means an institution or college maintained and administered by the University;
- (j) "Dean" means the Head of Faculty;
- (k) "Director" means the head of a teaching or administrative division of an institute;
- (l) "Faculty" means a Faculty of the University;
- (m) "Foundation" means the National Education Foundation established by a deed of Foundation executed on 5th day of July 2011 and registered under registration No.KAR-0003 under the Societies Registration Act,1860;
- (n) "Government" means the Government of Sindh;
- (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 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) "teacher" means whole time teacher engaged as Professor, Associate Professor, Assistant Professor and Lecturer, and such other persons as may be declared to be the teachers;
- (w) "Teaching Department" means a Teaching Department of the University;
- (x) "University" means the Shaheed Benazir Bhutto City University established under this Act;
- (y) "Vice Chancellor" means the Vice Chancellor of the University;

CHAPTER-II THE UNIVERSITY

3. (1) There shall be established a University to be called the Shaheed Benazir Bhutto City University, Karachi, consisting of the Chancellor, the Vice Chancellor, the Pro-Vice Chancellor, the Deans, the Chairmen of the Teaching Departments, the members of the Board, the members of the Academic Council and such other Officers as may be prescribed. **Incorporation.**

(2) The University shall be a body corporate by the name of the Shaheed Benazir Bhutto City 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, race, creed, 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 and across the country as per guidelines and instructions issued by Government from time to time.

4. (1) Subject to the instructions of Government as issued from time to time, the University shall have the powers to -

**Powers and
Functions of the
University.**

- (i) 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;
- (ii) prescribe courses of studies and curricula;
- (iii) admit students and hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on the persons who have been admitted to and have passed its examinations under prescribed conditions;
- (iv) confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (v) 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;
- (vi) affiliate and disaffiliate educational institutions and inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (vii) 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;
- (viii) cooperate with the other Universities and public authorities in such manner and for such purposes as per rules and regulations;
- (ix) institute Professorship, Associate Professorship, Assistant Professorship and Lecturership and any other posts and to appoint persons thereto;
- (x) create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xi) institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;
- (xii) control the residence of the students of the University, to institute and maintain halls of residence and to approve or license hostels and lodgings;
- (xiii) 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;

- (xiv) demand and receive such fees and other charges as it may determine;
- (xv) enter into, carry out, vary or cancel contracts;
- (xvi) 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;
- (xvii) undertake such research as it may determine in the ordained branches of learning;
- (xviii) provide for the printing and publication of research and other works;
- (xix) appoint members of various bodies and committees, as the Board may determine for academic and administrative activities;
- (xx) appoint such officers and staff and prescribe terms and conditions and powers and duties of such officers and staff;
- (xxi) establish academic linkages and collaborative activities with other institutions for the betterment of academic standards; and
- (xxii) do all such acts and things, as may be requisite to further its objectives.

CHAPTER-III OFFICERS OF THE UNIVERSITY

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

**Officers of the
University.**

- (i) the Chancellor;
- (ii) the Vice Chancellor;
- (iii) the Pro-Vice Chancellor;
- (iv) the Deans;
- (v) the Directors;
- (vi) the Chairmen of the Teaching Departments;
- (vii) the Registrar;
- (viii) the Director of Finance;
- (ix) the 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.

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

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

7. (1) The Patron may cause an inspection or inquiry to be made in **Visitation.**

respect of any matter connected with the affairs of the University and shall, from time to time, direct any person or persons to inquire into or carry out inspection of -

- (a) the University, its building, libraries and other facilities;
- (b) any institution, department or hostel maintained by the University;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination and other matters of the University; and
- (e) such other matters as may be specified by him.

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

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

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

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.

Chancellor.

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

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

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

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

- (a) has become of 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 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.

(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.

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

(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.

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. **Powers and duties of the Vice Chancellor.**

(2) The Vice Chancellor shall, in the absence of the Chancellor, preside over the meetings of the Authorities of which the Chancellor is the Chairman.

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

(4) In particular and without prejudice to the generality of the foregoing powers, the 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 by re-appropriation 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 such conditions, if any, as may be prescribed, any of his powers under this Act, to an officer or other employee of the University; and
 - (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 campuses jointly or separately, on such terms and conditions and for such period not exceeding three 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.

Registrar.

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

(2) The Registrar shall -

- (a) be the custodian of the common seal and the academic records of the University; and
- (b) perform such other duties as may be prescribed.

Director Finance.

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

(2) The Director of Finance shall -

- (a) manage the property, the finances and the investments of the University;
- (b) prepare the annual and revised budget estimates of the University and present them to the Finance and Planning Committee and the Board;

- (c) ensure that the funds of the University are expended for the purposes for which they are provided; and
- (d) perform such other duties as may be prescribed.

14. The Controller of Examinations 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.

Controller of Examinations.

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.

Resident Auditor.

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.

Director of Planning and Development.

CHAPTER-IV AUTHORITIES OF THE UNIVERSITY

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

Authorities.

- (i) the Board of Governors;
- (ii) the Academic Council;
- (iii) the Boards of Faculties;
- (iv) the Boards of Studies;
- (v) the Selection Board;
- (vi) the Board of Advanced Studies and Research;
- (vii) the Finance and Planning Committee;
- (viii) the Discipline Committee;
- (ix) the Affiliation Committee; and
- (x) such other Authorities as may be prescribed by the statutes.

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

Board of Governors.

- (i) the Chancellor, who shall be its Chairman;
- (ii) the Vice Chancellor;
- (iii) the Pro Vice Chancellor
- (iv) the Chief Justice of the High Court of Sindh or a Judge of High Court nominated by him;
- (v) the Chairman, Higher Education Commission or whole time member of the Commission nominated by him;
- (vi) two Deans to be appointed by the Chancellor in consultation with the Vice Chancellor;
- (vii) Secretary to Government of Sindh, Education Department or his nominee;
- (viii) President Chambers of Commerce and Industries Karachi;

