

AN ORDINANCE

to provide for the establishment of an Institute known as the AO Post Graduate Institute of Orthopaedic Sciences.

WHEREAS it is expedient to provide for the establishment of an Institute known as the AO Post Graduate Institute of Orthopaedic Sciences and to provide for matters ancillary thereto; **Preamble.**

AND WHEREAS the Provincial Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the AO Post Graduate Institute of Orthopaedic Sciences Ordinance, 2013. **Short title and commencement.**
(2) It shall come into force at once.

2. In this Ordinance, unless there is anything repugnant in the subject or context - **Definitions.**

- (a) "Academic Council" means the Academic Council of the Institute;
- (b) "Authority" means any Authority of the Institute as specified in section 7;
- (c) "Board" means the Board of Governors of the Institute;
- (d) "Chairperson" means Chairperson of the Board;
- (e) "Commission" means the Sindh Higher Education Commission;
- (f) "Director" means the Director of the Institute;
- (g) "Dean" means the Dean of a Faculty;
- (h) "Faculty" means the Faculty of the Institute;
- (i) "Government" means the Government of Sindh;
- (j) "Head" means head of a Teaching Department;
- (k) "Institute" means the AO Post Graduate Institute of Orthopaedic Sciences;
- (l) "Officer" means any of the Officers of the Institute specified in section 8;
- (m) "Patron" means the Patron of the Institute;
- (n) "prescribed" means prescribed by statutes, regulations and rules;

- (o) "Registrar" means the Registrar of the Institute;"
- (p) "Society" means the AO Welfare Society registered under the Societies Registration Act,1925;
- (q) "statutes, regulations and rules" means the statutes, regulations and rules respectively made under this Ordinance;
- (r) "teacher" means the Professor, Associate Professor, Assistant Professor and Lecturer engaged whole time by the Institute and such person as may be declared to be the teacher by regulations;
- (s) "Teaching Department" means the Teaching Department established and maintained by the Institute;

3. (1) There shall be established at Karachi, an Institute to be called the AO Post Graduate Institute of Orthopaedic Sciences consisting of -

Establishment and Incorporation of the Institute.

- (i) the Patron, the Chairperson, the Director, the Deans and other members of the Board;
- (ii) members of such Academic Council, committees and other bodies as the Board may establish;
- (iii) the teachers and students of the Institute and its constituent units; and
- (iv) such other officers and members of the staff as may from time to time be specified by the Board.

(2) The Institute shall be a body corporate by the name of the AO Post Graduate Institute of Orthopaedic Sciences, having perpetual succession and a common seal, with power, amongst others to acquire, hold and dispose of any property or investments and shall by the said name sue and be sued.

(3) The Institute may take measures to setup campus or campuses throughout or outside the country.

4. The powers and functions of the Institute are subject to this Ordinance and such instructions and guidelines as may be issued by Government from time to time. The Institute shall have the powers to -

Powers and Functions of the Institute.

- (a) undertake postgraduate teaching program such as postgraduate diploma, diploma Orthopaedic and diploma Trauma, Master of Science in Orthopaedic and Doctorate of Medicine;
- (b) undertake teaching and training in the principles of

Orthopaedic sciences with emphasis in Epidemiology and Biostatistics, public health, management sciences, trauma and orthopaedic surgery, medical genetics, biotechnology, anatomy, physiology, pathology, biochemistry, nursing, paramedics, pharmacy, clinical pharmacy, laboratory and blood bank and refresher courses;

- (c) make provision for research, management and development programs for the advancement and dissemination of knowledge in such manner as it may determine;
- (d) carry out and promote research, surveys, experiments, and demonstration in the field of orthopaedic sciences, disease pattern prevention and treatment;
- (e) admit and examine students;
- (f) publish research papers, studies and such other work as are completed at the Institute or are prepared in collaboration with any other institute and agency, local or foreign or which otherwise of substantial value to the Institute;
- (g) organize seminars and conferences and to promote cooperation with national and international agencies, organizations, institutions and universities in activities falling within the purview of the Institute;
- (h) prescribe courses of studies to be conducted by it and its affiliated institutions;
- (i) establish, maintain and administer any faculty, teaching department, centres of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may determine;
- (j) hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions on and to the persons who have been admitted to and have passed its examinations under prescribed conditions;
- (k) appoint such officers and staff and prescribe terms and conditions and powers and duties of such officers and staff;
- (l) affiliate and disaffiliate institutions under prescribed conditions;

- (m) affiliate itself or associate with other institutions and establish faculties and the Teaching Departments to discharge its functions and responsibilities for imparting education;
- (n) develop curricula and prescribe courses of studies for the Institute;
- (o) confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (p) establish and support other facilities for education, training and research;
- (q) enter into agreements, contracts and arrangements with Universities, Organizations, Institutions, bodies and individuals for the purpose of carrying out its functions and activities;
- (r) create posts for teaching, research, training, consultancy, administration and other related purposes and to appoint persons thereto;
- (s) acquire, receive and manage property transferred and grants, bequests, trusts, gifts, donations, endowments or other contributions made to the Institute and to invest any funds representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (t) undertake such research as it may determine in any and all branches of learning; and
- (u) do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the Institute as a place of education, learning and research.

5. The Institute shall be open to all persons of either sex of whatever religion, race, creed, class or colour or domicile who are academically qualified for admission to the courses of study offered by the Institute, and no such person shall be denied the privileges on the ground only of sex, religion, race, creed, class, colour or domicile.

**Institute
open to all.**

6. (1) The academic programmes of the Institute shall be conducted in the prescribed manner.

**Teaching
at the Institute.**

(2) The Institute may associate external examiners for the conduct of examinations.

(3) In prescribing syllabi, courses of studies and instructions for the conduct of studies, the Institute shall abide by the directions given from time to time by Government and Commission.

7. The following shall be the Authorities of the Institute:-

Authorities.

- (a) The Board of Governors;
- (b) The Academic Council;
- (c) The Boards of Faculties;
- (d) The Boards of Studies;
- (e) The Selection Board;
- (f) The Board of Advanced Studies and Research;
- (g) The Finance and Planning Committee;
- (h) The Discipline Committee;
- (i) The Affiliation Committee;
- (j) such other Authorities as may be prescribed by the statutes.

8. The following shall be the Officers of the Institute:-

Officers of the Institute.

- (i) the Chairperson;
- (ii) the Director;
- (iii) the Deans;
- (iv) the Heads of the Teaching Departments;
- (v) the Registrar;
- (vi) the Director Finance;
- (vii) the Controller of Examinations;
- (viii) the Resident Auditor;
- (ix) the Librarian; and
- (x) such other persons as may be prescribed by the regulations to be the officers.

9. (1) The Governor of Sindh shall be the Patron of the Institute.

Patron.

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

10. (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person or persons to inquire into or carry out inspection of -

Visitation.

- (a) the Institute, its building, libraries and other facilities;
- (b) any institution, department or hostel maintained by the Institute;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination and other matters of the Institute; and

(e) such other matters as may be specified by him.

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

(3) The 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 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 Board shall comply with all such directions.

11. (1) The General Secretary of the Society shall be the **Chairperson**, Chairperson and Controlling Authority of the Institute.

(2) The Chairperson shall, in the absence of the Patron, preside at the convocation of the Institute.

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

(4) The Chairperson may remove any person from the membership of any Authority if such person –

- (a) has become unsound mind; or
- (b) has been incapacitated or is unable to function as member; or
- (c) has been convicted by a court of law in Pakistan of an offence involving moral turpitude or has been found in an activity against the interest of the Institute.

(5) If the Chairperson is satisfied that the proceedings of any Authority are not in accordance with the provisions of this Ordinance, 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.

(6) Should the Chairperson be incapacitated from acting as such due to absence or any other cause, the Director or any person authorized by the Board shall exercise all the powers and perform all the duties and functions of the Chairperson.

12. (1) The Director shall be an eminent scholar and an administrator of national or international repute and an educationist of distinction who shall be appointed by the Chairperson on the recommendations of the Board, for a period of four years on such terms and conditions as the Board may determine. **Director.**

(2) The Director shall be the Chief Academic and administrative officer of the Institute and shall be responsible for implementation of the provisions of this Ordinance, the statutes, the regulations, the rules and the decisions of the Board and for the execution of the programs of the Institute in accordance with the guidelines and policies formulated by the Board.

(3) In particular and without prejudice to the generality of the foregoing powers, the Director shall also have the powers -

- (a) to submit plans of work and budget estimates of the Institute for consideration of the Board;
- (b) to direct the activities connected with the execution of programmes for instruction, training, research, services to the community;
- (c) to authorize expenditure provided for in the approved budget and re-appropriate funds within the same major head of expenditure and report it to the Board in the next meeting;
- (d) to sanction and re-appropriate an amount not exceeding an amount 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;
- (e) to appoint, on the recommendations of the Selection Board and with the approval of the Board, teachers, officers and members of the staff of the Institute and such other persons as may be necessary in accordance with policies and procedures approved by the Board so as to ensure the highest intellectual and moral qualities in the persons appointed;
- (f) to submit to the Board, in accordance with the rules of procedure, reports on the activities of the Institute and the execution of the plans of work;
- (g) to create and fill temporary posts for a period not exceeding six months;
- (h) to undertake any work assigned by the Board.
- (i) to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under this Ordinance, to an officer or other employee of the Institute; and
- (j) to exercise and perform such other powers and functions as may be prescribed.

(4) At any time when the office of the Director is vacant, or the

Director is absent or is unable to perform the functions of his office due to illness or other cause, the Chairperson shall make such arrangements for the performance of the duties of the Director as he may deem fit.

(5) The Director may in an emergency, which in his opinion requires immediate action, take such action as he may consider necessary and shall, as soon as possible thereafter report his action to the Board.

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

(2) The Registrar shall -

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

14. The academic and administrative staff of the Institute shall be selected with a view to achieve its stated objectives and the basic criteria for their selection shall be the highest standards of competence, integrity and efficiency: **Academic and administrative staff.**

Provided that in the case of academic staff, academic qualification and fringe benefits shall not be less than those duly approved and laid down by the Commission for such appointments.

15. (1) The Director of Finance shall be a whole-time officer of the Institute and shall be appointed by the Chairperson on such terms and conditions as he may determine. **Director of Finance.**

(2) The Director Finance shall -

- (a) manage the property, finances and the investments of the Institute;
- (b) prepare the annual and revised budget estimates of the Institute and present them to the Board;
- (c) ensure that the funds of the Institute are expended for the purposes for which they are provided; and
- (d) perform such other duties as may be prescribed.

16. (1) The Controller of Examinations of the Institute shall be a whole-time officer of the Institute and shall be appointed by the Chairperson on such terms and conditions as he may determine. **Controller of Examinations.**

(2) The Controller of Examination shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

17. (1) The Board shall consist of -

Board of Governors.

- (a) the General Secretary of the Society who shall be the Chairperson;
- (b) the Judge of the High Court of Sindh to be nominated by the Chief Justice;
- (c) the Chairman, Higher Education Commission or whole time member of the Commission nominated by him;
- (d) the Secretary to Government of Sindh, Health Department or his nominee;
- (e) a Vice Chancellor of the Karachi University or an eminent scholar to be nominated by the Chairperson;
- (f) one Dean to be nominated by the Chairperson;
- (g) two prominent citizens to be nominated by the Chairperson;
- (h) one representative of the Pakistan Medical and Dental Council;
- (i) President, Chamber of Commerce and Industry or his nominee;
- (j) One scientist of national or international repute nominated by the Board; and
- (k) the Director;
- (l) the Registrar who shall act as the Secretary of the Board.

(2) The members of the Board other than ex-officio members shall hold office for three years and shall be eligible for re-nomination on the expiry of their term.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence or his nomination is changed by the Authority, which nominated him.

18. (1) The Board shall be the executive and governing body of the Institute and shall subject to the provisions of this Ordinance and the statutes, exercise general supervision over the affairs and management of the Institute. **Powers and duties of the Board.**

(2) In particular and without prejudice to the generality of the

foregoing powers and subject to the provisions of this Ordinance and the statutes, the Board shall have the powers -

- (a) to exercise over all control of the Institute;
- (b) to receive and manage property transferred and grants, bequests, trusts, gifts, donations, endowments and other contribution, made to the Institute and to invest such grants, bequests, trusts, gifts, donations, endowments and other contribution in such manner as it may deem fit;
- (c) to undertake responsibility for the financial viability of the Institute including responsibility for ensuring effectiveness of its operations, their continuity and preservation of the authority of the Institute;
- (d) to consider and pass resolution of the annual report, plan of work, statement of accounts of the annual budget estimates;
- (e) to formulate or approve the principles, policies and plans governing the activities and operations of the Institute so as to facilitate research, teaching and other academic work;
- (f) to prepare, or have prepared and revised from time to time rules and regulations for the efficient and effective operations of the Institute;
- (g) to frame statutes as are necessary for carrying out the purposes of this Ordinance;
- (h) to create a component of the Institute such as faculties, departments, campuses and institutes under its jurisdiction and to constitute such standing committees, councils and other administrative or academic advisory bodies as it deems necessary, and review their work;
- (i) to consider and approve the budget estimates, annual research programs, annual reports and audited statement of accounts of the Institute;
- (j) to call for and consider reports relating to the activities of the Institute and the execution of the plans of work and to direct the Director to furnish information relating to any matter specified by the Board;
- (k) to create such academic or administrative posts as it may deem necessary and to approve appointment to such posts;