

**SINDH ACT NO.I OF 2017**

**THE ETIHAD UNIVERSITY ACT, 2017.**

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[15<sup>th</sup> February, 2017]

to provide for the establishment of the Etihad University, Karachi.

**WHEREAS** the BB Foundation has committed to establish the Etihad University and fully fund the University in its, establishment, future management maintenance and operations.

**Preamble.**

**AND WHEREAS** it is expedient to provide for the establishment of Etihad University, Karachi and to provide for matters ancillary thereto:-

It is hereby enacted as follows:-

1. (1) This Act may be called the Etihad University Act, 2017.

**Short title and commencement.**

(2) It shall come into force at once.

2. In this Act, unless there is anything repugnant to the subject or context:

**Definitions.**

(a) "Academic Council" means the Academic Council of the University;

(b) "Authority" means any of the Authorities of the University;

(c) "Board" means the Board of Governors of the University;

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

(e) "Dean" means the Head of faculty;

(f) "Director" means the head of a teaching or administrative division of the university;

(g) "Faculty" means an academic division within the University comprising one or more Teaching Department;

(h) "President" means the President of the Foundation;

(i) "Statutes" "Regulations" and "Rules" means respectively the statute, regulations and rules made under this Act;

(j) "Teaching Department" means a Teaching Department of the University;

**(k) "Foundation" means Brig: (Rtd) Bashir Foundation registered under the Societies Registration Act XXI of 1860 bearing Registration No. KAR No.093 of 2016-17;**

(l) "Vice Chancellor" means the Head of the University.

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3. (1) There shall be established a University to be called the Etihad University, consisting of the Chancellor, Board of Governors, Vice Chancellor, Registrar, Deans, Head of Teaching department, the members of the Academic Council and such other Officers as may be prescribed.

**The University.**

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

(3) The University shall take measures to set up campus or campuses anywhere in Pakistan.

4. The University shall be an autonomous body and shall have the powers to:

**Power and Functions  
of the University.**

- (a) Provide for instruction 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;
- (b) Affiliate itself or associate with other institutions and establish faculties and the Teaching Departments to discharge its functions and responsibilities for imparting education;
- (c) Prescribe courses of studies and curricula;
- (d) Admit and hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to the persons who have been admitted to and have passed its examinations under prescribed conditions;
- (e) Confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (f) Establish faculties, teaching departments, research institutes and other learning centers in any and all branches of learning and to provide and support other facilities for education, professional training and research;
- (g) University Professorship, Associate Professorship, Assistant Professorship and Lectureship, and any other posts and to appoint persons thereto;
- (h) Demand and receive such fees and other charges as it may determine;

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- (i) 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;
- (j) Appoint members of various bodies and committees, as the Board may determine, for academic and administrative activities;
- (k) Appoint such officers and staff and staff and prescribe terms and conditions and powers and duties of such officers and staff;
- (l) Do all such acts and things, as may be requisite to further its objectives;

5. The following shall be the officers of the University, who shall be appointed by the Foundation on such terms and conditions as deemed fit by the Foundation, and shall hold their respective posts at the pleasure of the Foundation:-

**Officers of the University.**

- (a) Chancellor;
- (b) Vice Chancellor;
- (c) Deans;
- (d) Head of Departments;
- (e) Registrar;
- (f) Director of Finance;
- (g) Controller of Examinations;
- (h) Librarian; and
- (i) Such other persons as may be prescribed by the 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. The Chancellor is the President (or his nominee) of the Foundation and shall Chair the Board of Governors. The Chancellor preside the Convocation of the University.

**Chancellor.**

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8. The Vice Chancellor is the operation Head of the University and **shall be appointed by the Chancellor, for a period of three years on such terms and conditions as it may determine.**

**Vice Chancellor.**

9. (1) Vice Chancellor shall be the Principal executive and academic officer of the University and shall be responsible for implementation of the provisions of the ACT, the statutes, the regulations and the rules, and execution of the policies and the programs of the University.

**Powers and Duties of Vice Chancellor.**

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

(3) In particular and without prejudice to the generality of the foregoing powers the Vice Chancellor shall also have the powers to create and fill temporary posts for a period not exceeding six months; to sanction all expenditures provided for in the approved budget, and to re-appropriate funds within the same major head of expenditure; to sanction by re-appropriation an amount not exceeding fifty thousand rupees for an unforeseen item not provided for in the budget, and report it to the Board at the next meeting; to make such arrangements for the security of papers, grades and results as he may consider necessary; 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 to exercise and perform such other powers and functions as may be prescribed.

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

**Registrar.**

(2) The Registrar shall, subject to the statutes, regulations and rules have powers to be the Chief Academic and Administrative Officer of the University with overall responsibility for the Academic, Administrative and Research programs. Be the custodian of the common seal and the academic records of the University; Perform such other duties as may be prescribed.

11. The Director of Finance shall be a whole-time, appointed by the Foundation on such terms and conditions as may determine. The Director Finance shall-manage the property, the finances and the investments of the University; prepare the annual and revised budget estimates of the University and present them to the Finance Committee and the Board; Perform such other duties as may be prescribed.

**Director Finance.**

12. 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.**

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

**Authorities.**

- (a) The Board of Governors;
- (b) The Academic Council;
- (c) The Board of Faculties;
- (d) The Board of Studies;
- (e) The Selection Board;
- (f) The Finance and Planning Committee;

Such other Authorities as may be prescribed by the Statutes and approved by Foundation.

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

**Board of Governors.**

- (i) The Chancellor, who shall be its chairman;
- (ii) Vice Chancellor;
- (iii) Two Members of the Provincial Assembly of Sindh are to be nominated by the Speaker of the Provincial Assembly of Sindh.**
- (iv) The Chairman, Higher Education or his nominee;
- (v) Secretary to the Government of Sindh Education Department or his nominee;
- (vi) The Chief Justice of the High Court of Sindh or his nominee;
- (vii) Two Deans;
- (viii) Three members of outstanding merit nominated by the Chancellor on the recommendation of the Vice Chancellor;
- (ix) The Registrar who shall act as Secretary of the board.

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

15. (1) The Board shall be the executive body of the University and shall subject to the provisions of this Act, and the statues, exercise general supervision over the affairs and management of the University.

**Powers and Duties of the Board.**

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(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the statutes, the Board shall have the powers to hold, control and administer the property and funds of the University; to govern and regulate, with due regard to the advice of the Finance and Planning committees, the finances, accounts and investments of the University and or that purpose, to appoint such agents as it may think fit; to consider annual and revised budget estimates and to advise the Foundation thereon, and to re-appropriate from one major head of expenditure to another to administer any funds placed at the disposal of the University for specified purposes; to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University.

16. (1) The Board shall meet at least two times in a year on the dates to be fixed by the Vice Chancellor provided that a special meeting may be called at any time on the direction of the Chancellor or on a requisition made by not less than four members of the Board to consider a matter of urgent nature.

#### **Meeting of the Board.**

(2) The quorum for a meeting of the Board shall be one half of its members, a fraction being counted as one.

17. (1) The Academic council shall consists of:-

#### **Academic Council.**

- (i) The Vice Chancellor who shall be the Chair;
- (ii) The Deans;
- (iii) The Directors;
- (iv) The University Professors including Emeritus and Distinguished Professors;
- (v) Five eminent person known for their intellectual caliber on international level, service to society or leadership in profession nominated by the Chancellor on the recommendation of the Vice Chancellor;
- (vi) The Controller of Examination;
- (vii) The Librarian;
- (viii) The Registrar who shall act as its Secretary.

(2) The quorum for a meeting of the Academic Council shall be one third of the total number of members, a fraction being counted as one.

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18. (1) The Academic council shall be the highest 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 instruction, scholarship, research and examinations, and to regulate and promote the academic life of the University.

#### **Powers of Academic Council.**

(2) In particular and without prejudice to the generality of the foregoing provisions, the Council shall have the powers to advise the Board on academic matters; to regulate the admission of students to the courses of studies and examinations; to propose to the Board, schemes for the constitution and organization of Faculties, Teaching Departments, Institutes and Boards of Studies; to consider or formulate proposals for the planning and development of teaching and research in the University; to make regulations on the recommendations of the Board of Faculties and the Board of Studies prescribing the course of studies and the syllabi for all University examinations, provided that, if the recommendations of Board of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination; to recognize the examinations of other Institute or examining bodies as equivalent to the corresponding examinations of the University; to frame regulations for submission to the Board; to appoint members to the various Authorities in accordance with the provisions of this Act; and to perform such other functions as may be prescribed by the statutes.

19. (1) Subject to the provisions of this Act, Vice Chancellor may make / promulgate statutes to regulate or prescribe all or any of the following matters namely-

#### **Statutes.**

- (i) terms and conditions of service of employees of the University, including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (ii) terms and conditions of contractual appointment of teachers, researchers and officers;
- (iii) establishment of Faculties, Teaching departments and other academic units and divisions;
- (iv) affiliation and disaffiliation of institutions and related matters;
- (v) powers and duties of officers and teachers;
- (vi) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;



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- (vii) conditions of appointment of Professor Emeritus and Distinguished Professors;
- (viii) award of honorary degrees;
- (ix) standards for evaluation of efficiency and exercising disciplinary measures over the employees of the University;
- (x) acquisition and administration of properties and investments of the University; and
- (xi) all other matters which under this Act are required to be or may be prescribed or regulated by the statutes.

(2) The draft of amendment of the statute shall be proposed by the Board for approval by the Chancellor who may refer them back to the Board for reconsideration.

(3) The Chancellor shall have the powers to assent to the statutes submitted to him for approval.

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

- (i) the courses of study for degrees, diplomas and certificates of the University;
- (ii) the admission of students to the University;
- (iii) the conditions under which students shall be admitted and shall become eligible for the award of degrees, diplomas and certificates;
- (iv) the conduct of examinations;
- (v) fees and other charges to be paid by students for admission to the courses of study and examination of the University;
- (vi) the conduct and discipline of students of the University;
- (vii) conditions of residence of the students of the University or the colleges, including the levy of fees for residence in the halls of residence and hostels;
- (viii) the approval and licensing of hostels and lodgings;

### **Regulations.**

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- (ix) conditions under which a person should carry on independent research to entitle him to a degree;
- (x) the institution of fellowships, scholarships, exhibitions, medals and prizes;
- (xi) the institution of stipends and free and half-free assistantships;
- (xii) the academic costumes;
- (xiii) the use of Library;
- (xiv) the formation of Teaching Departments and Boards of Studies;
- (xv) 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 Board which may approve them or withhold approval or refer them back to the Academic Council for reconsideration.

(3) A regulation prepared by the Academic Council shall not be valid, unless it receives the approval of the Board.

#### **FIRST STATUTES (SEE SECTION 18)**

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

**Faculties.**

- (i) Faculty of Business & Management Sciences ;
- (ii) Faculty of Engineering, Science & Technology;
- (iii) Faculty of Science;
- (iv) Faculty of Hotel and Tourism Management;
- (v) Faculty of Health and Medical Sciences;
- (vi) Faculty of Arts;
- (vii) Faculty of Performing Arts;
- (viii) Faculty of Law;
- (ix) Faculty of Media Sciences;

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- (x) Faculty of Pharmacy;
- (xi) Faculty of Fashion Designing;
- (xii) Faculty of Education, Humanities and Social Sciences;
- (xiii) Faculty of Mass Communication ;
- (xiv) Faculty of Alternative Energy;
- (xv) Any other faculty as may be prescribed by the statutes.

(2) The Islamic Education and Pakistan Studies shall be compulsory for Muslim Students and non-Muslim students shall have option to offer Ethics and Pakistan Studies subjects in all faculties.

(3) Each Faculty shall include such institute, teaching department, centers or the other teaching or research units as may be prescribed the statutes.

2. There shall be a Board of each Faculty consisting of:-

**The Board of a Faculty.**

- (i) The Dean of the concerned faculty shall be the Chairman;
- (ii) The Chairman of concerned Department;
- (iii) The University Professors including Emeritus and Distinguished Professors The Associate Professor(s), Three Teachers nominated by the Academic Council by reason of their specialized knowledge of subject.

3. (1) There shall be a dean of each faculty who shall be the Chairman and Conveyor of the Board of Faculty.

**Deans.**

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

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

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

**Board of Studies.**

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- (i) The Head of the concerned Department shall be the Chairman;
- (ii) All Professors and Associate Professor in the teaching department concerned. Two University Teachers other than Professors and Associate Professors to be appointed by the Academic Council. Three Experts, other than University Teachers to be appointed by the Vice Chancellor.

5. There shall be a Selection Board consisting of :-

**The Selection Board.**

- (i) The Vice Chancellor who shall be the Chairman;
- (ii) One member of the board and two persons of eminence to be nominated by the Board; provided that none of them is an employee of the University; The Dean of the Faculty concerned; The Chairman of the Teaching Department concerned; and One person to be nominated by the Foundation. Registrar who shall act as its Secretary.

6. (1) There shall be a Finance and Planning Committee The Finance and consisting of:-

**Planning Committee.**

- (i) Vice Chancellor;
- (ii) One members nominated by the BOG;
- (iii) Two members nominated by the Foundation;
- (iv) Director Finance, shall act as Secretary

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