

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 09TH MAY, 2018**

NO.PAS/LEGIS-B-03/2018- The University of Modern Sciences, at Tando Muhammad Khan Bill, 2017 having been passed by the Provincial Assembly of Sindh on 16th April, 2018 and assented to by the Governor of Sindh on 04th May, 2018 is hereby published as an Act of the Legislature of Sindh.

THE UNIVERSITY OF MODERN SCIENCES, AT TANDO MUHAMMAD KHAN ACT, 2017

SINDH ACT NO. XIV OF 2018

**AN
ACT**

to provide for the establishment of a University known as University of Modern Sciences at Tando Muhammad Khan.

AND WHEREAS it is expedient to provide for the establishment of a University known as University of Modern Sciences at Tando Muhammad Khan and to provide for matters ancillary thereto; **Preamble.**

**CHAPTER-I
PRELIMINARY**

It is hereby enacted as follows:-

1. (1) This Act may be called the University of Modern Sciences, Tando Muhammad Khan 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) "Affiliated Institution or College" means an educational institution or college affiliated to the University but not maintained or administered by the University;
 - (c) "Authority" means any of the Authorities of the University specified in section 18;
 - (d) "Board" means the Board of Governors of the University;
 - (e) "Chairman" means the Chairman of the Teaching Department;
 - (f) "Chancellor" means the Chancellor of the University;
 - (g) "College" means the college and includes an institution in which arrangements exist for imparting instructions in general, technical professional education or other disciplines of higher learning and such other subjects as may be prescribed;
 - (h) "Foundation" means the Professional Associate Community Services Foundation registered under the Societies Act, 1860 (Act XXI of 1860) having registration No.112 of 2013-14;

- (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 the University;
- (l) "Faculty" means a Faculty of the University;
- (m) "Government" means the Government of Sindh;
- (n) **"Higher Education means, the Sindh Higher Education Commission"**
- (o) "Officer" means any of the officers of the University specified in section 5;
- (p) "prescribed" means prescribed by statutes, regulations or rules;
- (q) "Professor Emeritus" means a retired Professor appointed by the Chancellor on honorary basis;
- (r) "Pro-Vice Chancellor" means the Pro-Vice Chancellor of the University;
- (s) "Rector" means the Rector of the University;
- (t) "Registrar" means the Register of the University;
- (u) "Statutes", "Regulations" and "Rules" means respectively the Statutes, Regulations and Rules made under this Act;
- (v) "teacher" means the 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 University of Modern Sciences, Tando Muhammad Khan;
- (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 University of Modern Sciences at Tando Muhammad Khan consisting of the Patron, Chancellor, Vice-Chancellor, Pro-Vice Chancellor, Rector, Chairman and members of the Board, the Vice Chancellor, Registrar, Deans, Chairmen of the Teaching Departments, the members of the Academic Council and such other Officers as may be prescribed. **The University.**

(2) The University shall be a body corporate by the name of University of Modern Sciences, Tando Muhammad Khan having perpetual succession and common seal, with power, among others to acquire hold and dispose of any property vesting in it and shall by the said name, sue and be sued.

(3) The University shall be open to all persons or either sex of whatever religion, race, creed, class, colour, 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 creed, race, class, colour or domicile.

(4) 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).

(5) The University may take measures to setup campus or campuses within or outside the Province as per guidelines and instructions issued by Government from time to time.

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

**Powers and Functions
of the University.**

- (a) to 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;
- (b) 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;
- (c) to prescribe courses of studies, curriculum and undertake research;
- (d) to supervise and control the discipline of the students of the University and the institute in the prescribed manner;
- (e) to confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (f) to affiliate itself or associate with other educational Institutions and establish faculties and teaching departments to discharge its functions and responsibilities for the betterment of education;
- (g) to affiliate and disaffiliate educational institutions and inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (h) to provide and support other facilities for education professional training and research;
- (i) to 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;

- (j) to receive and manage property, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University and to invest them in such manner as it may deem fit;
- (k) to enter into agreements, contracts and arrangements with Government organizations, institutions, bodies and individuals for carrying out its functions and activities, and to carry out, vary or cancel the contracts;
- (l) to institute Professorship, Associate Professorship, Assistant Professorship and Lecturership;
- (m) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (n) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;
- (o) control the residence of the students of the University, to institute and maintain halls of residence and to approve or license hostels and lodgings;
- (p) 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;
- (q) to demand and receive such fees and other charges as it may determine;
- (r) 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;
- (s) undertake such research as it may determine in the ordained branches of learning;
- (t) provide for the printing and publication of research and other works;
- (u) establish academic linkages and collaborative activities with other institutions for the betterment of academic standards; and
- (v) to appoint members of various bodies and committees, for academic and administrative activities;
- (w) to appoint such officers including teachers and Members of the staff as necessary and prescribe terms and conditions and powers and duties of such officers and staff; and
- (x) to do other such acts and things, as may be requisite to further its objectives of the University as a place of education and learning.

5. The following shall be the officers of the University:- **Officers of the University.**
- (a) Patron;
 - (b) Chancellor;
 - (c) Vice Chancellor
 - (d) Pro-Vice Chancellor;
 - (e) Rector;
 - (f) Deans;
 - (g) Directors;
 - (h) Chairmen of the Teaching Departments;
 - (i) Registrar;
 - (j) Director of Finance;
 - (k) Librarian;
 - (l) Controller of Examinations;
 - (m) Resident Auditor; and
 - (n) such other persons as may be prescribed to be officers of the University.

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

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

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

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

- (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 **Chancellor.**

appreciated for high moral and his intellectual caliber.

(2) Subject to sub-section (1), the Chancellor shall be one of the Directors of the Foundation who shall be appointed by the Foundation for a period of three years, which may be extended, on such terms and conditions as the Foundation may determine.

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

(4) 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.

(5) 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 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 Chancellor be incapacitated from acting as such due to absence or any other cause, the Pro-Chancellor shall exercise all the powers and perform all the duties and functions of the Chancellor.

(7) 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.

(8) 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 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 not exceeding five hundred thousand rupees 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.

11. (1) The Chancellor may, in consultation with the Vice-Chancellor and on the recommendations of the Board, 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.

**Pro-Vice
Chancellor.**

(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.

12. (1) The Rector shall be appointed by the Chancellor, in consultation with the Vice-Chancellor on such terms and conditions and for such period as the Chancellor may determine.

Rector.

(2) The Rector shall perform such functions as may be entrusted to

him by the Chancellor.

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

- (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.

14. (1) The Director of Finance shall be a whole-time officer of the University and shall be appointed by the Vice Chancellor on the recommendations of the Board on such terms and conditions as the Vice Chancellor may determine. **Director Finance.**

- (2) The Director Finance shall –
- (i) manage the property, the finances and the investments of the University;
 - (ii) prepare the annual and revised budget estimates of the University and present them to the Finance Committee and the Board;
 - (iii) ensure that the funds of the University are expended for the purposes for which they are provided; and
 - (iv) perform such other duties as may be prescribed.

15. The Controller of Examinations shall be a whole-time officer of the University and shall be appointed by the Vice Chancellor on the recommendations of the Board on such terms and conditions as the Vice Chancellor may determine. He shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed. **Controller of Examinations.**

16. The Resident Auditor shall be a whole time officer of the University and shall be appointed by the Vice Chancellor on such terms and conditions as the Vice Chancellor may determine. He shall be responsible for pre-audit of all payments from the University fund. **Resident Auditor.**

17. (1.) The Director of Planning and Development shall be a whole time officer of the University and shall be appointed by the Vice Chancellor on the recommendations of the Board on such terms and conditions as the Vice Chancellor may determine. **Director of Planning and Development.**

(2) The Director of Planning and Development 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.

CHAPTER-III AUTHORITIES OF THE UNIVERSITY

18. 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.

19. (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 Rector;
- (v) A Judge of High Court to be nominated by the Chief Justice of the High Court of Sindh;
- (vi) the Chairman, Higher Education Commission or his nominee;
- (vii) the Chairman, Sindh Higher Education Commission or his nominee;
- (viii) two members of Provincial Assembly to be nominated by the Speaker;**
- (ix) two Deans to be appointed by the Chancellor in consultation with the Vice Chancellor;
- (x) the Secretary to Government of Sindh, Education Department or his nominee;
- (xi) the Secretary, Universities and Board or his nominee;
- (xii) President Chambers of Commerce and Industries Karachi or his representative;
- (xiii) one scientist of national or international repute to be nominated by the Board;
- (xiv) three persons of outstanding merit nominated by the Foundation;
- (xv) four persons of eminence representing various disciplines and professions nominated by the Chancellor in consultation with the Vice Chancellor;
- (xvi) the Director Finance;
- (xvii) Legal Adviser to be nominated by the Chancellor on the recommendations of the Board; and
- (xviii) the Registrar who shall act as Secretary of the Board;

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

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

Powers and duties of the Board.

(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 –

- (i) to hold, control and administer the property and funds of the University;
- (ii) to govern and regulate, with due regard to the advice of the Finance and Planning Committee, the finances, accounts and investments of the University and for that

purpose, to appoint such agents as it may think fit;

- (iii) to affiliate and disaffiliate educational institutions and colleges;
- (iv) to consider annual and revised budget estimates and to advise the Company thereon, and to re-appropriate funds from one major head of expenditure to another;
- (v) to transfer and accept transfer of movable or immovable property on behalf of the University;
- (vi) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (vii) to cause proper books of accounts to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (viii) to receive and manage any property transferred and grants, bequests, donations, endowments and other contributions made to the University;
- (ix) to administer any funds placed at the disposal of the University for specified purposes;
- (x) to determine the form, provide for the custody and regulate the use of the common seal of the University;
- (xi) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (xii) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (xiii) to institute Professorship, Associate Professorship, Assistant Professorship, Lecturership and other teaching posts or to suspend or abolish such posts;
- (xiv) to create, suspend or abolish such administrative, teaching, research or other posts as may be necessary;
- (xv) to make appointments on the recommendation of the Selection Board to the posts of teachers, officers and such other cadres as may be determined by the Board;
- (xvi) to appoint Emeritus and Distinguished Professors on such terms and conditions as may be prescribed;
- (xvii) to confer honorary degrees in the fields of ordained disciplines in accordance with the conditions prescribed;
- (xviii) to prescribe the duties of officers, teachers and other employees of the University;
- (xix) to suspend, punish and remove from service officers (other than the Vice Chancellor), teachers and other employees in the manner prescribed;

- (xx) to appoint members to the various Authorities in accordance with the provisions of this Act;
- (xxi) to propose statutes for submission to the Chancellor;
- (xxii) to consider and dispose of the regulations made by the Academic Council; provided that the Board may frame a Regulation on its own initiative and approve it after consulting the Academic Council;
- (xxiii) to regulate, determine and administer all other matters concerning the University and, to this end, exercise all other powers not specifically mentioned in this Act and the statutes;
- (xxiv) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee; and
- (xxv) to perform such other functions as have been assigned to it under this Act, or may be assigned to it by the statutes.

21. (1) The Board shall meet at least **quarterly** 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.

Meetings of the Board.

(2) Not less than ten clear days' notice of a special meeting shall be given to the members of the Board, and the agenda of the meeting shall be restricted to the matter for which the special meeting is called.

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

(4) The decision of the Board shall be expressed in terms of the views of the majority of the members present and if the members are equally divided the Chairman of the Board shall have and exercise a casting vote.

22. (1) The Academic Council shall consists of -

Academic Council.

- (i) the Vice Chancellor who shall be the Chairman;
- (ii) the Pro-Vice Chancellor;
- (iii) the Rector;
- (iv) the Deans;
- (v) the Directors;
- (vi) the Chairmen of teaching departments;
- (vii) the University Professors including Emeritus and Distinguished Professors;
- (viii) two eminent persons 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;
- (ix) two eminent scholars nominated by the Board;
- (x) Principals and Directors of constituent and affiliated colleges;
- (xi) the Controller of Examination;
- (xii) the Librarian;
- (xiii) the Registrar who shall act as its Secretary.

(2) Members appointed by nomination shall hold office for a term

of three years and shall be eligible for re-nomination on the expiry of their term.

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

23. (1) The Academic Council shall be 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 and duties of the 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;

- (i) to regulate the admission of students to the courses of studies and examinations;
- (ii) to propose to the Board, schemes for the constitution and organization of Faculties, Teaching Departments, Institutes and Boards of Studies;
- (iii) to consider or formulate proposals for the planning and development of teaching and research in the University;
- (iv) to make regulations on the recommendations of the Board of Faculties and the Boards of Studies prescribing the courses of studies and the syllabi for all University examinations; provided that, if the recommendations of the 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;
- (v) to recognize the examinations of other University or examining bodies as equivalent to the corresponding examinations of the University;
- (vi) to frame regulations for submission to the Board;
- (vii) to appoint members to the various Authorities in accordance with the provisions of this Act; and
- (viii) to perform such other functions as may be prescribed by the statutes.

24. (1) Subject to the provisions of this Act, the Chancellor may make and 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) powers and duties of officers and teachers;
- (v) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;
- (vi) conditions of appointment of Professor Emeritus and Distinguished Professor;
- (vii) award of honorary degrees;
- (viii) standard of evaluation of efficiency and exercising disciplinary measures over the employees of the University;
- (ix) acquisition and administration of properties and investments of the University; and
- (x) all other matters which under this Act are required to be or may be prescribed or regulated by the statutes.

(2) The draft of the statutes shall be proposed by the Board for the approval of 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.

(4) No statute shall be valid until it has been approved by the Chancellor.

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

- (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 examinations 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;

- (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 studentships;
- (xii) the academic costumes;
- (xiii) the use of Library;
- (xiv) the formation of Teaching Departments and Boards of Studies; and
- (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 with hold 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.

26. The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making the statutes and regulations.

**Amendment and
repeal of Statutes and
Regulations**

27. (1) The Authorities and the other bodies of the University may make rules consistent with this Act, the statutes and the regulations, to regulate the conduct of their business and the time and place of meetings and related matters:

Rules.

Provided that the Board may direct the amendment or the annulment of any rules, made by another Authority or body under this section:

Provided further that if such other Authority or body is dissatisfied with such directions it may appeal to the Foundation whose decision in the matter shall be final.

(2) The Board may make rules to regulate any matter relating to the affairs of the University which has not been specifically provided for by this Act, the statutes or regulations.

CHAPTER-IV AFFILIATION OF EDUCATIONAL INSTITUTIONS TO THE UNIVERSITY

28. (1) An educational institution applying for affiliation to the University shall make an application to the University and shall satisfy -

Affiliation.

- (i) that the educational institution is under the management of a regularly constituted body;
- (ii) that the financial resources of the educational institution are sufficient to enable it to make due provision for its

continued maintenance and efficient working;

- (iii) that the strength and qualifications of the teaching and the other staff, and the terms and conditions of their service are adequate to make due provisions for the courses of instruction, teaching or training to be undertaken by the educational institution;
- (iv) that the educational institution has framed proper rules regarding the efficiency and discipline of its staff and the other employees;
- (v) that the building in which the educational institution is to be located is suitable, and that provision will be made in conformity with the statutes and the regulations; and
- (vi) that the library, laboratories and such other teaching and research aids are sufficiently provided for, as are necessary for the maintenance of the standards of teaching and research in the institution.

(2) The procedure to be followed in disposing of an application for the affiliation of an educational institution, grant or refusal or withdrawal of affiliation shall be such as may be prescribed.

(3) The Board may, after due enquiry and after consultation with the Academic Council, give notice of its intention of withdrawing the affiliation if it is satisfied that the educational institution fails at any time to fulfill any of the requirements of affiliation or has failed to observe any of the conditions of affiliation.

(4) The affiliation shall not be refused or withdrawn unless the educational institution is given an opportunity of being heard.

CHAPTER-V THE UNIVERSITY FUND

29. (1) The University shall have a Fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, contributions, grants and all other sources.

**University
Fund, Audit
and Accounts.**

(2) Capital and recurrent expenditure of the University shall be made from the contributions made by the Foundation including any other foundations, trusts, Universities, associations, societies or individuals and from the income derived from any other source.

(3) No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability for the University or which may involve an activity not included in the programs for the time being, shall be accepted without the prior approval of the Board.

(4) The accounts of the University shall be maintained in such form and in such manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by a Chartered Accountant by the Board.

(5) The accounts, together with the report of the Auditor thereon, shall be submitted to the Board for approval.

(6) The Auditor's report shall certify that the report has complied with the standards of audit and certification laid down by the Institute of the Chartered Accountants of Pakistan.

CHAPTER-VI GENERAL PROVISIONS

30. An employee of the University shall retire from service -

**Retirement
from service.**

- (i) on such date, after he has completed twenty five years of service qualifying for pension or other retirement benefits, as the competent authority may direct:

Provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed to be taken against him and has been given reasonable opportunity of showing cause against that action; or

- (ii) where no direction is given under clause (i), on the completion of sixty years of his age.

31. Except as otherwise provided, no officer, teacher or other employee of the University holding a permanent post, shall be reduced in rank, or removed or compulsorily retired from service, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

**Opportunity of show
cause.**

32. (1) Where an order is passed punishing an employee (other than the Vice Chancellor) of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order passed by the Vice Chancellor or any other officer or teacher of the University, have the right to appeal to the Board against the order and where the order is made by the Board, have the right to apply to the Board for review.

**Appeal to and review
by the Board.**

(2) The appeal or application for review shall be submitted to the Vice Chancellor who shall lay it before the Board with his views and record of the case.

(3) No order in appeal or review shall be made unless the appellant or the applicant, as the case may be, has been given an opportunity of being heard.

33. (1) The University shall constitute for the benefit of its employees in such manner and subject to such conditions as may be prescribed, schemes such as pension, insurance, gratuity, provident fund and benevolent fund as it may deem fit.

**Pension, Insurance,
Gratuity, Provident
Fund and Benevolent
Fund.**

(2) Where any Provident Fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925, shall apply to such funds.

34. When a member of a newly constituted Authority is appointed or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed.

**Term of office of
members of
Authorities.**

35. (1) Any casual vacancy among the appointed or nominated members of any Authority shall be filled, as soon, as conveniently may be, by the person or the body who appointed or nominated the member whose

**Filling of casual
vacancies in
Authorities.**

place has become vacant, and the person appointed or nominated to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member:

Provided that where a vacancy in the membership of an Authority, other than the Board, cannot be filled for the reason that the member was ex-officio; and the office has ceased to exist, or the organization, institution or other body, other than the University has ceased to exist or has ceased to function, or for any other circumstances which make it impracticable to fill the vacancy, the vacancy shall be filled in such manner as the Chancellor may direct on the recommendations of the Board.

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

36. (1) Notwithstanding anything contained in this Act, a person nominated or appointed to any Authority shall cease to be a member of such Authority as soon as he has ceased to hold the position by virtue of which he was nominated or appointed.

Disputes about membership of Authorities.

(2) If a question arises whether any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of the Vice-Chancellor, the Judge of the High Court of Sindh, who is the member of the Board and a nominee of the Chancellor and the decision of the committee shall be final and binding.

37. The constitution, functions and powers of other Authorities for which no specific provision or insufficient provision has been made in this Act shall be such as may be prescribed by the statutes.

Constitution, Functions and Powers of other Authorities.

38. The Board, the Academic Council or other Authorities may appoint such Standing, Special or Advisory Committees, as they may consider advantageous in the performance of their functions.

Appointment of Committee by the Authority.

39. Notwithstanding anything contained in this Act, the statutes set out in the Schedule, shall be deemed to be the statutes framed under section 24 and shall remain in force until they are amended or replaced by new statutes framed in accordance with this Act.

First Statutes.

40. If any difficulty arises as to the first constitution or reconstitution of any Authority upon coming into force of this Act or otherwise in giving effect to any provision of this Act, the Chancellor may give appropriate directions to remove such difficulty.

Removal of difficulties.

41. No act, proceedings, resolution or decision of any Authority shall be invalid by reason only of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority.

Proceedings of Authorities not invalidated by vacancies.

42. No court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act.

Bar of Jurisdiction.

**THE SCHEDULE
FIRST STATUTES
(see section 39)**

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

Faculties.

- (i) Faculty of Medicine and Sciences
- (ii) Faculty of Business and Management Sciences
- (iii) Faculty of Social Sciences and Linguistics
- (iv) Faculty of Engineering and Computational Science
- (v) 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 in lieu of subjects have option to offer Ethics and Pakistan Studies subjects in all faculties.

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

2. (1) There shall be a Board of each Faculty consisting of -

Board of Faculties.

- (a) the Deans;
- (b) the Professors, Associate Professors and Chairmen of the Teaching Departments comprised in the faculty;
- (c) two members of each Board of Studies comprised in the Faculty, to be nominated by the Board of Studies concerned; and
- (d) three teachers to be nominated by the Academic Council by reason of their specialized knowledge of subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty.

(2) The members, mentioned in clauses (c) and (d) of sub-section (1) shall hold office for three years.

(3) The quorum for a meeting of the Board of a Faculty shall be one-half of the total number of members, a fraction being counted as one.

(4) The Board of each Faculty shall, subject to the general control of the Academic Council and the Board, have the powers –

- (a) to coordinate the teaching and research in the subjects assigned to the Faculty;
- (b) to scrutinize the schemes of courses and syllabi proposed by the Board of Studies comprised in the Faculty, and forward them to the Academic Council alongwith its observations;
- (c) to scrutinize the recommendations made by the Board of Studies comprised in the faculty, on the appointment of paper setters and examiners, except for research and degrees examiners, who shall be scrutinized by the Vice Chancellor;
- (d) to consider any other academic matter relating to the faculty and to report thereon to the Academic Council; and
- (e) to perform such other functions as may be prescribed by the statutes.

3. (1) There shall be a Dean of each Faculty who shall be the Chairman

Deans.

and Convener of the Board of Faculty.

(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 present candidates for admission to degrees, except honorary degrees, to the Chancellor in the courses falling within the purview of the Faculty.

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

4. (1) There shall be a Teaching Department for each subject or group of allied subjects as may be approved and each Teaching Department shall be headed by a Chairman.

**Teaching
Department.**

(2) The Chairman of a Teaching Department shall be appointed by the Board on the recommendations of the Vice Chancellor from amongst the three most senior Professors and three most Associate Professors of the Department for a period of three years:

Provided that where there is no Professor or Associate Professor in a department, it shall be looked after by the Dean of the Faculty with the assistance of the most senior teacher of the department.

(3) The Chairman of the Department shall plan, organize and supervise the work of the Department in accordance with the provisions of this Act and shall be responsible to the Dean of the Faculty in which his Department is comprised, for the work of his Department.

5. (1) There shall be a Board of Studies for each subject or group of subjects as may be prescribed by the regulations.

**Board of
Studies.**

(2) Each Board of Studies shall consist of –

- (i) the Chairman of the Teaching Department concerned who shall act as its Chairman and Convener;
- (ii) all Professors and Associate Professors in the Teaching Department concerned;
- (iii) three teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;
- (iv) three experts, other than University teachers, to be appointed by the Vice Chancellor.

(3) The term of office of members of the Board of Studies, other than ex-officio members shall be three years.

(4) The quorum for a meeting of the Board of Studies, shall be one-half of the total number of members, a fraction being counted as one.

(5) The functions of the Board of Studies shall be –

- (i) to advise the Authorities on all academic matters connected with instruction, research and examination in the subject or subjects concerned;

- (ii) to propose curricula and syllabi for all degrees, diplomas and certificate courses in the subject or subjects concerned;
- (iii) to suggest a panel of names of paper setters and examiners in the subject or subjects concerned; and
- (iv) to perform such other functions as may be prescribed by regulations.

6. (1) There shall be a Board of Advanced Studies and Research consisting of -

Board of Advanced Studies and Research.

- (i) the Vice Chancellor who shall be the Chairman;
- (ii) the Deans;
- (iii) three University Professors other than Deans to be appointed by the Board;
- (iv) three University teachers having research, qualifications and experience to be appointed by the Academic Council;
- (v) three scholars of eminence in a field not represented on the Board of Advanced Studies and Research to be appointed by the Vice Chancellor on the recommendation of the Academic Council; and
- (vi) the Professors Emeritus.

(2) The term of office of the members of the Advanced Studies and Research Board, other than ex-officio members, shall be three years.

(3) The quorum for a meeting of the Advanced Studies and Research Board shall be one-half of the total number of members, a fraction being counted as one.

(4) The functions of the Advanced Studies and Research Board shall be -

- (i) to advise the Authorities on all matters connected with the promotion of advanced studies and research in the University;
- (ii) to consider and report to the Authorities on the institution of research degree in the University;
- (iii) to appoint supervisors for research students to determine the subject of their thesis;
- (iv) to propose Regulations regarding the award of research degrees;
- (v) to recommend the names of paper setters and examiners for research examination after considering the proposals of the Board of Studies in this behalf; and
- (vi) to perform such other functions as may be prescribed by statutes;

7. (1) There shall be a Selection Board consisting of -

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;
- (iii) the Dean of the Faculty concerned;

- (iv) the Chairman of the Teaching Department concerned;
- (v) two persons to be nominated by the Company;

(2) The members of the Selection Board, other than ex-officio members, shall hold office for three years.

(3) The quorum for a meeting of the Selection Board shall be four members.

(4) No member of the Selection Board who is a candidate for the post to which appointment is to be made shall take part in such proceedings of the Selection Board.

(5) In selecting candidates for the post of Professors and Associate Professors, the Selection Board shall co-opt or consult three experts in the subject concerned and in selecting candidates for other teaching posts, two experts in the subject concerned to be nominated by the Vice Chancellor, from a standing list of experts of each subject approved by the Board on the recommendation of the Selection Board as revised from time to time.

- (6) The functions of the Selection Board shall be -
 - (i) to consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of suitable candidates for appointment to such posts;
 - (ii) to recommend to the Board the grant of higher initial pay in a suitable case for reasons to be recorded in writing;
 - (iii) to recommend to the Board the appointment of an eminently qualified person to a position in the University on the terms and conditions as may be prescribed;
 - (iv) to consider all cases of promotion of officers of the University and recommend to the Board the names of suitable candidates for such promotions; and
 - (v) that in the event of an unresolved difference of opinion between the Selection Board and the Board, the matter shall be referred to the Chancellor whose decision shall be final.

8. (1) There shall be a Finance and Planning Committee consisting of –

Finance and Planning Committee.

- (i) the Vice Chancellor, who shall be the Chairman;
- (ii) two nominees of the Board;
- (iii) two experts in the field of finance and planning to be nominated by the Chancellor;
- (iv) one Dean to be nominated by the Chancellor on the recommendations of the Vice Chancellor;
- (v) the Director Planning and Development; and
- (vi) the Director Finance of the University who shall be the Member - Secretary

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

- (3) The functions of Finance and Planning Committee shall be –
 - (i) to consider annual statement of accounts and revised budget estimate and advise the Board thereon;

- (ii) to review periodically the financial position of the University;
- (iii) to advise the Board on all matters relating to planning, development, finance, investments and accounts of the University;
- (iv) to prepare short term and long term development plans;
- (v) to prepare staff and resource development plans; and
- (vi) to perform such other functions as may be prescribed by the statutes.

9. (1) There shall be an Affiliation Committee consisting of -

**Affiliation
Committee.**

- (i) the Vice Chancellor who shall be the Chairman;
- (ii) one member of the Board to be nominated by the Board;
- (iii) two Professors to be nominated by the Academic Council.

(2) The term of office of the members of the Committee excluding ex-officio members shall be two years.

(3) The Affiliation Committee may co-opt not more than three experts.

(4) The quorum for a meeting of or an inspection by the Affiliation Committee shall be three members.

(5) An Officer of the University to be designated by the Vice Chancellor for this purpose shall act as the Secretary of the Committee.

10. (1) The Discipline Committee shall consist of –

**Discipline Committee
and its functions.**

- (i) the Vice-Chancellor or his nominee;
- (ii) two Professors to be nominated by the Academic Council;
- (iii) one member to be nominated by the Board; and
- (iv) the teacher or officer Incharge of Students Affairs by whatever name called who shall act as Member Secretary.

(2) The term of office of members of the Discipline Committee, other than ex-officio members shall be two years.

(3) The quorum for a meeting of the Discipline Committee shall be three members.

(4) The functions of the Discipline Committee shall be -

- (i) to propose regulations to the Academic Council for the conduct of University students, maintenance of discipline and for dealing with cases of indiscipline; and
- (ii) to perform such other functions as may be assigned to it by the statutes or regulations;

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

G.M.UMAR FAROOQ

**SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**