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SINDH ORDINANCE NO.V OF 2000

THE KARACHI INSTITUTE OF ECONOMICS AND TECHNOLOGY ORDINANCE, 2000

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SINDH ORDINANCE NO.V OF 2000

THE KARACHI INSTITUTE OF ECONOMICS AND TECHNOLOGY ORDINANCE, 2000

[24th May, 2000]

An Ordinance to provide for the establishment of an Institute at Karachi known as Karachi Institute of Economics and Technology.

Preamble.

WHEREAS it is expedient to provide for the establishment of an Institute at Karachi known as the Karachi Institute of Economics and Technology and to provide for matters ancillary thereto;

AND WHEREAS the Provincial Assembly stands suspended in pursuance of the Proclamation of the fourteenth day of October, 1999, and the Provisional Constitution Order No.1 of 1999;

AND WHEREAS the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the aforesaid Proclamation and Provisional Constitution Order read with Provisional Constitution (Amendment) Order No.9 of 1999, instructions of the Chief Executive and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Karachi Institute of Economics and Technology Ordinance, 2000.

(2) It shall come into force at once.

Definitions.

2. In this Ordinance, unless there is any thing repugnant in the subject or context—

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

(b) "Authority" means any of the Authorities of the Institute specified in this Ordinance;

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

(d) "Chairman" means the Chairman of the Board;

(e) "Chancellor" means the Chancellor of the Institute;

(f) "Dean" means the Dean of a school, faculty or other teaching or research department or unit of the Institute;

(g) "Government" means the Government of Sindh;

(h) "Institute" means the Karachi Institute of Economics and Technology;

(i) "prescribed" means prescribed by regulations or rules;

(j) "President" means the President of the Institute;

(k) "regulations and rules" means regulations and rules framed under this Ordinance;

(l) "Society" means the "Pakistan Educational Foundation", registered under the Societies Registration Act, 1860;

(m) "Teachers" include Professor, Associate Professor, Assistant Professor, Lecturer and research staff engaged by the Institute;

(n) "Vice-President" means the Vice-President of the Institute.

Establishment of an Institute.

3. (1) There shall be established an Institute at Karachi, known as the Karachi Institute of Economics and Technology, consisting of the Patron, the Chancellor, the President, and the Deans and other members of the Board, teachers and students of the Institute, and 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 and Technology having perpetual succession and a common seal, with powers, among others, to acquire, hold, control and dispose of movable and immovable properties, and shall by the said name sue and be sued.

Powers and functions of the Institute.

4. The Institute shall have the following powers which may be exercised subject to the instructions of Government—

(a) to provide for instruction and training in economics, management, basic, applied and computer sciences, technology and other allied disciplines in such a manner as it considers appropriate;

(b) to conduct seminars, conferences, workshops and such other functions which are necessary for curricular and extra-curricular objectives of the Institute;

(c) to print, publish and circulate periodicals, journals, magazines and books and disseminate scientific. technological and other related knowledge and information conducive to the attainment of any of the objectives of the institute;

(d) to promote, contact and establish linkage and affiliate with national and International universities, institutions and other development organizations within the country and abroad for effective discharge of its functions and responsibilities;

(e) to provide assistance to relevant industry, Government institutions and other organizations in the country and abroad through expert advice, consultations and in any other manner as it may deem fit;

(f) to undertake joint investigation and to mobilize qualified staff and collaborative research with other organizations including universities in the fields of economics. basic sciences, technology and other allied disciplines;

(g) to pursue and make provisions for research, innovations, inventions, demonstrations and Other services as it may deem fit;

(h) to admit and examine students;

(i) to prescribe courses in all disciplines and hold examinations and to confer or award degrees, diplomas, certificates, academic research. prizes and distinctions on and to persons who fulfill the requirements or have passed its examinations in accordance with the prescribed conditions;

(j) to provide for the teaching of specified courses and training for persons not being the students of the Institute and grant certificates and diplomas to such persons;

(k) to recognize the examinations passed or the period of study spent at other universities or places of learning, as equivalent to examinations or periods of study in the Institute or withdraw such recognition;

(l) to create posts for teaching, research extension, administration, training and for any other purposes related thereto and appoint persons thereto;

(m) to institute and award fellowships, scholarships, stipends, bursaries, medals and prizes;

(n) to establish. administer and maintain halls of residence and approve any place as hostel or lodging for students;

(o) to supervise and control the discipline, of the students of the Institute, and promote extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

(p) to charge and receive such fee and other payments as it may determine;

(q) to establish and promote faculties;

(r) to confer honorary degrees;

(s) to enter into agreements. contracts and arrangements with organizations, bodies and individuals for carrying out its functions and activities;

(t) to receive and manage properties, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the Institute and obtain loan or aid, and to invest them in such a manner as it may deem fit; and

(u) to do all such other acts and things as may be required to further its objectives and perform its functions.

Institute open to all.

5. The Institute shall be open to persons of either sex of whatever religion, race, class, creed, color 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 of the Institute only on grounds of sex, religion, creed, race, class, color or domicile.

Teaching and Academic Programmes.

6. (1) All recognized teaching in various courses and the academic programmes shall be conducted by the Institute in the prescribed manner.

(2) No degree shall be granted unless a student has passed an examination in Islamic Studies and Pakistan Studies at the Bachelor's Degree level or, in the case of a non-Muslim student, in Ethics and Pakistan Studies at his option.

Officers of the Institute.

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

(a) The Chancellor;
(b) the Chairman of the Board;
(c) the President;
(d) the Vice-Presidents;
(e) the Deans, and
(f) such other persons, as may be prescribed to be the officers of the Institute.

Patron.

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

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

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

Visitation.

9. (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 lime, direct any person or persons to inquire into or carry out inspection of—

(a) the Institute, its buildings, laboratories, libraries and ocher facilities;

(b) any department, school, center, division, or hostel maintained by the Institute;

(c) the adequacy of human and financial resources;

(d) the teachings, research, curriculum. examination and other matters of the Institute;

(2) The Patron shall communicate to the Board his views in regard to the results of the visitation and shall after ascertaining the views thereon of the Board advise the Board on actions 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 thinks lit and the Board shall comply with such directions.

(5) The Patron shall have full power to take any action as he may deem fit against the Institution, including its closure, if found Indulging in any subversive or unlawful activity.

Chancellor.

10. (1) The Chancellor shall be a person of eminence, known for his contributions in the field of knowledge or service to society and appreciated for his high moral and intellectual caliber.

(2) The Chancellor shall be appointed by the Patron in consultation with the Society on such terms and conditions as may be determined by the Board.

(3) If the Chancellor is satisfied that the proceedings of any Authority or orders of an Officer are not in accordance with the provisions of this Ordinance, regulations or rules, he may alter calling upon such authority or officer, to show cause why such proceedings should not be annulled and by order in writing, annul such proceedings or orders.

(4) In the absence of the Patron, the Chancellor shall preside over the convocation.

(5) Should the Chancellor be incapacitated from acting as such due to illness or any other cause, the Chairman shall act for him.

President.

11. (1) The Chancellor shall appoint a person of eminence in the field of education, administration, finance with experience in Government, private sector, as the President and Vice Presidents on such terms and conditions as may be determined by the Chancellor.

(2) The President shall —

i) control and supervise the activities of the Institute connected with teaching, training, research, inventions, innovations, demonstrations, administration and other services;

ii) appoint, teachers and other officers and staff of the Institute, and such other persons, as may be necessary, in accordance with the regulations;

iii) sanction all expenditures within the approved budget;

iv) sanction by re-appropriation an amount, not exceeding a sum specified in the rules and regulations, for an unforeseen item, not provided for in the budget with the approval of the Society, and report it to the Board;

v) create and fill temporary posts for a period not exceeding six months;

vi) engage experts and consultants as may be required, for efficient and effective discharge of the functions of the Institute;

vii) constitute from amongst the officers and staff of the Institute such committees, sub-committees and working groups as he may deem necessary;

viii) ensure the implementation of provisions of this Ordinance, regulations, rules and directives of the Board;

ix) perform such other functions and exercise- such other powers as may be entrusted or delegated to him by the Board; and

x) delegate any of his powers to appropriate levels of management subject to such conditions as he may deem fit to impose.

(3) A Vice President shall exercise such powers and perform such functions as may be prescribed.

Appointment of the Deans.

12. (1) The President shall appoint a Dean on the recommendation of the concerned Vice-President and shall hold office for a period of two years.

(2) A Dean shall perform such functions as may be prescribed.

Constitution of the Bard.

13. (1) The general administration and supervision shall vest in the Board consisting of: -

(a) Air Marshal Azim Daudpota shall be the life Chairman;

(b) The Chancellor;

(c) The President of the Institute;

(d) The Chairman, University Grants Commission or his nominee;

(e) A Judge of High Court nominated by Chief Justice of Sindh;

(f) The Secretary Education, or his nominee;

(g) One Dean nominated by the Chairman;

(h) The President, Karachi Chamber of Commerce and Industry;

(i) Vice-Presidents of the Institute;

(j) Five members of the Society nominated by the Society;

(k) Six distinguished persons known for their contribution and experience in the field of education, banking, finance or any other field of interest nominated by the Society;

(l) Secretary of the Society.

(2) Should the life Chairman be incapacitated from acting as such due to absence or any other cause, the Chancellor shall act for him.

(3) A member nominated by the Society shall unless removed earlier hold office for a term of three years and shall be eligible for re-nomination after expiry of his term.

(4) The office of a member nominated by the Society shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause Or leave of absence.

(5) No act Or proceedings of the Board shall be invalid by reason only of the existence of a vacancy in or any defect in the constitution of the Board.

Powers and functions of the Board.

14. The Board shall exercise and perform the following powers and functions.

(a) to hold, control and administer the property, fund and resources of the Institute and borrow or raise money for tile purpose of the Institute upon such securities as may be required;

(b) to hold, control or dispose and administer any movable or immovable property of the Institute;

(c) to create new components of the Institute such as schools, departments, faculty, division or any other teaching or research unit;

(d) to formulate or approve long-term strategy, policies and plans governing the activities and operation of the Institute so as to ensure its autonomy in leaching, research and other academic works;

(e) to approve the annual budge! of the Institute;

(f) to call for annual, biannual or quarterly progress report relating to the activities of the Institute an execution of the approved work plans to review the progress and issue direction to the concerned authorities for the execution of works;

(g) to create such administrative or academic posts on specified terms and conditions,

(h) to ensure financial viability of the Institute and effectiveness of its operations and confirming preservation of the autonomy of the Institute;

(i) to appoint such committees or sub-committees for such work as it may deem necessary;

(j) to delegate any of its powers to the President, Vice-President or such other officers subject to such conditions as it may deem fit to impose;

(k) to approve rules on tit.' recommendations of the appropriate body.

Meetings of the Board.

15. (1) The Board shall meet at least twice a year on dates to be fixed by the Chairman;

Provided that a special meeting may be called at any time at the request of not less than five members of the Board, to consider any matter of an urgent nature.

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

(3) The decisions of the Board shall be expressed in terms of the view of the majority of the members present and voting, and in case of equality of votes the Chairman shall have right to exercise a casting vote.

Authorities of the Institute.

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

(i) The Board of Governors.

(ii) The Academic Council.

(iii) The Advanced Studies and Research Board.

(iv) The Finance and Planning Committee.

(v) The Selection Board.

(vi) Any other such authorities constituted by the Board.

Academic Council.

17. (1) The Academic Council, shall consist of: -

(a) The President shall be the Chairman;

(b) the Deans;

(c) the Heads of the teaching departments;

(d) two Associate Professors, nominated the President;

(e) one Assistant Professor or Lecturer, nominated by the President;

(f) one eminent scholar nominated by the Board;

(g) two persons of eminence in the field of education nominated by the Society;

(h) one member of the Society nominated by the Society;

(i) one nominee of the Secretary Education Government of Sindh, not below the rank of Additional Secretary;

(j) the Director General Regional Office of the University Grants Commission; and

(k) the Vice- President nominated by the President shall be the Secretary.

(2) A nominated member shall hold office for a term of two years and shall be eligible for re-nomination.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the council, without sufficient Cause or leave of absence, or the nominating authority changes his nomination.

(4) 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.

Powers and functions of the Academic Council.

18. (1) The Academic Council shall be the Academic Body of the Institute, and shall, subject to the provisions of this Ordinance and the regulations, have the powers to lay down proper standards of instructions, research and examinations, and to regulate and promote the academic life of the Institute.

(2) In particular, and without prejudice to the generality of the foregoing provisions, the Academic Council shall have the powers —

(a) to advise the Board on academic matters;

(b) to propose to the Board, scheme for the constitution and organization of Faculties, teaching departments and Beards of Studies;

(c) to regulate the admission of students to the courses of studies and holding of examination;

(d) to consider or formulate proposals for the planning and development of teaching and research in the Institute;

(e) to recognize the examination of other institutes, universities or examining bodies as equivalent to the corresponding examinations of the Institute;

(f) to frame rules for submission to the Board;

(g) to make rules prescribing the course of studies, the syllabi and the outlines of tests for all examinations the Institute shall conduct, subject to the approval of the Board;

(h) to appoint members to the various authorities in accordance with the provisions of this Ordinance;

(i) to regulate the conduct and discipline of the students of the Institute;

(j) to regulate the award of medals and prizes;

(k) to perform such other functions as may be prescribed by the regulations.

Regulations.

19. (1) Subject to the provisions of this Ordinance, the Board may make regulations which may prescribe all or any of the following matters namely—

(a) terms and conditions of service of employees of the Institute, including scales of pay, constitution of pension, insurance, gratuity, provident fund. benevolent fund and other fringe benefits;

(b) terms and conditions of contractual appointment of teachers, researchers and officers;

(c) constitution and functions of the Selection Board for selection of candidates for appointment to various posts of teachers and other officers and staff;

(d) establishment of faculties, teaching departments and other academic units and divisions and their' management;

(e) powers and duties of officers and teachers;

(f) conditions under which the Institute may enter into arrangements, partnership, collaboration with other public, government or private organizations for purpose of instruction, research and other scholarly activities for the betterment of the Institute;

(g) condition of appointment of Professor Emeritus and Distinguished Professors;

(h) award of honorary degrees;

(i) standards for evaluation of efficiency and exercising disciplinary measures over the employees of the Institute;

(j) acquisition and administration of properties and investment of the Institute; and

(k) all other matters which under this Ordinance are required to be or may be prescribed by the regulations.

(2) The draft of the regulations 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 regulations submitted to him for approval.

(4) No regulation shall be valid until assented to and signed by the Chancellor.

Rules.

20. The authorities and the other bodies of the Institute may make rules consistent with this Ordinance, and the regulations, to regulate the conduct of their business and the time and place of meeting and other related matters.

Institute fund, audit and accounts.

21. (1) The Institute shall have a fund to which shall be credited income from fees. Donations, trusts, bequests, endowments, grants, contributions or any other sources.

(2) No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability of the Institute or which may involve no activity not included in its program for the time being shall not be accepted without the prior approval of the Society.

(3) The accounts of the Institute shall be maintained in such form and in such manner as may be prescribed by regulations.

(4) The accounts of the Institute shall be audited each year with in four months of the closing of the financial year, by a Chartered Accountant appointed by the Society.

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

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

The constitution, functions and powers of other authorities.

22. The constitution, functions and powers of the authorities for which no specific provisions or insufficient provisions has been made in this Ordinance, shall be as such as may be prescribed by the regulations.

Removal of difficulties.

23. (1) If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Chancellor may make such orders, which are consistent with the provisions of this Ordinance.

(2) Where this Ordinance makes any provision for anything to be done, but no provision or insufficient provision has been made as respecting the authority by whom, or the time at which, or the manner in which it shall be done then it shall be done by such authority, or at such time, or in such manner. as the Chancellor may direct.

Bar of the Jurisdiction.

24. No court shall have jurisdiction to entertain any proceedings, grant any injunctions 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 Ordinance.

Indemnity.

25. No Suit or legal proceeding shall lie against Government, the Institute or any Authority or an employee of Government or the Institute Or any person, in respect of anything which is done, or purported to have been done in good faith or intended to, or has been done under this Ordinance.