

EXTRAORDINARY

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PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi, the 18th May, 2000

No. S.LEGIS:1(4)/2000/:—The following Ordinance made by the Governor of Sindh is hereby published for general information:—

THE MUHAMMAD ALI JINNAH UNIVERSITY ORDINANCE,

SINDH ORDINANCE NO. IV of 2000

AN
ORDINANCE

to provide for the establishment of a University at Karachi known as Muhammad Ali Jinnah University.

WHEREAS it is expedient to provide for the establishment of a University at Karachi known as Muhammad Ali Jinnah University and to provide for matters ancillary thereto;

Preamble.

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

CHAPTER - I PRELIMINARY

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| Short title and Commencement. | 1. (1) This Ordinance may be called the Muhammad Ali Jinnah University Ordinance, 2000. |
| | (2) It shall come into force at once. |
| Definitions. | 2. In this Ordinance, unless there is anything repugnant in the subject or context- <ol style="list-style-type: none"> (1) "Academic Council" means the Academic Council of the University; (2) "affiliated college or institute" means a college or institute affiliated to the University; (3) "Authority" means any of the authorities of the University specified in section 9; (4) "Board" means the Board of Governors of the University; (5) "Chairman" means the Chairman of the Board; (6) "Chancellor" means the Chancellor of the University; (7) "College" means a 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; (8) "Dean" means the Head of a Faculty; (9) "Director" means the Head of an Institute; |

- (10) "Faculty" means a Faculty of the University;
- (11) "Government" means the Government of Sindh;
- (12) "institute" means an institute maintained and administered by the University;
- (13) "Officer" means any of the officers of the University specified in section 4;
- (14) "prescribed" means prescribed by statutes, regulations or rules;
- (15) "President" means the President of the University;
- (16) "Professor Emeritus" means a retired Professor appointed by the chancellor on honorary basis;
- (17) "Registrar" means the Registrar of the University;
- (18) "statutes regulation and rules" means respectively the statutes, regulations and rules made under this Ordinance;
- (19) "Teaching Department" means a Teaching Department established and maintained or recognized by the University;
- (20) "Trust" means the Muhammad Ali Jinnah Trust, Karachi; and
- (21) "University" means the Muhammad Ali Jinnah University.

CHAPTER - II THE UNIVERSITY

The University.

3. (1) There shall be established a University to be called the Muhammad Ali Jinnah University, Karachi, consisting of the Patron, the Chancellor, the Chairman of the Board, the President, the Deans, the Chairmen of the teaching departments and members of the Academic Council and such other officers as may be prescribed.
- (2) The University shall be a body corporate by the name of the Muhammad Ali Jinnah University having perpetual succession and a 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 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 University and no such person shall be denied the privilege on the ground only of sex, religion, creed, race, class, color or domicile.
- (4) The University shall have the powers-
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- (i) to provide for instruction in general, technical, professional education, or other disciplines of higher learning, and other subjects as may be prescribed; and in such branches of learning as it may deem fit for the advancement of knowledge as it may determine;
 - (ii) to admit and examine students and to confer or award degrees, diplomas, certificates and other academic distinctions on and to persons, who have passed its examination under the prescribed conditions;
 - (iii) to prescribe courses of studies and undertake research as it may determine;
 - (iv) to control the discipline of the students of the University and the institute in the prescribed manner;
 - (v) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
 - (vi) to affiliate itself or associate with other institutions and establish faculties and teaching department to discharge its functions and responsibilities for the betterment of education;
 - (vii) to provide and support other facilities for education, professional training and research;
 - (viii) to affiliate and disaffiliate educational institutions and inspect such institutions or associate itself with other selected educational training and research institutions, provide them with services and facilities for the effective discharge of their functions and responsibilities and determine teaching methodology, techniques and strategies in order to ensure the most effective educational training and research programmes;
 - (ix) 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;

- (x) to enter into agreements, contracts and arrangements with Government organizations, institutions, bodies and individuals for carrying out its functions and activities;
- (xi) to demand and receive such fees and other charges as it may determine;
- (xii) to appoint members of the various bodies and committees as the Board may determine for instructional and co-curricular activities and admit students of the University and its constituent units;
- (xiii) 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
- (xiv) to do all such other acts and things as may be requisite to further the objectives of the University as a place of education and learning.

CHAPTER - III OFFICERS OF THE UNIVERSITY

Officers of the University.

4. The following shall be the officers of the University-

- (1) The Patron;
- (2) the Chancellor;
- (3) the Chairman;
- (4) the President;
- (5) the Deans;
- (6) the Directors;
- (7) the Chairmen of the Teaching Departments;
- (8) the Registrar;
- (9) the Director of Finance;
- (10) the Librarian;

- (11) the Controller of Examination;
- (12) the Resident Auditor; and
- (13) such other persons as may be prescribed to be officers of the University.

Patron.

5. (1) The Governor of Sindh, shall be the Patron of the University.
- (2) The Patron shall, when present, preside at the convocation of the University.
- (3) Every proposal to confer an honorary degree, shall be subject to confirmation by the Patron.

Visitations.

6. 1) The Patron may, in the public interest, cause a visitation to be made in respect of any matter connected with the affairs of the University.
- (2) The Patron may, on receipt of report under sub-section (1), if any require the President to give comments on the report, and on receipt of comments, the Patron may issue such directions as he thinks fit and the President shall comply with such directions.
- (3) Where the Patron is satisfied that the directions issued under sub-section (2) have not been complied with or action taken is not in accordance with such directions, he may issue further direction as deemed fit and the Board shall comply with such direction.

Chancellor.

7. (1) The Chairman shall be the Chancellor.
- (2) The Chancellor, in the absence of the Patron shall preside at the convocation of the University.
- (3) If the Chancellor is satisfied that the proceedings of any Authority or orders of any officer are not in accordance with the provisions of this Ordinance, the statutes, the regulations, or the rules, he may, after calling upon such Authority or officer to show cause why such proceedings should not be annulled, by order in writing, annul such proceedings or orders.

- (4) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the Secretary of the Board shall act for him

**The
President.**

8. (1) The President shall be appointed by the Chancellor for such period and on such terms and conditions as the Chancellor may determine, and shall hold office during the pleasure of the Chancellor.
- (2) At any time when the office of the President is vacant, or the President is absent or is unable to perform the functions of the office due to illness or some other cause, the Chancellor shall make such arrangement for the performance of the duties of the President as he may deem fit.
- (3) The President shall be the principal academic and administrative officer of the University, and shall be responsible for proper implementation of the provisions of this Ordinance, directions of the Chancellor, decisions of the Board and execution of the policies and programmes of the Board.
- (4) The President may, in an emergency which in his opinion requires immediate action, take such action as he may consider necessary and shall, thereafter as soon as possible, report his action to the officer, authority, or other body, which in the ordinary course would have dealt with matter.
- (5) In particular and without prejudice to the generality of the foregoing powers the President shall also have the following powers-
- (i) to create and fill temporary posts for a period not exceeding six months;
 - (ii) to sanction all expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure;
 - (iii) to sanction/re-appropriate 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;
 - (iv) to appoint paper setters and examiner for all examination of the University after receiving panels of names from the relevant authorities;

- (v) to make such arrangements for the security of papers, marks and results as may be necessary;
- (vi) to direct teacher, officers and other employees of the University to take up such assignments in connection with teaching, research, examination and administration and such other activities in the University as he may consider necessary;
- (vii) to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under this Ordinance to an officer or other employee of the University;
- (viii) to appoint employees of such categories in respect of which powers have been delegated to him by the Board; and
- (ix) to exercise and perform such other powers and functions as may be prescribed.

Authorities.**CHAPTER – IV: AUTHORITIES OF THE UNIVERSITY**

9. The following shall be the Authorities of University-

- (1) The Board of Governors;
- (2) the Academic Council;
- (3) the Boards of Faculties;
- (4) the Board of Advanced Studies and Research;
- (5) the Boards of Studies;
- (6) the Selection Board;
- (7) the Finance and Planning Committee;
- (8) the Affiliation Committee; and
- (9) such other Authorities as may be prescribed.

Board of Governors.

10. (1) The general supervision and control of the affairs of the University and its powers to lay down policies shall vest in the Board consisting of the following :-
- (a) the Chairman of the Trust who shall be the Chairman;
 - (b) the Chairman of the University Grants Commission or his nominee;

- (c) the Secretary to Government of Sindh, Education Department or his nominee;
- (d) six persons nominated by the Trust;
- (e) three persons of eminence to be nominated by the Chairman; and
- (f) Director Finance who shall act as Secretary of the Board.
- (2) A nominated member shall hold office for a term of three years, and shall be eligible for re-nomination on the expiry of his term.
- (3) The office of a nominated member shall become vacant if he resigns or fails to attend consecutive meetings of the Board without sufficient cause or leave of absence or his nomination is changed by the authority which had nominated him.
- (4) A casual vacancy of member shall be filled by person nominated by the authority which had nominated the member whose vacancy is to be filled.
- (5) No act or proceedings of the Board shall be invalid by reason only of the existence of a vacancy in or a defect in constitution of the board.
- 11 (1) The Board shall exercise and perform the powers and functions as follows-
- (i) to hold control and administer the property, funds, assets and resources of the University;
- (ii) to transfer and accept transfer of movable or immovable property on behalf of the university;
- (iii) to affiliate and disaffiliate a college or institution;
- (iv) to consider and approve, on the advice of the Finance and Planning Committee, the annual and revised budget estimates and to lay down guidelines or rules of business dealing with financial matters;
- (v) to approve, carry out, vary or cancel contracts on behalf of the university;
- (vi) to initiate and approve schemes for achievement of the objectives of the University;

**Powers and
functions
of the
Board.**

- (vii) to determine the form, and regulate the custody and use of common seal of the University;
- (viii) to create professional, research and administrative posts and such other posts as may be required to carry out the purposes of the University and to suspend or abolish such posts;
- (ix) to appoint teachers, researchers and officers on the recommendations of the Selection Board;
- (x) to suspend, punish and remove from service the University employees whom it is empowered to appoint in the manner prescribed after due inquiry and defense;
- (xi) to propose statutes for submission to the Chancellor;
- (xii) to approve regulations or rules on the recommendations of the appropriate bodies; and
- (xiii) to determine, regulate and administer all other matters concerning the University and, to this end, exercise all necessary powers not specifically mentioned in this Ordinance or the statutes, the regulations or the rules.

(2) The Board may delegate any of its powers to an Authority or officers, or a committee or a sub-committee.

**Meetings
of the
Board.**

- 12 (1) The Board shall meet at least twice in a year on the dates to be fixed by the Chairman, provided that a special meeting may be called at any time on the direction of the Chairman or on a requisition made by not less than six members of the Board to consider a matter of urgent nature.
- (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 half of its members, a fraction being counted as one.
- (4) The decisions of the Board shall be expressed in terms of the views of the majority of the members present and voting and, if the members are equally divided, the Chairman shall have and exercise a casting vote.

13 (1). The Academic Council shall consist of-

**Academic
Council.**

- (i) the President who shall be the Chairman;
- (ii) the Deans;
- (iii) the Directors;
- (iv) the Chairmen of the teaching departments;
- (v) the University Professors including Professors Emeritus;
- (vi) the Registrar who shall be the Secretary;
- (vii) the Librarian;
- (viii) the Controller of Examinations;
- (ix) two eminent scholars nominated by the Board; and
- (x) two persons of eminence to be nominated by the Chancellor.

(2) A nominated member shall hold office for a term of three 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 Academic Council without sufficient cause or leave of absence or when his nomination is changed by the nominating authority.

(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.

14 (1) The Academic Council shall be the highest academic body of the University, and shall, subject to the provisions of this Ordinance and the Statutes, have power to lay down standards of instruction, 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 power-

- (i) to advise the Board on academic matters;
- (ii) to regulate the admission of students to the courses of studies and examinations;
- (iii) to propose to the Board, schemes for the constitution and organization of colleges, faculties, teaching departments, Institutes and Boards of Studies;
- (iv) to consider or formulate proposals for the planning and development of teaching and research in the University;

