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PART-IV

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 18TH OCTOBER, 2008**

NO.PAS/Legis-B-04/2008- The Shaheed Mohtarma Benazir Bhutto Medical University Larkana Bill, 2008 having been passed by the Provincial Assembly of Sindh on 15th August, 2008 and assented to by the Governor of Sindh on 12th September, 2008 is hereby published as an Act of the Legislature of Sindh.

**THE SHAHEED MOHTARMA BENAZIR BHUTTO MEDICAL UNIVERSITY LARKANA
ACT, 2008**

SINDH ACT NO: VI OF 2008

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 18th October, 2008.)

AN ACT

to establish a University known as the Shaheed Mohtarma Benazir Bhutto Medical University Larkana.

WHEREAS it is expedient to establish a University known as the Shaheed Mohtarma Benazir Bhutto Medical University Larkana and to provide for matters ancillary thereto;

It is hereby enacted as follows:-

CHAPTER - I
PRELIMINARY

- Short title and commencement
1. (1) This Act may be called the Shaheed Mohanma Benazir Bhutto Medical University Larkana Act, 2008.
(2) It shall come into force at once.
- Definitions.
2. In this Act, unless there is any thing repugnant in the subject or context-
- i. "Academic Council" means the Academic Council of the University;
 - ii. "affiliated College" means an educational institution affiliated to the University but not maintained or administered by it;
 - iii. "Authority" means any of the Authorities of the University specified or setup under this Act;
 - iv. "Chancellor" means the Chancellor of the University;
 - v. "College" means a constituent college or an affiliated college;
 - vi. "Commission" means the Higher Education Commission;
 - vii. "constituent College" means a college maintained and administered by the University;
 - viii. "Dean" means the head of a faculty;
 - ix. "Department" means a teaching department maintained and administered, or recognized by the University in the manner prescribed;
 - x. "Director" means the head of an Institute established as a constituent Institution by the University;
 - xi. "Faculty" means a faculty of the University;
 - xii. "Government" means the Government of Sindh;
 - xiii. "prescribed" means prescribed by statutes, regulations or rules made under this Act;
 - xiv. "Principal" means the head of a College;
 - xv. "Representation Committees" means the representation committees constituted under this Act;
 - xvi. "Review Panel" means the review panel setup by the chancellor in accordance with the provisions of this Act;
 - xvii. "Search Committee" means the search committee setup under this Act;
 - xviii. "Senate" means the Senate of the University;
 - xix. "Statutes, Regulations and Rules" means respectively the statutes, regulations and the rules made under this Act;
 - xx. "Syndicate" means the Syndicate of the University;

- xxi. "Teachers" include Professors, Associate Professors, Assistant Professors, Senior Registrars and Lecturers engaged whole time by the University or by a constituent or affiliated college and such other person as may be declared to be the teacher by Regulations;
- xxii. "University" means Shaheed Mohtarma Benazir Bhutto Medical University Larkana constituted under this Act and shall be the degree awarding institute;
- xxiii. "University Teacher" means a whole time teacher appointed and paid by the University, or recognized by the University as such; and
- xxiv. "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER - II

THE UNIVERSITY

3. (1) The Shaheed Mohtarma Benazir Bhutto Medical University Larkana shall be established in accordance with the provisions of this Act. **Incorporation.**
- (2) The University shall consist of -
- i. The Chancellor;
 - ii. the Vice Chancellor;
 - iii. the members of the Senate;
 - iv. the members of the Authorities of the University;
 - v. all University teachers and students; and
 - vi. all other full time officers and members of the staff of the University.
- (3) The University shall be a body corporate by the name of the Shaheed Mohtarma Benazir Bhutto Medical University Larkana and shall have perpetual succession and a common seal and may sue and be sued by the said name.
- (4) The University shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.
- (5) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy including the power to employ officers, teachers and other employees on such terms and conditions as may be prescribed under this Act and by the Commission. In particular, and without prejudice to the authority granted to the University by the law, government or an authority or auditor appointed by government shall have no power to question the policy underlying the allocation of resources approved by the Senate in the annual budget of the University.

- (6) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in trust by the Chandka Medical College, Larkana, Chandka Dental College, Larkana, Ghulam Muhammad Mahar Medical College, Sukkur, Gambat Institute of Medical Sciences, Gambat and liabilities legally subsisting against them shall stand transferred to the University.
- (7) All persons serving in Chandka Medical College, Larkana, Chandka Dental College, Larkana, Ghulam Muhammad Mahar Medical College Sukkur, Gambat Institute of Medical Sciences, Gambat in any capacity immediately after commencement of this Act shall, notwithstanding any law or terms and conditions of their service, shall be transferred to the University on the terms and conditions as may be prescribed:

Provided that such terms and conditions shall not be less favorable than the terms and conditions admissible to them immediately before their transfer.

- (8) Any person transferred to the University under sub-section (7) of section 3, including the person who is transferred but has not so far reported to the University may opt to serve the Health Department, Government of Sindh.
- (9) The option under sub-section (8) shall be exercised and submitted to Government within ninety days of the commencement of the University and the option so exercised shall be final.
- (10) On receipt of the option under sub-section (9), Government may, transfer or as the case may be, allow to continue the person concerned for service in the Health Department, Government of Sindh.

Powers and functions of the University

4. The University shall have the following powers and functions to be exercised and performed, subject to the general control and instructions prescribed from time to time by Government:-
- i. to provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provisions for research, training, instructions, service in the health sciences and allied Sciences and for the application, advancement and dissemination of knowledge in such manner as it may determine;
 - ii. to prescribe courses of studies and undertake research as it may determine;

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- iii. to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons, who have been admitted to and have passed its examinations under prescribed conditions;
 - iv. to prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to government servants in general;
 - v. to engage, where necessary, persons on contract basis for specified duration and to specify the terms of each engagement;
 - vi. to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
 - vii. to provide for such instructions for persons not being students of the University as it may prescribe, and to grant certificates and diplomas to such persons;
 - viii. to institute programs for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as out side Pakistan;
 - ix. to provide career counseling and job search services to students and alumni;
 - x. to maintain linkages with alumni;
 - xi. to develop and implement fund-raising plans;
 - xii. to provide and support the academic development of the faculty of the University;
 - xiii. to confer degrees on persons who have carried on independent research under prescribed conditions;
 - xiv. to affiliate and disaffiliate educational institutions under prescribed conditions;
 - xv. to inspect colleges and other educational institutions affiliated or seeking affiliation with it;
 - xvi. to accept the examination passed and the period of study spent by the students of the University at other universities and places of learning equivalent to such examination and periods of study in the University, as it may prescribe, and to withdraw such acceptance;
 - xvii. to co-operate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
 - xviii. to institute Professorships, Associate Professorships, Assistant Professorships, Senior Registrarships and Lecturerships and any other posts and to appoint persons there to;
 - xix. to create posts for research, extension, administration and other related purposes and to appoint persons there to;
 - xx. to recognize selected members of teaching staff of affiliated colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;
 - xxi. to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
 - xxii. to establish teaching departments, schools, colleges, faculties, institutions, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
 - xxiii. to provide for the residence of the students, and the employees of the University and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
 - xxiv. to maintain order, discipline and security on the campuses of the University and the colleges;
 - xxv. to promote the extra curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
 - xxvi. to demand and receive such fees and other charges as it may determine;
 - xxvii. to make provisions for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;

- xxviii. to enter into, carryout, vary or cancel contracts;
- xxix. to promote and monitor undergraduate and post graduate education of Medical and Health Sciences by securing improvement of Teaching and Training in attached Teaching Hospitals and Hospital matters;
- xxx. to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such a manner as it may deem fit;
- xxxi. to provide for the printing and publications of research and other works; and
- xxxii. to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the University as a place of education, learning and research.

University open to
all classes, creeds,
etc

5. (1) University shall be open to all persons of either gender and of whatever religion, race, creed, class, colour and no person shall be denied the privileges of the University on the grounds of religion, race, caste, creed, class or colour.
- (2) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances with the approval of Government.
- (3) The University shall institute financial aid programs for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit and ability to pay:

Provided that the University may institute self-finance schemes not covering more than ten percent of the total number of candidates in any on-campus taught course or research-based program of study.

Teaching at the
University

6. (1) All recognized teaching in various courses shall be conducted by the University or Colleges in the prescribed manner and may include lectures, tutorials discussions, seminars, demonstrations, distance learning and other methods of instructions as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.
- (2) The authority responsible for organizing recognized teaching shall be such as may be prescribed.
- (3) The course and the curricula shall be such as may be prescribed.
- (4) The teaching staff of the Clinical, Diagnostic and Supporting Specialties, besides teaching and training to the under and postgraduate students of the University, shall also provide Health Care to the patients in the Wards, Operation Theaters, Out-Patient Departments, Laboratories, X-rays Rooms etc. as being done before the commencement of this Act.
- (5) The teaching staff of the Clinical, Diagnostic and Supporting Specialty Units shall be responsible for patient care in their respective fields only.

- (6) The Administration of the teaching hospitals shall be responsible for provision of entire infrastructure needed for the Health care delivery to the patients as per requirement of the faculty.
- (7) The University authorities shall be responsible for provision of all the infrastructure and teaching aids to the faculty in teaching Hospitals for execution of under and post graduate training programs in Clinical, Diagnostic and Supporting Specialties.
- (8) The offices, Demonstration rooms and other teaching places in the premises of the teaching hospitals shall remain functional as per practice before the commencement of this Act. The government shall, with the passage of time, enhance such teaching places and demonstration rooms as per the needs of the teaching and training programs of the university.
- (9) The Senate shall prepare a job description of all the faculty members, on the recommendations of syndicate, keeping in view the teaching and training requirements of the University and services delivery needs of the teaching Hospital.

CHAPTER - III OFFICERS OF THE UNIVERSITY

Officers of the University

7. The following shall be the officers of the University:
 - i. The Chancellor;
 - ii. the Vice-Chancellor;
 - iii. the Deans;
 - iv. the Principals of the constituents colleges;
 - v. the Chairpersons of the Teaching Departments;
 - vi. the Registrar;
 - vii. the Treasurer;
 - viii. the Controller of Examination; and
 - ix. such other person as may be prescribed under this Act.
8. (1) The Governor of Sindh shall be the Chancellor of the University and the Chancellor Chairperson of the Senate.
- (2) The Chancellor shall, when present, preside at the meeting of the Senate and the convocation of the University. In the absence of the Chancellor the Senate may request a person of eminence to preside over the convocation of the University.
- (3) The members of the Senate shall be appointed by the Chancellor from amongst the persons recommended by Government or the Representation Committee set up by Government in accordance with the Act and the statutes, as the case may be, along with those elected.
- (4) Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor on the recommendations of Government.
- (5) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may inform Government and Government may-

- a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the re-consideration has failed to address the concern expressed, Government may, after calling upon the Senate to show cause in writing, appoint a five member Review Panel to examine and report to Government on the functioning of the Senate. The report of the Review Panel shall be submitted within such time as may be prescribed by Government. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

- b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercise powers under section 17.

9. (1) The Chancellor may, upon the recommendation of the Review Panel, remove any person from the membership of the Senate on the ground that such person:

Removal from the Senate

- a) has become of unsound mind; or
 b) has become incapacitated to function as member of the Senate; or
 c) has been convicted by a court of law for an offence involving moral turpitude; or
 d) has absented himself from two consecutive meetings without just cause; or
 e) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

- (2) the Chancellor shall remove any person from the membership of the Senate on a resolution calling for the removal of such person supported by at least three-fourths of the membership of the Senate:

Provided that before passing such resolution the Senate shall provide the member concerned a fair hearing:

Provided further that the provisions of this section shall not be applicable to the Vice-Chancellor in his capacity as a member of the Senate.

- 10 (1) There shall be a Vice-Chancellor of the University who shall be an eminent academic or a distinguished administrator and shall be appointed by the Chancellor on the recommendations of Government.

The Vice Chancellor

- (2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provision of the Act, statutes, regulations and rules are faithfully observed in order to promote general efficiency and good order of the University. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.
- (3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any authority or body of the University.
- (4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be setup by statute. The Emergency Committee may direct such further action as is considered appropriate.
- (5) The Vice-Chancellor shall also have the following powers:-
- a) to direct teachers, officers, and other employees of the University to take up such assignment in connection with examination, administration and such other activities in the University as he may consider necessary for the purposes of the University;
 - b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen item not provided for in the budget and report it to the Senate at the next meeting;
 - c) to make appointments of such categories of employees of the University and in such manner as may be prescribed by the statutes;
 - d) to suspend, punish and remove in accordance with prescribed procedure, from service, officers, teachers and other employees of the University except those appointed by or with the approval of the Senate;
 - e) to delegate, subject to such conditions as may be prescribed, any of his powers under this ordinance to an officer or officers of the University; and
 - f) to exercise and perform such other powers and functions as may be prescribed
- (6) The Vice-Chancellor shall preside at the convocation of the University in the absence of the Chancellor.

- (7) The Vice-Chancellor shall present an annual report before the Senate within three months of the close of the academic year. The annual report shall present such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to:
- a) academics;
 - b) research;
 - c) administration; and
 - d) finances.

- (8) The Vice-Chancellor's annual report shall be made available, prior to its presentation before the Senate, to all officers and University teachers and shall be published in such numbers as are required to ensure its wide circulation.

Appointment and
removal of the Vice-
Chancellor

11. (1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by Government.

Provided that the first Vice Chancellor shall be appointed by the Chancellor on the basis of recommendations made by Government.

- (2) A Search Committee for the recommendation of the persons suitable for appointment as Vice-Chancellor shall be constituted by Government on the date and in the manner prescribed by the statutes and shall consist of two eminent members of the society nominated by Government of whom one shall be appointed by the convener, two members of the Senate, two distinguished University teachers who are not members of the Senate and one academician of eminence not employed by the University. The two distinguished University teachers shall be selected by the Senate through a process to be prescribed by Senate that provides for the recommendation of suitable names by the University teachers in general. The Search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

- (3) The persons proposed by the Search Committee for appointment as Vice-Chancellor shall be considered and recommended by Government to the Chancellor.

- (4) The Vice-Chancellor shall be appointed for a renewable tenure by the Chancellor on the recommendations of Government for a period of five years on such terms and conditions as Government may determine and shall hold office to the pleasure of Government.

- (5) The Senate may, pursuant to a resolution in this behalf passed by three-fourth of its membership, recommend to the Chancellor, to remove the Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind.

Provided that the Chancellor may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice. After consideration of the reference the Senate may, pursuant to a resolution in this behalf passed by two-thirds of its membership, recommend to the Chancellor the removal of the Vice-Chancellor.

Provided further that prior to a resolution for the removal of the Vice-Chancellor being voted upon the Vice-Chancellor shall be given an opportunity of being heard.

- (6) A resolution recommending the removal of the Vice-Chancellor shall be submitted to the Chancellor through Government. The Chancellor shall act upon the advice of Government.
- (7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent, or he is unable to perform the functions of his office due to illness or some other cause, the Senate shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.
- 12 (1) There shall be a Registrar of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed. Registrar

Provided that the first Registrar of the University shall be appointed by the Vice-Chancellor.

- (2) The experience as well as the professional and academic qualifications necessary for appointment to the post of the registrar shall be as may be prescribed.
- (3) The Registrar shall be a full time officer of the University and shall-
- be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the authorities of the University;
 - be the custodian of the common seal and the academic records of the University;
 - maintain a register of registered graduates in the prescribed manner;
 - supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and
 - perform such other duties as may be prescribed.
- (4) The term of office of the registrar shall be a renewable period of three years:

Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the registrar on the grounds of inefficiency or misconduct in accordance with prescribed procedure.

- Treasurer
13. (1) There shall be a treasurer of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed:
- Provided that the first Treasurer shall be appointed by the Vice-Chancellor.
- (2) The experience and the professional and academic qualifications necessary for appointment to the post of the treasurer shall be as may be prescribed.
- (3) The treasurer shall be the chief financial officer of the University and shall--
- manage the assets, liabilities, receipts, expenditures, funds and investments of the University;
 - prepare the annual and revised budget estimates of the University and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;
 - ensure that the funds of the University are expended on the purposes for which they are provided;
 - have the accounts of the University audited annually so as to be available for submission to the Senate within six months of close of the financial year; and
 - perform such other duties as may be prescribed.
- (4) The term of office of the treasurer shall be a renewable period of three years:
- Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.
- Controller of examinations
14. (1) There shall be a controller of examinations, to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed:
- Provided that the first Controller of Examinations shall be appointed by the Vice-Chancellor.
- (2) The minimum qualifications necessary for appointment to the post of the controller of examinations shall be as may be prescribed.
- (3) The controller of examinations shall be a full time officer of the University and shall be responsible for all matters connected with the conduct of respective under graduate or post graduate examinations and perform such other duties as may be prescribed.
- (4) The controller of examinations shall be appointed for a renewable term of three years:
- Provided that the Senate may on the advice of the Vice-Chancellor, terminate the appointment of the controller of examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

**CHAPTER- IV
AUTHORITIES OF THE UNIVERSITY**

15. (1) The following shall be the Authorities of the University: - Authorities
- a) Authorities established by the Act: -
 - (i) the Senate;
 - (ii) the Syndicate; and
 - (iii) the Academic Council;
 - b) Authorities to be established by the Statutes: -
 - (i) Graduate and Research Management Council;
 - (ii) Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff at the level of the Department, Faculty or University;
 - (iii) Career Placement and Internship Committee of each Faculty;
 - (iv) Search Committee for the appointment of the Vice-Chancellor;
 - (v) the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;
 - (vi) Faculty Council; and
 - (vii) Departmental Council.
- (2) The Senate, the Syndicate and the Academic Council may set up such other committees or sub-committees; by whatever name described, as are considered desirable through Statutes or Regulations as appropriate. Such committees or sub-committees shall be Authorities of the University for the purposes of this Act.

16. (1) The body responsible for the governance of the University shall be described as the Senate, and shall consist of the following: - Senate
- a) the Chancellor who shall be the Chairperson of the Senate;
 - b) the Vice-Chancellor;
 - c) one member of Government not below the rank of Additional Secretary from the Ministry of Health, Government of Sindh or any other department relevant to the special focus of the University;
 - d) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering such that the appointment of these persons reflects a balance across the various fields;

Provided that the special focus or affiliation of the University, to be declared in the manner prescribed, may be reflected in the number of persons of distinction in an area of expertise relevant to the University who are appointed to the Senate;

- e) one person from amongst the alumni of the University;
 - f) two persons from the academic community of the country, other than an employee of the University, at the level of professor or principal of a college;
 - g) four University Teachers; and
 - h) one person nominated by the Commission
- (2) The numbers of the members of the Senate described against clauses (e) to (h) of sub-section 1 may be increased by the Senate through Statutes subject to condition that the total membership of the Senate does not exceed twenty one, with a maximum of five University Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1).
- (3) All appointments to the Senate shall be made by the Chancellor on the recommendations of Government. Appointments of persons described in clauses (e) to (f) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of section 23 and in accordance with procedure as may be prescribed:
- Provided that efforts shall be made, without compromising on quality or qualification, to give fair representation to women on the Senate.
- Provided further that as regards the University Teachers described in clause (g) of sub-section (1), the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University Teachers:
- Provided also that the Senate may alternatively prescribe that appointment of University Teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (e) to (f) of sub-section (1).
- (4) Members of the Senate, other than *ex officio* members, shall hold office for three years. One-third of the members, other than *ex officio* members, of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than *ex officio* members, of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than *ex officio* members, shall retire from office on the expiration of the third year:
- Provided that no person, other than an *ex officio* member, may serve on the Senate for more than two consecutive terms.
- Provided further that the University Teachers appointed to the Senate may not serve for two consecutive terms.
- (5) The Senate shall meet at least twice in a calendar year.
- (6) Service on the Senate shall be on honorary basis:
- Provided that actual expenses may be reimbursed as prescribed.
- (7) The Registrar shall be the secretary of the Senate.

- (8) In the absence of the Chancellor, meetings of the Senate shall be presided over by such member, not being an employee of the University or Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Senate.
- (9) Unless otherwise prescribed by this Act, all decisions of the Senate shall be taken on the basis of the opinion of a majority of the members present. In the event of the members being evenly divided on any matter the person presiding over the meeting shall have a casting vote.
- (10) The quorum for a meeting of the Senate shall be two thirds of its membership, a fraction being counted as one.
- 17 (1) The Senate shall have the powers of general supervision over the University and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the University. The Senate shall have all powers of the University not expressly vested in an Authority or officers by the Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions. **Powers and functions of the Senate**
- (2) Without prejudice to the generality of the foregoing powers, the Senate shall have the following powers: -
- a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
 - b) to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;
 - c) to oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
 - d) to approve the appointment of the Deans, Professors, Associate Professors and such other faculty and administrators as may be prescribed;
 - e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers, and other employees of the University;
 - f) to approve strategic plans;
 - g) to approve financial resources development plans of the University;
 - h) to consider the drafts, the Statutes and Regulations proposed by the Syndicate and the Academic Council and deal with them in the manner as provided for in section 25 and 26, as the case may be:
- Provided that the Senate may frame Statute or Regulation on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council as the case may be;
- i) to annul by order in writing the proceedings of any Authority or officer if the Senate is satisfied that such proceedings are not in accordance with the provisions of the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;

- j) to recommend the Chancellor to remove any member of the Senate in accordance with the provisions of the Act;
 - k) to make appointment of members of the Syndicate, other than *ex officio* members, in accordance with the provisions of the Act;
 - l) to make appointment of members of the Academic Council, other than *ex officio* members, in accordance with the provisions of the Act;
 - m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
 - n) to remove any person from the membership of any Authority if such person-
 - (i) has become of unsound mind; or
 - (ii) has become incapacitated to function as member of such Authority; or
 - (iii) has been convicted by a court of law for an offence involving moral turpitude; and
 - o) to determine the form, provide for the custody and regulate the use of the common seal of the University.
- (3) The Senate may, subject to the provisions of the Act delegate all or any of the powers and functions of any Authority, officer or employee of the University at its main campus, to any Authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus, and for this purpose the Senate may create new posts or positions at the additional campus.

18. The Senate may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of the matters connected with the University. Visitations

19. (1) There shall be a Syndicate of the University consisting of the following: - Syndicate

- a) the Vice-Chancellor who shall be its Chairperson;
- b) the Deans of the Faculties of the University;
- c) three professors from different departments, who are not members of the Senate, to be elected by the University Teachers in accordance with procedure to be prescribed by the Senate;
- d) Principals of the constituent colleges;
- e) the Registrar;
- f) the Treasurer; and
- g) the Controller of Examinations;

(2) Members of the Syndicate, other than *ex officio* members, shall hold office for three years.

- (3) As regards the three professors described in clause (c) of sub-section (1) the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee setup in terms of section 23. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.
- (4) The quorum for a meeting of the Syndicate shall be one-half of the total number of members, a fraction being counted as one.
- (5) The Syndicate shall meet at least once in each quarter of the year.
20. (1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of the Act and the Statutes, exercise general supervision over the affairs and management of the University. **Powers and duties of the Syndicate**
- (2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statutes and directions of the Senate, the Syndicate shall have the following powers: -
- a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;
 - b) to transfer and accept transfer of movable property on behalf of the University;
 - c) to enter into, vary, carry out and cancel contracts on behalf of the University;
 - d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
 - e) to invest any money belonging to the University including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882, or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
 - f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
 - g) to administer any funds placed at the disposal of the University for specified purposes;
 - h) to provide the buildings, libraries, premises, furniture, apparatus, equipments and other means required for carrying out the work of the University;
 - i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
 - j) to recommend to the Senate affiliation or disaffiliation of colleges;
 - k) to recommend to the Senate admission of educational institutions to the privileges of the University and withdraw such privileges;
 - l) to arrange for the inspection of colleges and the departments;
 - m) to institute Professorships, Associate Professorships, Assistant Professorships, Senior Registrarships, Lecturerships and other teaching posts or to suspend or to abolish such posts;
 - n) to create, suspend or abolish such administrative or other posts as may be necessary;
 - o) to prescribe the duties of officers, teachers and other employees of the University;

- p) to report to the Senate on matters with respect to which it has been asked to report;
- q) to appoint members to various Authorities in accordance with the provisions of the Act;
- r) to propose drafts of Statutes for submission to the Senate;
- s) to regulate the conduct and discipline of the students of the University;
- t) to take actions necessary for the good administration of the University in general and to this end exercise all such powers as are necessary;
- u) to delegate any of its powers to any Authority or officer or a committee; and
- v) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

Academic council 21. (1) There shall be an Academic Council of the University consisting of the following:-

- a) the Vice-Chancellor who shall be its Chairperson;
- b) the Deans of Faculties and Chairmen or Heads of departments;
- c) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Senate;
- d) two Principals of affiliated colleges;
- e) five Professors including Emeritus Professors;
- f) the Registrar;
- g) the Controller of Examinations;
- h) the Medical Superintendents of University Hospital or Chandka Medical College Hospital; and
- i) the Librarian.

(2) The Senate shall appoint the members of the Academic Council, other than the ex officio and the elected members, on the recommendation of the Vice-Chancellor:

Provided that as regards the five Professors and the members representing the departments, institutes and the constituent colleges the Senate may, as an alternative to election, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of section 23. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

- (3) Members of the Academic Council shall hold office for three years.
- (4) The Academic Council shall meet at least once in each quarter.
- (5) The quorum for meetings of the Academic Council shall be one half of the total number of members, a fraction being counted as one.

22. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of the act and the Statutes, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University and the colleges. **Powers and functions of the Academic Council**
- (2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Academic Council shall have the power to:-
- a) approve the policies and procedures pertaining to the quality of academic programmes;
 - b) approve academic programmes;
 - c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;
 - d) approve the policies and procedures assuring quality of teaching and research;
 - e) recommend the policies and procedures for affiliation of other educational institutions;
 - f) propose to the Syndicate schemes for the constitution and organization of Faculties, Teaching Departments and Boards of Studies;
 - g) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;
 - h) institute programs for the continued professional development of University Teachers at all levels;
 - i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;
 - j) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
 - k) frame regulations for submission to the Senate;
 - l) prepare an annual report on the academic performance of the University; and
 - m) perform such functions as may be prescribed by regulations.
23. (1) There shall be a Representation Committee constituted by the Senate through Statute for recommendation of persons for appointment to the Senate, the Syndicate and the Academic Council in accordance with the provisions of the Act **Representation Committees**
- (2) Members of the Representation Committee for appointments to the Senate shall consist of the following:-
- a) three members of the Senate who are not University Teachers;
 - b) two persons nominated by the University Teachers from amongst themselves in the manner prescribed;
 - c) one person from the academic community, not employed by the University, at the level of Professor or College Principal to be nominated by the University Teachers in the manner prescribed; and
 - d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

- (3) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following:
- a) two members of the Senate who are not University Teachers;
 - b) Three persons nominated by the University Teachers from amongst themselves in the manner prescribed;
- (4) The tenure of the Representation Committee shall be three year:
- Provided that no member shall serve for more than two consecutive terms.
- (5) The procedures of the Representation Committee shall be as may be prescribed.
- (6) There may also be such other Representation Committees set up by any of the other Authorities as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the University
- Appointment of committees by certain Authorities 24. (1) The Senate, the Syndicate, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such committee persons who are not members of the Authorities appointing the Committees.
- (2) The constitution, functions and powers of the Authorities for which no specific provision has been made in this Act shall be such as may be prescribed by Statutes or Regulations.

CHAPTER - V

STATUTES, REGULATIONS AND RULES

Statutes

25. (1) Subject to the provisions of the Act, Statutes, to be published in the official Gazette, may be made to regulate or prescribe all or any of the following matters: -
- a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor before the Senate shall be prepared;
 - b) the University fees and other charges;
 - c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
 - d) the scales of pay and terms and conditions of service of officers, teachers and other University employees;
 - e) the maintenance of the register of registered graduates;
 - f) affiliation and disaffiliation of educational institutions and related matters;
 - g) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
 - h) the establishment of faculties, departments, institutes, colleges and other academic divisions;
 - i) the powers and duties of officers and teachers;
 - j) conditions under which the University may enter into arrangements with other institutions or with public bodies for purpose of research and advisory services;
 - k) conditions for appointment of emeritus Professors and award of honorary degrees;

- l) efficiency and discipline of University employees;
 - m) the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;
 - n) the constitution and procedure to be followed by the Search Committee for appointment of the Vice-Chancellor;
 - o) constitution, functions and powers of the Authorities; and
 - p) all other matters which by this Act are to be or may be prescribed or regulated by Statutes.
- (2) The draft of Statutes shall be proposed by the Syndicate to the Senate which may approve or pass with such modifications as the Senate may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (1) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

Provided further that the Senate may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of the Act and approve such Statute after seeking the views of the Syndicate.

26. (1) Subject to the provisions of the Ordinance and the statutes, the Academic Council may make regulations, to be published in the official Gazette, for all or any of the following matters:- Regulations
- a) the courses of study for degrees, diplomas and certificates of the University;
 - b) the manner in which the teaching referred to in sub-section (1) of section 6 shall be organized and conducted;
 - c) the admission and expulsion of students to and from the University;
 - d) the conditions under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;
 - e) the conduct of examinations;
 - f) conditions under which a person may carry on independent research to entitle him to a degree;
 - g) the institution of fellowships, scholarships, exhibitions, medals and prizes;
 - h) the use of the Library;
 - i) the formation of Faculties, Departments and Board of Studies; and
 - j) all other matters which by the Act or the statutes are to be or may be prescribed by regulations.
- (2) Regulations shall be proposed by the Academic Council and shall be submitted to the Senate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Senate:

- (3) Regulations regarding or incidental to matters contained in sub-clauses (g) and (i) shall not be submitted to the Senate without the prior approval of the Syndicate.

Amendment and
repeal of statutes
and regulations

27. 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 statutes and regulations.

Rules

28. (1) The Authorities and the other bodies of the University may make Rules, to be published in the official Gazette, consistent with the Act, statutes or the regulations, to regulate any matter relating to the affairs of the University which has not been provided for by the Act or that is not required to be regulated by statutes or regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

- (2) Rules shall become effective upon approval by the Syndicate.

CHAPTER - VI UNIVERSITY FUND

University fund

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

Audits and accounts

30 (1) The Accounts of the University shall be maintained in such form and in such manner as may be prescribed.

- (2) The teaching departments, constituent colleges, institutes and all other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centres of the University with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it:

Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by statutes.

- (3) All funds generated by a teaching department, constituent college or other unit of the University through consultancy, research or other proviso of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by statutes, to the teaching department, constituent college or other unit for its development. A part of the funds so generated may be shared with the University Teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by statute.
- (4) No expenditure shall be made from the funds of the University unless a bill for its payments has been issued by the head of the cost centre concerned in accordance with the relevant statutes and the Treasurer has verified that the payment is provided for in the approved budget of the cost centre, subject to the authority to re-appropriate available to the head of the cost centre.
- (5) Provision shall be made for an internal audit of the finances of the University.

- (6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force, the annual audited statement of accounts of the University shall be prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Pakistan for his observations.
- (7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

CHAPTER - VII GENERAL PROVISIONS

31. Except as otherwise provided by law 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 for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken. **Opportunity to show cause**
32. Where an order is passed, punishing any officer (other than the Vice-Chancellor), teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by any officer or teacher of the University other than the Vice-Chancellor, have the right to appeal to the Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate. **Appeal to the Syndicate and the Senate**
- 33 (1) All the persons employed by the University in accordance with the terms and conditions of service prescribed by statutes shall be persons in the service of Pakistan for the purpose of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973. **Service of the university**
- Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable employment notwithstanding the service of persons employed by the University shall be entirely governed by the terms and conditions prescribed by the relevant statutes.
- (2) An officer, teacher or other employee of the University shall retire from service on the attainment of such age or tenure of service as may be prescribed.
- (3) No adverse change shall be made in the terms and conditions of employment of any University Teacher in the employment of the University on the date of enforcement of the Act.
- 34 (1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service. **Benefits and insurance**
- (2) Where any provident fund has been constituted under this Act the provisions of the Provident Fund Act, 1925, shall apply to such funds as if it were the Government Provident Fund.
- 35 (1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed. **Commencement of term of office of members of Authority**
- (2) Where a member who has accepted any other assignment or for any other similar reason remains absent from the University for a period of not less than six months he shall be deemed to have resigned and vacated his seat.

36. Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed 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.
37. Where there is a flaw in the constitution of an Authority, as constituted by this Act, the statutes or the regulations on account of the abolition of a specified office under Government or because an organization, institution or other body outside the University has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Senate may direct.
38. No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.
39. Notwithstanding anything to the contrary in the Act, the Governor of Sindh shall promulgate the First statutes and regulations which shall be deemed to be statutes and regulations framed under sections 25 and 26 and shall continue to remain in force until amended or replaced or till such time as new statutes and regulations are framed in accordance with the provisions of the Act.
40. (1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Chancellor whose decision thereon shall be final.
- (2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor may make such order after obtaining the views of the Senate, not inconsistent with the provisions of the Act, as may appear to him to be necessary for removing the difficulty.
- (3) Where the Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects 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, at such time, or in such manner as the Chancellor may direct after obtaining the views of the Senate.
41. No suit or legal proceedings shall lie against Government, the University or any Authority officer or employee of Government or the University or any person in respect of anything which is done in good faith under the Act.
42. (1) Notwithstanding anything contained in the Act the Senate may, on the advice of the Syndicate, allow any post in the University to be filled by appointment, on such terms as the Senate may specify, an employee of Government or any other University or educational or research institution.
- (2) Where any appointment has been made under this section, the terms and conditions of service of the appointee shall not be less favorable than those admissible to him immediately before such appointment and he shall be entitled to all benefits of his post of service.

Filling of casual vacancies in Authorities

Flaws in the constitution of Authorities

Proceedings of Authorities not invalidated by the vacancies.

First statutes and regulations

Removal of difficulties

In Jeminy

Power to allow appointment of employees of Government, other Universities or educational or research institutions to the University

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH