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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 24TH SEPTEMBER, 2009

NO.PAS/Legis-B-09/2009- The Sindh Institute of Medical Sciences, Karachi Bill, 2009 having been passed by the Provincial Assembly of Sindh on 29th June, 2009 and assented to by the Acting Governor of Sindh on 14th September, 2009 is hereby published as an Act of the Legislature of Sindh.

THE SINDH INSTITUTE OF MEDICAL SCIENCES, KARACHI ACT, 2009

SINDH ACT NO: VII OF 2009

(First published after having received the assent of the Acting Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 24th September, 2009.)

AN

ACT

To provide for the establishment of an Institute known as the Sindh Institute of Medical Sciences, Karachi.

WHEREAS It is expedient to establish a degree awarding body known as the Sindh Institute of Medical Science, Karachi and for matters connected therewith or ancillary thereto;

Price Rs. 12.00

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Institute of Medical Sciences, Karachi Act, 2009. **Short title and commencement**
- (2) It shall come into force at once.
2. In this Act, unless there is anything repugnant in the subject or context- **Definitions**
- (a) "Academic Council" means the Academic Council of institute;
- (b) "Board" means the Board of Governors of the Institute;
- (c) "Chairperson" means the Chairperson of the Board;
- (d) "Commission" means the Higher Education Commissions set up under the Higher Education Commission Act, 2002;
- (e) "Controller of Examinations" means the Controller of Examinations of the Institute;
- (f) "Dean" means the head of a Faculty;
- (g) "Director Finance" means the Director of Finance of the Institute;
- (h) "Director Admission" means the Director of Admission of the Institute;
- (i) "Faculty" means an administrative and academic unit of the Institute consisting of one or more departments, as prescribed;
- (j) "Government" means the Government of Sindh;
- (k) "Institute" means the Sindh Institute of Medical Sciences, Karachi, established under this Act;
- (l) "Member" means a member of the Board;
- (m) "Patron" means the Patron of the Institute;
- (n) "prescribed" means prescribed by statutes, regulations and rules framed under this Act;
- (o) "Provost" means the Provost of the Institute;
- (p) "Rector" means the Rector of the Institute;
- (q) "Registrar" means the Registrar of the Institute;
- (r) "Secretary" means the Secretary of the Board;
- (s) "Selection Board" means the Selection Board of the Institute;
- (t) "SIUT" means the Sindh Institute of Urology and Transplantation;
- (u) "Statutes", "regulations" and "rules" means respectively the statutes, regulations and rules made under this Act and for the time being in force;
- (v) "Teachers" means Professors, Associate Professors, Assistant Professors and Lecturers engaged whole time by the Institute and includes such other persons as may be declared to be the teachers by statutes or regulations; and
- (w) "Trust" means the SIUT Trust, being a trust formed and registered under the Trust Act, 1882.
3. (1) There shall be established at Karachi, an Institute to be called Sindh Institute of Medical Sciences, Karachi consisting of- **Establishment of the Institute**

- (a) the Patron, the Rector, the Provost, the Deans, the Registrar, the Director Finance, the Director Admission and other members of the Board,
- (b) the teachers and students of the Institute;
- (c) the members of such councils, committees and other bodies as the Board may establish; and
- (d) 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 the Sindh Institute of Medical Sciences, Karachi, having perpetual succession and a common seal, with powers among others, to acquire, hold, control and dispose of moveable and immoveable properties and shall by the said name sue and be sued.

4. (1) The Institute shall have the powers:-

- (i) to provide for education in such branches of knowledge relating to all fields of health and medical sciences as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- (ii) to prescribe courses of studies to be conducted by it;
- (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 the prescribed conditions;
- (iv) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute;
- (v) to engage, where necessary, persons on contracts of 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 instruction for persons not being students of the institute as it may prescribe, and to grant certificates and diplomas to such persons;
- (viii) to institute programmes for the exchange of students and teachers between the Institute and other like universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (ix) to maintain linkages with alumni;
- (x) to develop and implement fund-raising plans;
- (xi) to provide and support the academic development of the faculty of the Institute;
- (xii) to confer degrees on the persons who have carried on independent research under prescribed conditions;
- (xiii) to accept the examinations passed and the period of study undertaken by students of the Institute at other universities and places of learning equivalent to such examinations and periods of study in the Institute as it may prescribe, and to withdraw such acceptance;

**Powers and
functions of the
Institute**

- (xiv) to cooperate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as may be prescribed;
- (xv) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships and any other posts and to appoint persons thereto;
- (xvi) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xvii) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xviii) to establish teaching departments, faculties, institutes, museums and other centers of learning for the development of teaching and research relating to medical science and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xix) to maintain order, discipline and security on the campuses of the Institute;
- (xx) to demand and receive such fees and other charges as it may determine;
- (xxi) to enter into, carry out, vary or cancel contracts;
- (xxii) to receive and manage property grants, contributions made to the Institute and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxiii) to provide for the printing and publication of research and other works; and
- (xxiv) to do all such other acts and things as may be required to further its objectives and perform its functions;

(2) The SIUT and its hospitals and centers shall provide teaching, training and research facilities to the Institute;

Institute open to all classes, creeds, etc 5. The Institute shall be open to all persons of either gender and of whatever religion, casts, race, creed, class, colour or domicile who are academically qualified for admission to the courses of study offered by the Institute, and no person shall be denied the privileges of the Institute on the grounds of gender, religion, race, casts, creed, class, colour or domicile.

Patron 6. (1) The Chairperson of the Trust shall be the Patron of the Institute.

(2) The Chairperson of the Trust shall, when present, preside over the convocations of the Institute and, in his absence; a person nominated by him shall preside,

Rector 7. (1) The Rector who shall be an eminent scholar of National or International repute and an educationist of distinction known for his contribution in education specially in medical sciences and appreciated for his high moral and intellectual caliber.

(2) The Rector shall be appointed by the Trust for a period of five years.

(3) Should the Rector be incapacitated from acting as such due to absence or any other cause, the Provost shall act for him until another Rector is appointed by the Trust.

(4) If the Rector is satisfied that the proceedings of the Academic Council, Selection Board or any of the authority are not in accordance with the provisions of this Act, he may after calling upon the Academic Council, Selection Board or any of the authority to show cause why such proceedings should not be annulled by order in writing, annul the proceedings.

8. (1) The Rector may cause a visitation or enquiry to be made in respect of any matter connected with the affairs of the Institute and appoint one or more persons to conduct such enquiry and submit a report to him. **Visitation**

(2) The Rector shall, on receipt of the report under sub-section (1) shall issue such directions as he thinks fit and the Provost shall comply with such directions.

9. (1) The Provost shall be appointed by the Board in consultation with the Rector who shall hold office during his pleasure and unless removed or resigned earlier, hold office for a period of four years on such terms and conditions as may be determined by the Board. **Provost**

(2) The Provost shall be the Chief Executive of the Institute having authority over academic, administrative and financial affairs and shall ensure that the provisions of this Act and the statutes, regulations or rules are faithfully observed in order to promote the general efficiency and good order of the Institute.

(3) The Provost, may in an emergency, which in his opinion require immediate action, take such action as he may consider necessary and shall, as soon as thereafter possible, report his action to the Board.

10. (1) The Board shall consist of- **Board**

(i) the Rector **Chairperson**

(ii) a judge of the High Court of Sindh nominated by the Chief Justice; **Member**

(iii) Chairperson of the Commission or his nominee; **Member**

(iv) Secretary Health or his nominee not below the rank of Additional Secretary; **Member**

(v) Provost; **Member**

(vi) three nominees of the Trust; **Members**

(vii) one member from the Academic Council nominated by the Provost; and

Member

(viii) one scientist or medical expert of national or international repute nominated by the Board.

Member

(2) The members of the Board other than the ex-officio members unless removed or resigned earlier from the membership shall hold office for a period of three years. Trust shall have power to remove any member / members of the Board.

(3) The Rector shall act as Chairperson.

(4) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence or his nomination is changed by the authority which has nominated him.

(5) The Chairperson may coopt a person for consultation on special issues.

(6) The meeting of the Board shall be held as frequently as possible but not less than thrice in a year.

(7) The meetings shall be convened by the Secretary on the directions of the Chairperson on such date and at such time and place as may be specified by the Chairperson.

(8) The meetings shall be presided over by the Chairperson and in his absence by the member elected by the members present from amongst themselves.

(9) The quorum for the meetings shall be one half of the total number of members a fraction being counted as one.

(10) The minutes of the meetings shall be recorded and finalized by the Secretary by circulation amongst the members who attended the meetings.

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

11. (1) The Board shall be the policy formulation and executive body of the institute and shall, subject to the provisions of this Act, exercise general supervision over the affairs of the Institute.

Powers and functions of the Board

(2) In particular and without prejudice to the generality of the foregoing provisions, the Board shall have the following powers:-

(i) to exercise overall control over the Institute;

(ii) to appoint the teachers, other officers and staff of the Institute and to determine the terms and conditions of their services;

- (iii) to cause proper books of accounts to be kept for all sums of money received and expended by the Institute and for assets and liabilities of the Institute;
 - (iv) to consider and approve the budget estimates, annual research programmes; annual reports and audited statements of accounts of the Institute;
 - (v) to re-appropriate funds from one major head of expenditure to another;
 - (vi) to enter into, vary, carry out and cancel contracts on behalf of the Institute;
 - (vii) to Institute professorships, associate professorships, assistant professorships, lectureships and other administrative posts;
 - (viii) to prescribe terms and conditions of teaching and non-teaching employees of the Institute, including their qualifications, experience and eligibility for appointment;
 - (ix) to delegate any of its powers to the Provost or any other officer excepting the power of approval of budgetary estimates;
 - (x) to appoint Auditors for the annual audit of the accounts of the Institute;
 - (xi) to suspend, punish and remove from service any employee of the Institute, in the prescribed manner;
 - (xii) to frame statutes as are necessary for carrying out the purposes of this Act; and
 - (xiii) to regulate, determine and administer all other matters concerning the Institute.
12. (1) There shall be a Registrar to be appointed by the Rector on the recommendations of the Trust on such terms and conditions as may be determined by the Rector. **Registrar**
- (2) The experience and professional and academic qualifications necessary for appointment to the post of the Registrar shall be as may be prescribed.
 - (3) The Registrar shall be full time officer of the Institute and shall -
 - (i) assist the Provost in performing of his duties as Chief Executive of the Institute;
 - (ii) maintain a register of registered graduates in the proscribed manner;
 - (iii) be the custodian of the common seal and academic and administrative records of the Institute;
 - (iv) act as a Secretary of the Board; and
 - (v) perform such other duties as may be prescribed.

(4) The Rector on the advice of the Provost terminate the appointment of the Registrar on the grounds of inefficiency, misconduct, physical or mental incapacity after affording him an opportunity of being heard.

Director of Finance

13. (1) There shall be a Director Finance to be appointed by the Rector on the recommendations of the Provost on such terms and conditions as may be determined by the Rector.

(2) The experience, professional and academic qualifications necessary for appointment as Director Finance shall be as may be prescribed.

(3) The Director Finance shall be a full time officer of the Institute and shall –

(i) manage the property, finances and investments of the Institute;

(ii) prepare the annual and revised budget estimate of the Institute and present them to the Board for approval;

(iii) ensure that the funds of the Institute are spent for the purpose for which they are provided; and

(iv) perform such other duties as may be prescribed.

(4) The Rector may, on the advice of the Provost, terminate the appointment of the Director Finance on the grounds of inefficiency, misconduct, physical or mental incapacity after affording him an opportunity of being heard.

Director Admission

14. (1) There shall be a Director Admission to be appointed by the Rector on the recommendations of the Provost on such terms and conditions as may be determined by the Rector.

(2) The experience, professional and academic qualifications necessary for appointment as Director Admission shall be as may be prescribed.

(3) The Director Admission shall be a full time officer of the Institute and shall –

(i) manage the admission of students in the Institute; and

(ii) perform such other duties as may be prescribed.

(4) The Rector may, on the advice of the Provost, terminate the appointment of the Director Admission on the grounds of inefficiency, misconduct, physical or mental incapacity after affording him an opportunity of being heard.

Controller of Examinations

15. (1) There shall be a Controller of Examinations to be appointed by the Rector on the recommendations of the Provost on such terms and conditions as may be determined by the Rector.

(2) The experience and professional and academic qualifications necessary for the appointment of the post of Controller of Examinations shall be as may be prescribed.

(3) The Controller of Examination shall be a full time officer of the Institute and shall be responsible for all the matters connected with the conduct of examinations and shall perform such other duties as may be prescribed.

(4) The Rector may on the advice of the Provost terminate the appointment of the Controller of Examinations on the grounds of inefficiency, misconduct, physical or mental incapacity after affording him an opportunity of being heard.

16	(1) There shall be Academic Council consisting of	Academic Council
	(i) The Provost	Chairperson
	(ii) Deans of the Faculty	Members
	(iii) Three Associate Professors of the Institute to be nominated by the Board on the recommendation of the Provost for three years	Members
	(iv) One Assistant Professor of the Institute to be nominated by the Board on the recommendation of the Provost for three years	Member
	(v) Two experts in medical science/ related disciplines to be nominated by the Board for three years	Members

(2) There shall be one Academic Council for each faculty.

(3) The Academic Council shall be responsible for all academic matters including courses, syllabi, examinations, degrees, diplomas and certificates and matters connected therewith.

(4) The meetings of the Academic Council shall be held as frequently as possible, but not less than twice in a year.

(5) The quorum of a meeting shall be one half of the total number of the members.

17. (1) All appointment to the posts of BPS-16 and above shall be made by the **Selection Board** Board on the recommendations of the Selection Board consisting of the following:-

(i) The Provost

Chairperson

(ii) One member to be nominated by the SIUT for three Years.

Member

(iii) Two experts in administration to be nominated by the Board for three years.

Member

(iv) Two experts in the field of medical science to be nominated by the Board for three years.

Members

(2) Four members shall form the quorum for a meeting of the Selection Board.

Fund

18. (1) The Institute shall have a Fund to which shall be credited all grants made by any Government or contributions and donations made by individual local bodies, agencies or organizations and income from fees received sale proceeds and royalties on publications and such other sources as may be approved by the Board.

(2) The fund, property and assets of the Institute shall vest with the Trust.

(3) No expenditure shall be made from the funds unless a bill for its payment has been audited by the Director Finance of the Institute in accordance with rules made under this Act.

(4) The accounts of the Institute shall be maintained in such form and manner as may be proscribed and shall be audited once a year by a firm of Chartered Accountants as approved under the Chartered Accountants Act, 1961.

(5) The Annual Statement of Accounts and audit report thereon shall be submitted by the auditor for consideration of the Board.

Statutes

19. (1) Subject to the provisions of this Act, statutes may be made to regulate or prescribe all or any of the following matters:-

- (a) the scales of pay and other terms and conditions of service of officers, teachers and other employees of the Institute;
- (b) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for employees of the Institute;
- (c) efficiency and discipline of the employees of the Institute;
- (d) the fees and other charges;
- (e) the maintenance of the register of registered graduates;
- (f) admission of educational Institutions to the privileges of the Institute and the withdrawal of such privileges;
- (g) the establishment of Faculties and departments;
- (h) the powers and duties of officers and teachers; and
- (i) 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 prepared by the Board for the approval of the Rector.

(3) The Rector shall have power to assent to the statutes or refer them back to the Board for reconsideration.

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

20. (1) Subject to the provisions of this Act and the statutes, the Academic Council may make regulations for all or any of the following matters:- **Regulations**

- (a) the courses of study for degrees, diplomas and certificates;
- (b) the admission and expulsion of students to and from the Institute;
- (c) the conditions under which students shall be admitted to the courses and the examinations of the Institute and shall become eligible for the award of degrees, diplomas and certificates;
- (d) the conduct of examinations;
- (e) conditions under which a person may carry on an independent research to entitle him to a degree;
- (f) the use of the Library;
- (g) the formation of Faculties, departments and board of studies; and
- (h) all other matters which by this 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 Board which may approve them or withhold approval or refer them back to the Academic Council for reconsideration.

(3) The regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Board.

21. The Authorities and other bodies of the Institute may make rules not inconsistent with this Act, statutes or the regulations, to regulate any matter relating to the affairs of the Institute. In case of any conflict, the provisions of the Trust and rules therein shall prevail. **Rules**

22. If any difficulty arises in giving effect to any of the provisions of this Act, the Trust may, on the recommendations of the Board give such directions, not inconsistent with the said provisions, as it may consider necessary for the removal of such difficulty. **Removal of difficulties**

Indemnity

23. No suit or legal proceedings shall lie against the Institute or any Authority or officer or employee of the Institute or a member of an Authority in respect of anything which is done in good faith under this Act.

BY ORDER OF THE ACTING SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH