

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

C O N T E N T S

PREAMBLE

SECTIONS

**CHAPTER-I
PRELIMINARY**

1. Short title and commencement.
2. Definition

**CHAPTER II
THE UNIVERSITY**

3. The University
4. Powers of the University

**CHAPTER III
OFFICERS OF THE UNIVERSITY**

5. Officers of the University
6. Patron
7. Visitation
8. Chancellor
9. Vice-Chancellor
10. Pro-Vice Chancellor

**CHAPTER IV
AUTHORITIES OF THE UNIVERSITY**

11. Authorities
12. Board of Governors
13. Powers and functions of the Board
14. Meeting of the Board
15. Academic Council
16. Powers and duties of the Academic Council
17. Constitution, functions and powers of other authorities.
18. Appointment of Committees by the authority.

**CHAPTER V
STATUTES, REGULATIONS AND RULES**

19. Statutes
20. Regulations
21. Rules

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

22. Amendment and repeal of statutes and regulations

**CHAPTER VI
THE UNIVERSITY FUND**

23. Fund, Audit and Accounts
24. Retirement from service.
25. Opportunity of show cause.
26. Appeal to, and review by the Board
27. Pension, insurance, gratuity, provident and benevolent fund
28. Commencement of term of members of Authorities
29. Filling of casual vacancies in Authorities
30. Dispute about membership of Authorities
31. Validity of proceedings of Authorities
32. First Statute
33. Bar of Jurisdiction
34. Indemnity
35. Removal of difficulty

THE SCHEDULE

1. Faculties
2. Teaching Department
3. Board of Studies
4. Board of Advanced Studies and Research
5. Selection Board
6. Functions of the Selection Board
7. Finance and Planning Committee
8. Functions of the Finance and Planning Committee
9. Affiliation Committee

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

[1st March, 2015]

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

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

Preamble.

It is hereby enacted as follows:-

**CHAPTER-I
PRELIMINARY**

1. (1) This Act may be called the Qalandar Shahbaz University of Modern Sciences Act, 2013.

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.

(i) "Academic Council" means the Academic Council of the University;

(ii) "affiliated college or institute" means a college or institute affiliated to the University;

(iii) "Authority" means any of the authorities of the University specified in section 11;

(iv) "Board" means the Board of Governors of the University;

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

(vi) "Chancellor" means the Chancellor of the University;

(vii) "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;

(viii) "Dean" means the Head of a Faculty;

(ix) "Director" means the Head of an Institute;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (x) "Faculty" means a Faculty of the University;
- (xi) "Government" means the Government of Sindh;
- (xii) "institute" means an institute maintained and administered by the University;
- (xiii) "Officer" means any of the officers of the University specified in section 5;
- (xiv) "prescribed" means prescribed by statutes, regulations or rules;
- (xv) "Professor Emeritus" means a retired Professor appointed by the chancellor on honorary basis;
- (xvi) "public private partnership" means a joint venture mechanism in which Government and private parties agree to set up different public services including education and shall mean an arrangement established through agreement between the Education and Literacy Department, Government of Sindh and the Organization to spread high quality education in seeking to eradicate poverty in under-served areas;
- (xvii) "Registrar" means the Registrar of the University;
- (xviii) "statutes, regulations and rules" means respectively the statutes, regulations and rules made under this Act;
- (xix) "Teaching Department" means a Teaching Department established and maintained or recognized by the University;
- (xx) "Organization" means the Qalandar Shahbaz Education System Private Limited registered under the Companies Ordinance, 1984;
- (xxi) "University" means the University of Modern Sciences; and
- (xxii) "Vice Chancellor" means the Vice Chancellor of the University;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

**CHAPTER-II
THE UNIVERSITY**

3. (1) There shall be established a University to be called the **The University.** Qalandar Shahbaz University of Modern Sciences, Tando Muhammad Khan, consisting of the Patron, the Chancellor, the Chairman and members of the Board, the Vice Chancellor, 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 Qalandar Shahbaz University of Modern Sciences having perpetual succession and a common seal, with power, among others to acquire hold and dispose of any property or investments 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, creed, colour, or domicile who are academically qualified for admission to the courses of study offered by the University and no such person shall be denied the privilege on the ground only of sex, religion, creed, race, class, colour or domicile.

(4) The principal seat of the University will be at Tando Muhammad Khan and it may setup any number of campuses, satellite campuses, virtual and online campuses or such other study centers at such places inside or outside Pakistan.

(5) In fulfilling the state's responsibility of providing equitable opportunities of learning to the youth of under-served regions, the University shall deliver such services in collaboration with the Government under various modes including public private partnership.

4. The University shall have the powers -

**Powers of the
University.**

- (i) to undertake public services including education by way of public-private partnership as defined in clause (xvi) of section 2 of this Act;
- (ii) to provide for instructions 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;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (iii) to provide lifelong learning, deliver courses and provide educational facilities to a large segment of the population at designated campuses, places of work and residences through the integration of satellite, television, internet and intranets and emerging technologies, or distance learning through conventional and modern non-conventional methods as it may determine;
- (iv) 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 prescribed conditions;
- (v) to provide such facilities to masses through distance or online or on-ground education inside or outside Pakistan for their educational uplift as it may determine;
- (vi) to provide educational facilities to people who cannot leave their homes and jobs in such manner as it may determine;
- (vii) to provide for making of films and other audio visual materials and online softwares and enter into arrangements with broadcasting channels and software houses as it may deem fit;
- (viii) to prescribe courses of studies and undertake research as it may determine;
- (ix) to decide virtual teaching and examination methods and strategies in order to ensure the most effective educational and training programs;
- (x) to recognize the examinations passed or the periods of studies spent at other universities or places of learning as equivalent to examinations or periods of study in the university or to withdraw such recognitions;
- (xi) to control the discipline of the students of the University and the Institute in the prescribed manner;
- (xii) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (xiii) to affiliate or associate with other institutions and establish Faculties and Teaching Departments to discharge its functions and responsibilities for the betterment of education;
- (xiv) to provide and support other facilities for education, professional training and research;
- (xv) to receive and manage property, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University and to invests them in such manner as it may deem fit;
- (xvi) to enter into agreements, contracts and arrangements with organizations, institutions, bodies and individuals for carrying out its functions and activities;
- (xvii) to demand and receive such fees and other charges as it may determine;
- (xviii) to appoint members of the various bodies and committees for instructional and co-curricular activities;
- (xix) 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
- (xx) 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 OFFICER OF THE UNVIERSITY

5. The following shall be the officers of the University:-

- (i) the Patron;
- (ii) the Chancellor;
- (iii) the Chairman;
- (iv) the Vice Chancellor;
- (v) the Pro Vice Chancellor;
- (vi) the Deans;
- (vii) the Directors;
- (viii) the Chairmen of the Teaching Departments;
- (ix) the Registrar;
- (x) the Director of Finance;

**Officers of the
University.**

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (xi) the Librarian;
- (xii) the Controller of Examination;
- (xiii) the Resident Auditor; and
- (xiv) such other persons as may be prescribed to be officers of the University.

6. (1) The Governor of Sindh, shall be the Patron of the University. **Patron.**

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

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

7. (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, and shall from time to time, direct any person or persons to enquire into or carry out inspection of – **Visitation.**

- (i) the University, its building, laboratories, libraries, and other facilities;
- (ii) any institution, department or hostel maintained by the University;
- (iii) the adequacy of financial and human resources;
- (iv) the teaching, research, curriculum, examination and other matters of the University; and
- (v) such other matters as may be specified by him.

(2) The Patron shall communicate to the Board his views with regard to the result of visitation and shall, after ascertaining the views of the Board, advise the Board on the action to be taken by it.

(3) The Board shall, within such time as may be specified by the Patron, communicate to him such action, if any, as has been taken or may be proposed to be taken upon the results of visitation.

(4) Where the Board does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he deems fit and the Board shall comply with all such directions.

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

8. (1) The Chancellor of the University shall be appointed by the Patron from the panel of three persons recommended by Organization. **Chancellor.**

(2) The Chancellor, in the absence of the Patron shall preside at the Convocation of the University.

(3) The Chancellor may, with the approval of the Board, remove any person from the membership of any Authority if such person -

- (a) has become of unsound mind; or
- (b) has been incapacitated to function as member; or
- (c) has been convicted by a court of law in Pakistan of an offence involving moral turpitude.

(4) If the Chancellor is satisfied that the proceedings of any Authority or orders of any officers are not in accordance with the provisions of this Act, 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.

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

(6) The Chancellor may cause a visitation or inquiry to be made in respect of any matter connected with the affairs of the University and appoint such person as may deem fit for the purpose.

(7) The Chancellor shall, on receipt of a report under sub-section (6) above, issue such directions as he thinks fit and the Vice Chancellor will comply with such directions.

9. (1) The Vice Chancellor shall be a prominent educationist or scholar or administrator with sufficient experience in the relevant field, shall be appointed, for a period of four years, by the Chancellor from a panel of three persons recommended by the Organization and shall be eligible for re-appointment. **Vice Chancellor.**

(2) The Vice Chancellor shall be the principal academic and administrative officer of the University and shall be responsible for proper implementation of the provisions of this Act, directions of the Patron, the Chancellor, and the decisions of the Board and execution of the policies and programmes of the Board.

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

(3) The Vice Chancellor 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 officers, authority, or other body, which in the ordinary course would have dealt with matter.

(4) At any time when the office of the Vice Chancellor is vacant, or the Vice Chancellor is absent or is unable to perform the functions of the office due to illness or some other cause, the Chancellor shall make such arrangement for the performance of the duties of the Vice Chancellor as he may deem fit.

(5) In particular and without prejudice to the generality of the foregoing powers the Vice Chancellor 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 or re-appropriate an amount not exceeding the amount one lac 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 arrangement for the security of papers, marks and results as may be necessary;
- (vi) to direct teachers, 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 Act to an officer or other employee of the University;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (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.

10. (1) The Chancellor may, in consultation with the Organization, appoint a Pro-Vice Chancellor for the main campus or the additional campus, if any, or for both the campuses jointly or separately, on such terms and conditions as may be determined by the Chancellor. **Pro-Vice Chancellor.**

(2) Where a Pro-Vice Chancellor is appointed under subsection (1), he shall, notwithstanding anything contained in this Act, exercise such powers and perform such functions of the Vice-Chancellor or such other powers and functions, as the Chancellor may delegate to him.

**CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY**

11. The following shall be the Authorities of University - **Authorities.**

- (i) the Board of Governors;
- (ii) the Academic Council;
- (iii) the Boards of Faculties;
- (iv) the Board of Advanced Studies and Research;
- (v) the Boards of Studies;
- (vi) the Selection Board;
- (vii) the Finance and Planning Committees; and
- (viii) such other Authorities as may be prescribed.

12. (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:- **Board of Governors.**

- (a) the Chairman to be nominated by the Organization;
- (b) A Judge of the High Court nominated by Chief Justice, High Court of Sindh;
- (c) the Vice Chancellor;
- (d) the Pro-Vice Chancellor;
- (e) the Chairman of the Higher Education Commission or his nominee;
- (f) the Secretary to Government of Sindh, Education Department or his nominee not below the rank of Additional Secretary;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (g) President of Federation of Pakistan Chamber of Commerce and Industries;
- (h) six prominent personalities dedicated to the cause of this University be nominated by the Organization;
- (i) the Registrar; and
- (j) 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 three 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 members 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.

13. (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 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;
- (iv) to approve, carry out, vary or cancel contracts on behalf of the University;
- (v) to initiate and approve schemes for achieving the objectives of the University;
- (vi) to determine the form, and regulate the custody and use of common seal of the University;

Powers and functions of the Board.

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (vii) 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;
- (viii) to appoint teachers, researchers and officers on the recommendations of the Selection Board;
- (ix) 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;
- (x) to propose statutes for submission to the Chancellor;
- (xi) to approve regulations or rules on the recommendations of the appropriate bodies; and
- (xii) to determine, regulate and administer all other matters concerning the University and, to this end, exercise all necessary powers not specifically mentioned in this Act 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.

14. (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.

Meetings of the Board.

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

(3) The 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.

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

Academic Council.

- (i) the Vice Chancellor who shall be the Chairman;
- (ii) the Deans;
- (iii) the Directors;
- (iv) the Chairman of the Teaching Departments;
- (v) one nominee of Education Secretary;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (vi) one nominee of the Higher Education Commission;
- (vii) the University Professors including Professors Emeritus;
- (viii) the Registrar who shall be the Secretary;
- (ix) the Librarian;
- (x) the Controller of Examinations;
- (xi) two eminent scholar dedicated to the cause of this university nominated by the Organization; and
- (xii) two persons of eminence dedicated to the cause of this University to be nominated by the Board.

(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 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 Council shall be one third of the total number of members, a fraction being counted as one.

16. (1) The Academic Council shall be the highest academic body of the University, and shall, subject to the provisions of this Act and 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 Board of Studies;
- (iv) to consider or formulate proposals for the planning and development of teaching and research in the University;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (v) to make regulations on the recommendations of the Boards of Faculties and the Boards of Studies, prescribing the courses of studies and the syllabi for all University examinations; provided that, if the recommendations of Boards of Faculties and Boards of Studies are not received by the prescribed date, the Academic Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination;
- (vi) to recognize examinations of other University of examining bodies as equivalent to corresponding examinations of the University;
- (vii) to frame regulations for submission to the Board;
- (viii) to appoint members to the various Authorities in accordance with the provisions of this Act and to perform such other functions as may be prescribed by statutes.

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

Constitution, functions and powers of other authorities.

18. The Board, the Academic Council and other Authorities may appoint such standing, special or advisory committees, as they may consider advantageous in the performance of their function

Appointment of Committees by the authority.

CHAPTER-V STATUTES, REGULATIONS AND RULES

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

Statutes.

- (i) the terms and conditions of service of employees of the University, including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (ii) the terms and conditions of contractual appointments of teachers, researchers and officers;
- (iii) the establishment of colleges, Faculties, teaching departments and other academic units and divisions;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (iv) the powers and duties of officers and teachers;
- (v) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;
- (vi) the conditions of appointment of Professors Emeritus and award of honorary degrees.
- (vii) the efficiency and discipline of the employees of the University;
- (viii) the acquisition and administration of properties and investment of the University; and
- (ix) all other matters which under this Act are required to be done or may be prescribed or regulated by statutes.

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

(3) The Chancellor shall have the power to assent to the statutes submitted to him for approval, or refer them back to the Board for reconsideration.

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

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

- (i) schemes of studies and research, including the duration of courses, number of subject or papers for examination;
- (ii) syllabi and courses of study and research programmes leading to degrees, diplomas or certificates;
- (iii) conduct and supervision of examination, appointment of examiners, scrutiny, tabulation and declaration of result;
- (iv) determination of fees and other charges for admission to various courses, examination and hostels;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (v) maintenance of discipline among students and schemes for their welfare;
- (vi) institution of fellowships, scholarships, prizes, medals, honoraria and other financial assistance for students and research scholars;
- (vii) conduct of convocation and form of academic costumes;
- (viii) conditions of residence of students;
- (ix) use of library; and
- (x) all other academic matters which by this Act or statutes are to be or may be prescribed by regulation.

(2) The Board shall have powers to approve the regulations submitted to it or refer them back to the Academic Council for reconsideration.

(3) No regulations shall be valid until they have been approved by the Board.

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

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

22. The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making the statutes and regulations. **Amendment and repeal of Statutes and Regulations**

CHAPTER-VI THE UNIVERSITY FUND

23. (1) The University shall have a Fund in the name of the Organization to which shall be credited its income from fees, donations, trusts, bequests, endowments, grants, contributions and all other sources. **Fund, Audit and Accounts.**

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

(2) Capital and recurrent expenditure of the University shall be met from the contributions made by the Board and any other foundations, universities, individuals, Government and from the income derived from such sources including the Organization.

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

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

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

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

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

Retirement from service.

(i) on such date after he has completed twenty five years of service qualifying for pension or after retirement benefits, as the competent authority may direct; provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed to be taken against him and has been given reasonable opportunity of showing cause against that action; or

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

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

Opportunity of show cause.

26. (1) Where an order is passed punishing an employee other than the Vice Chancellor, or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by the Vice Chancellor or any other officer or teacher of the University, have the right to

Appeal to, and review by the Board.

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

appeal to the Board against the order, and where the order is made by the Board have the right to apply to the Board for review of that order.

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

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

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

**Pension,
insurance,
gratuity,
Provident and
Benevolent Fund.**

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

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

**Commencement
of term of
members of
Authorities.**

29. Any casual vacancy among the appointed or nominated members of any Authority shall be filled as soon as conveniently may be possible by the person or the body who appointed or nominated the member whose place has become vacant and the person appointed or nominated to the vacancy shall be member of such Authority for the residue of the term for which the person whose place he fills would have been a member:

**Filling of casual
vacancies in
Authorities.**

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

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

**Dispute about
membership of
Authorities.**

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

(2) If a question arises whether any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of the Chancellor, two nominees of the Board and a nominee of the Chancellor, and the decision of the committee shall be final and binding.

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

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

33. No court shall have jurisdiction to entertain any proceeding, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act. **Bar of Jurisdiction.**

34. No suit or legal proceedings shall lie against Government, the University, or any Authority or an employee of the University or any person, in respect of anything which is done, or purported to have been done in good faith or is intended to have been done under this Act. **Indemnity.**

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

THE SCHEDULE THE FIRST STATUTES (see Section 29)

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

- (i) Faculty of Computer Sciences
- (ii) Faculty of Arts and Design
- (iii) Faculty of Business Administration
- (iv) Faculty of Home Economics
- (v) Faculty of Engineering
- (vi) Faculty of Islamic Learning, Sufism, History, Philosophy, Arabic and Persian
- (vii) Faculty of Health Sciences
- (viii) Faculty of Continuing Education and Adult Literacy;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (ix) such other Faculties as may be prescribed by statutes.

(2) The Islamic Education and Pakistan Studies shall be compulsory for Muslim students upto graduation level. Non-Muslim students shall in lieu of these subjects have option to take ethics and Pakistan Studies subjects in all faculties.

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

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

2. (1) There shall be a teaching department for each subject or a group of allied subjects as may be approved and each teaching department shall be headed by a Chairman.

Teaching Department.

(2) The Chairman of a Department shall be appointed by the Board from amongst the senior teachers of the Department.

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

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

Board of Studies.

(2) Each Board of Studies shall consist of -

- (i) the Chairman of the Teaching Department concerned;
- (ii) all Professors and Associate Professors in the Teaching Department concerned;
- (iii) two University teachers, other than professors or Associate Professors to be appointed by the Academic Council;
- (iv) three experts, other than University teachers, to be appointed by the Chancellor.

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

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

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

(5) The Chairman of the University teaching department concerned shall be the Chairman and convener of the Board of Studies.

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

- (i) to advise authorities on all academic matters connected with instruction, research and examination in the subjects concerned.;
- (ii) to propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;
- (iii) to suggest a panel of names of papers setters and examiners in the subjects concerned; and
- (iv) to perform such other functions as may be prescribed by regulations.

4. (1) There shall be a Board of Advanced Studies and Research consisting of –

- (i) the Vice Chancellor, who shall be the Chairman;
- (ii) the Deans;
- (iii) three University Professors, other than Deans, to be appointed by the Board;
- (iv) three University teachers having research qualifications and experience, to be appointed by the Academic Council; and
- (v) the Professor emeritus.

**Board of
Advanced
Studies and
Research.**

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

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

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

- (i) to advise the Authorities on all matters connected with the promotion of Advance Studies and research in the University;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (ii) to propose regulations regarding the award of research degrees;
- (iii) to appoint supervisors for research students to determine the subject of their thesis;
- (iv) to recommend panels of names of paper setters and examiners for research degrees; and
- (v) to perform such other functions as may be prescribed by statutes.

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

Selection Board.

- (a) the Vice Chancellor who shall be the Chairman;
- (b) one member of the Board and two persons other than employees of the University to be nominated by the Board;
- (c) the Dean of the Faculty concerned;
- (d) the Chairman of the teaching Department concerned.

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

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

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

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

(6) All appointments are subject to approval of the Chancellor who is the appointing authority and the Chancellor or his nominees may chair the Selection Board for any appointment.

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

6. (1) The Selection Board shall consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of suitable candidates for appointment to such posts.

Functions of the Selection Board.

(2) The Selection Board may recommend to the Board the grant of higher initial pay in suitable case for reasons to be recorded.

(3) The Selection Board may recommend to the Board the appointment of an eminently qualified person to a position in the University on terms and conditions as may be prescribed.

(4) The Selection Board shall consider all cases of promotion of officers of the University and recommend to the Board the names of suitable candidates for such promotions.

(5) In the event of an unresolved difference of opinion between the Selection Board and the Board, the matter shall be referred to the Chancellor whose decision shall be final.

7. (1) There shall be Finance and Planning Committee consisting of -

Finance and Planning Committee.

- (i) the Chancellor who shall be the Chairman of the committee;
- (ii) two nominees of the Board;
- (iii) two experts in the field of finance and planning to be nominated by the Organization;
- (iv) one Dean to be nominated by the Vice Chancellor;
- (v) the Director Finance of the University shall be a member and Secretary of the Board.

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

8. The functions of the Finance and Planning Committee shall be –

Functions of the Finance and Planning Committee.

- (i) to consider annual statement of accounts and annual and revised budget estimated and advise the Board thereon;
- (ii) to review periodically the financial position of the University;
- (iii) to advise the Board on all matters relating to planning, development, finance investment and accounts of the University;

SINDH ACT NO. VIII OF 2013.

THE QALANDAR SHAHBAZ UNIVERSITY OF MODERN SCIENCES ACT, 2013.

- (iv) to prepare short term and long term development plans;
- (v) to prepare staff and resource development plans; and
- (vi) to perform such other functions as may be prescribed by statutes.

9. (1) There shall be an Affiliation Committee which shall consist of the Vice Chancellor, a Dean and a Professor of the University. **Affiliation Committee.**

(2) The Affiliation Committee shall perform the following functions:-

- (a) to frame rules governing the affiliations for institutions seeking affiliations with the University;
- (b) to inspect and affiliate Institutions seeking affiliations with the University;
- (c) to enquire into the complaints alleging breach of conditions of affiliations by affiliated colleges; and
- (d) to perform such other functions as may be prescribed by the regulations.