

THE BALOCHISTAN INSTITUTE OF INFORMATION TECHNOLOGY

AND MANAGEMENT SCIENCES
ORDINANCE 2002

(Balochistan Ord. X of 2002)

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SCHEDULE

'THE BALOCHISTAN INSTITUTE OF INFORMATION TECHNOLOGY

Preamble.

Short title and
commencement.

1

AND MANAGEMENT SCIENCES
ORDINANCE, 2002

(Balochistan Ordinance No. X of 2002)

[18" July, 2002]

An Ordinance to provide for the establishment of
Balochistan Institute of Information Technology and
Management Sciences at Loralai.

WHEREAS the Government of Balochistan for
sustainable development in the province has expressed the
desire to establish the Institute of Information Technology at
Loralai;

AND WHEREAS it is in the interest of the region in
general and in the interest of the country in particular to
establish a center of excellence to provide quality of education
at international standard to talented students of Balochistan.

AND WHEREAS it is expedient to provide for the
establishment of the Balochistan Institute of Information
Technology and Management Sciences at Loralai and for
matters ancillary thereto or connected therewith;

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

NOW, THEREFORE, in pursuance of Article 4 of the
Provisional Constitution (Amendment) Order, 1999 (Chief
Executive's Order No. 9 of 1999), and in exercise of all powers
enabling him in that behalf, the Governor of Balochistan is
pleased to make and promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Balochistan
Institute of Information Technology and Management Science
Ordinance, 2002.

This Ordinance was made by the Governor of Balochistan on 8" July, 2002; and published in the Balochistan Gazette

(Extraordinary) No. 43, dated 18% July, 2002.

Being an Ordinance made by Governor under Provisional Constitution (Amendment) Order, 1999 (Chief Executive Order 9 of 1999); protected first under Article 270-AA [as amended vide Constitution (Seventh Amendment) Act, 2003 (Act III of 2003)]; and later declared continue in force by clause (2) of Article 270-AA [as amended vide Constitution (Eighteenth Amendment) Act, 2010 (Act X of 2010)], of the Constitution of Islamic Republic of Pakistan, 1974.

(2) It shall come into force at once.

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

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

(b) "Authority" means any of the Authorities of the Institute specified in section 7;

(c) "Board" means the Board of Governors of the Institute constituted under section 13;

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

(e) "Department" means a Teaching Department established and maintained by the Institute;

(f) "Faculty" means a Faculty of the Institute;

(g) "Government" means Government of Balochistan;

(h) "Institute" means the Institute of Information Technology and Management Sciences at Loralai;

(i) "Patron" means the Patron of the Institute;

(j) "[Rector/Principal]" means the Rector/ Principal of the Institute appointed under section 12;

(k) "Prescribed" means prescribed by regulations, rules or Statutes;

(l) "regulations", "rules" or "Statutes" means the regulations, rules or Statutes made or deemed to have been made under this ordinance; and

(m) "teacher" includes the Professors, Associate Professors, Assistant Professors, Lecturers and research staff engaged by the Institute for teaching graduate classes and such other persons as may be declared teacher by the Board.

Establishment and 3. (1) There shall be established, in accordance with incorporation of the the provisions of this Ordinance, an Institute to be called the Institute. Balochistan Institute of Information Technology and

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2008, for the words “Project Director”.

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Management Science Laralai consisting of the Patron, the Chancellor, the Board, the [Rector/Principal] and such other officers as may be prescribed.

(2)

The Institute shall be a body corporate having

perpetual succession and a common seal, with power to acquire,

hold and dispose of any property, both movable and immovable, and shall by the said name sue and be sued.

Powers and 4. The Institute shall have the powers—

functions of the

(a)

Institute.

(b)

*(c)

(d)

(e)

(f)

(g)

(h)

(i)

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to provide for instruction and training in computer and information technology and to make provisions for the advancement and dissemination of knowledge in such manner as it may deem fit;

to admit and examine students;

to get affiliation with a_ reputable University/Board to hold examination and confer

degrees, diplomas and certificates;]

3[deleted]

to prescribe courses of studies in computer and undertake research as it may determine;

to demand and receive such fees and other charges as it may determine;

to appoint such officers including teachers and members of the staff and prescribe terms and conditions, powers and duties of such officers and staff;

to appoint members of the various bodies and committees as the Board may determine for instructional and curricular activities and admit students of the Institute and its constituent units;

to affiliate and _ disaffiliate educational institutions and inspect such institutions or associate itself with other educational training and research institutions;

to receive and manage property, grants, bequests,

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2008, for the words "Project Director".

Substituted, *ibid*, for clause (c).

Clause (d) deleted, *ibid*.

trusts, gifts, donations, endowments and other contributions made to the Institute and to invest them in such manner as it may deem fit;

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

(1) to do all such other acts and things as may be required for its further objectives.

Institute open to all 5. The Institute shall be open to all persons of either sex of

classes, etc. whatever religion, race, creed, colour or domicile who are academically qualified for admission to the courses of study offered by the Institute; and no such person shall be denied the privilege on the ground only of sex, religion, creed, race class, colour or domicile.

Teaching and 6. (1) The academic programmes of the Institute shall examinations. be conducted in the prescribed manner.

(2) The Institute shall restrict to phase-wise development of its academic programmes and_ having developed the necessary infrastructure it shall launch its academic programmes subsequently.

(3) The degree awarding programmes of the Institute shall the approved criteria of the University Grants Commission.

(4) The Institute may associate external examiners for the conduct of examinations.

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

Authorities of the 7. The following shall be the Authorities of the Institute, Institute. namely:—

(a) The Board of Governors;
(b) The Academic Council;

(c) Such other Authorities as may be specified by regulations to be the Authority.

Officers of the 8. The following shall be the officers of the Institute,

Institute. namely:—

- (a) the Patron;
- (b) the Chancellor;
- (c) the [Rector/Principal];
- (d) Programme Coordinator (R&D)
- (e) Programme Coordinator (Academic)
- (f) Programme Coordinator (Software Deptt:)
- (g) Administrative Officer
- (h) such other persons as may be specified by

regulations to be the officers.

Patron. 9. (1) The Governor Balochistan shall be the Patron of the Institute.

(2) The Patron, or in his absence, the Chancellor shall preside at the convocation of the Institute.

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

Visitation. 10. (1) The Patron, may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person or persons as he may deem fit to inquire into or carry out inspection of—

(1) the Institute, its building, laboratories, libraries, and other facilities;

(i1) any institution, Department or hostel maintained by the Institute;

(iii) the adequacy of financial and human resources;

(iv) the teaching, research, curriculum, examination and other matters of the Institute; 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

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Chancellor.

The '[Rector/
Principal].

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 result 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.

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

11. (1) The Minister for Information Technology shall be the Chancellor of the Institute.

(2) In case the Chancellor is satisfied that the proceedings of any Authority or order of any officer are not in accordance with the provisions of this Ordinance, the rules or regulations, he may, after calling upon such Authority or officer to show cause to why such proceedings, or as the case may be, order should not be annulled, by order in writing, annul such proceedings or orders.

(3) The Chancellor may, on receipt of a report, issue such directions as he thinks fit and the '[Rector/Principal] shall comply with such directions.

12. The Board may appoint the '[Rector/Principal], on such terms and _ conditions, as it may determine. The 'TRector/Principal] of Institute shall be the principal academic and administrative Officer and shall be responsible for proper implementation of the decisions of the Board and for the execution of the programme of the Institute in accordance with the guidelines and policies formulated by the Board. The 'TRector/Principal] shall have the following powers namely:—

(a) to sanction all expenditure provided for in the approved budget;

(b) to sanction re-appropriation of an amount not exceeding such amount as the Board may

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authorize in this behalf for an unforeseen item not provided for in the budget;

(c) to make such arrangement for the scrutiny of papers, marks and results as may be necessary; and

(d) to direct teachers, officers and other employees of the campus of the Institute to take up such assignments in connection with teaching, research, examination, administration and such other activities in the campus, as he may consider necessary.

Board of Governors. 13. (1) The general supervision and control of administrative, academic and financial affairs of the Institute and power to lay down policies of the Institute shall vest in a Board of Governors consisting of the following members, namely:—

(a) The Addl. Chief Secretary (Dev) P&D Department shall be the Chairman of the Board.

(b) The Secretary Government of Balochistan Department of Information Technology, or his nominee;

(c) The Secretary Government of Balochistan Department of Education, or his nominee;

(d) The Vice Chancellor Balochistan University of Engineering and Technology Khuzdar.

(e) The '[Rector/Principal] of the Institute, who shall be the Secretary.

(2) A nominated member of the Board 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 of the Board shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence.

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Powers and
functions of the
Board.

(4) A casual vacancy in the office of a nominated member of the Board shall be filled by a person nominated by the authority which 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 the constitution of the Board.

14. (1) The Board shall exercise the powers and perform the following functions, namely: —

(a) to hold, control and administer the property, funds assets and _ resources of the Institute;

(b) to transfer and accept transfer and accept transfer to movable or immovable property on behalf of the Institute;

(c) 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;

(d) to approve, carry out, vary or cancel contracts on behalf of the Institute;

(e) to initiate and approve schemes for achievement of the objectives of the Institute;

(f) to determine the form, and regulate the custody and use of common seal of the Institute;

(g) to create professional, _ research, administrative posts and such other posts as may be required to carry out for the purpose of the Institute and to suspend or abolish such posts;

(h) to appointment teachers, researchers and officers on the recommendations of the Selection Board;

(i) to suspend, punish and remove from service employees of the Institute in the manner as may be prescribed after due

Meetings of the
Board.

Academic Council.

enquiry and defence.

(j) to approve rules on the recommendations
of the appropriate bodies;

(k) to determine, regulate and administer all
other matters concerning the Institute;

and

(1) to arrangement convocation.

15. (1) The Board shall meet at least twice in a year on

such dates as may be fixed by the Chairman.

(2) A special meeting may be called at any time on
the direction of the Chancellor or on a requisition made by not
less than four members of the Board to consider a matter or
urgent nature.

(3) Not less than seven clear days notice of a special
meeting shall be given to the member of the Board and the
agenda of the meeting shall be restricted to the matter for which
the special meeting is called.

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

(5) The decision 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 of
the Board shall have a casting vote.

16. (1) The Academic Council shall consist of:

(a) the '[Rector/Principal] who shall be its
Chairman;

(b) all Professors/ Associate Professors/
Assistant Professors and Lectures of the
Institute;

(c) the Program Coordinator (HRD)

(d) the Program Coordinator (Academic)
who shall be the secretary of council.

(e) the Program Coordinator (SOFTWARE)

(f) two eminent scholars to be nominated by

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Powers of the
Academic Council.

the Board.

(2) A nominated members of the Academic Council shall hold office for a term of three years and shall be eligible for re-nomination.

(3) The office of a nominated member of the Academic Council shall become vacant if he resigns or fails to attend three consecutive meetings of the Academic Council without sufficient cause or leave of absence.

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

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

(2) In particular and without prejudice to the generality of the foregoing powers—

(a) to advise the Board on academic matters;

(b) to regulate the admission of students to the courses of studies and examinations;

(c) to propose to the Board schemes for the constitution and organization of

Faculties, Teaching Departments, campuses of the Institute and Board of Studies;

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

(e) to make regulations, on _ the recommendations of the Board of Studies, prescribing the courses of studies and the syllabi for all Institute examination provided that if the recommendations of the Board of Studies are not received by the prescribed date,

the Academic Council may, subject to the
approval of the Board continue for the

Constitution,
functions and
powers of the
Authorities.

Committees.

Academic and
administrative staff.

Fund of the Institute.

next year the courses of studies already
prescribed for an examination;

(f) to recognize the examinations of other
universities examining bodies as
equivalent to the corresponding or
examinations of the Institute;

(g) to frame regulations for submission to the
Board;

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

(i) to perform such other functions as may
be prescribed by Statutes.

18. (1) Subject to the provisions of the Ordinance, the
constitution, functions and powers of the Authorities for which
no specific provision has been made in this Ordinance shall be
such as may be prescribed by Statutes.

(2) 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.

19. The Board, the Academic Council or any other
Authority may appoint such Standing, Special or Advisory
Committees as it may consider necessary in the performance of
its functions.

20. (1) The academic and administrative staff of the
Institute shall be selected with a view to achieve stated
objectives, and the basic criteria for their selection shall be the
highest standards of competence, integrity and efficiency.

(2) In the case of academic staff, the academic

qualifications and fringe benefits shall not be less than those duly approved by the University Grants Commission for such appointments.

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

(2) The capital and recurrent expenditure of the

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Audit and accounts.

Indemnity.

Powers to make
rules.

Institute shall be met from the contributions made by any sources including foundations, universities and individuals and from the income derived from such sources.

(3) The Institute may obtain funds from the Government of Balochistan according to such terms and conditions as may be mutually agreed upon.

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

22. (1) The accounts of the Institute shall be maintained in such form and manner as may be determined by the Board.

(2) The accounts of the Institute shall be audited each year within four months of the closing of the financial year of the Institute by a Chartered Accountant to be appointed by the Board.

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

(4) 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 Accounts of Pakistan.

(5) Each campus of the Institute shall have a separate fund and the accounts of such fund and the accounts of such fund shall be maintained and audited on similar lines as the Fund of the Institute.

23. No suit, prosecution or legal proceedings shall lie against the Institute, Board, any Authority or an employee of the Institute for anything which is done, or intended to be done in good faith under this Ordinance.

24. (1) Subject to the provisions of this Ordinance, the Board may make rules for carrying out the purposes of this Ordinance.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for—

(a) terms and conditions of contractual

Statutes.

appointments of teachers, researchers and officers;

(b) powers and duties of officers and teachers;

(c) conditions under which the Institute may enter into arrangements with other public or private organizations for purposes of instructions, research and other scholarly activities;

(d) conditions of appointment of Professors Emeritus and award of honorary degrees;

(e) efficiency and discipline of the employees of the Institute;

(f) acquisition and administration of properties and investments of the Institute; and

(g) all other matters which under this Ordinance are required to be regulated by rules.

(3) The '[Rector/Principal] or the Academic Council may propose the draft of the rules for approval of the Board.

(4) Any Authority or any other body of the Institute may propose rules consistent with the provisions of this Ordinance, for approval of the Board, to regulate the conduct of its business.

25. (1) Subject to the provisions of this Ordinance, statutes may be made to regulate or prescribe all or any of the following, matters, namely: —

(a) Creation of Faculties, Teaching Departments and other academic units and divisions.

(b) Terms and conditions of service of employees of the Institute including pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;

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the Governor of Balochistan on 3 July, 2008; and published in the Balochistan Gazette (Extraordinary) No. 80, dated 5" July, 2008, for the words "Project Director".

(c) Efficiency and discipline of the employees of the Institute; and

(d) All matters required to be regulated under the Statutes.

(2) The [Rector/Principal] shall propose draft of the Statutes for approval of the Board.

(3) The Board may approve the Statutes or refer the same back for reconsideration.

(4) No Statute shall be valid until the Board has approved it.

First Statutes. 26. Notwithstanding anything contained in this Ordinance, the Statutes set out in the Schedule to this Ordinance shall be deemed to be the Statutes framed under section 26 and shall remain in force until they are rescinded or replaced by new Statutes framed in accordance with the provisions of this Ordinance.

(See Schedule on next page)

THE SCHEDULE

1. Faculties.— The Institute shall have the following Faculties, namely:—

(a) Faculty of Science;

(b) Faculty of Engineering;

(c) Faculty of Business Administration; and

(d) Faculty of Information and Technology.

(2) Each Faculty shall include such institutes, Teaching Departments, centers or the other teaching or research units as may be prescribed by the Statutes.

2. Board of Faculty.— (1) There shall be a Board of each Faculty which

shall consist of:

“the *[Rector/Principal] and

ry

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Program Coordinator (R&D),

Program Coordinator (HRD)

Program Coordinator (Software),

the Professors, comprised in the Faculty; and

(a) three teachers to be nominated by the '[Rector/Principal] by reason of their special knowledge of the subject which though not assigned to the Faculty.

(2) The term of office of a nominated member of the Board of a Faculty shall be three years.

(3) The quorum for a meeting of the Board of a Faculty shall be one-

half of the total number of members a fraction being counted as one.

3. Functions of the Board of Faculty.— The Board of each faculty shall subject to the general control of the Academic Council and the Board have the powers.

(a) to coordinate the teaching and research work in the subject assigned to the Faculty;

(b) to scrutinize the schemes of courses and syllabi proposed by the Board of Studies comprised in the Faculty, and forward them to the Academic Council along with its observations;

(c) to scrutinize the recommendations made by the Board of Studies comprised in the Faculty, on the appointment of paper setters and examiners, except for research and degree examiners who shall be scrutinized by the '[Rector/Principal];

(d) to consider any other academic matter relating to the Faculty and to report thereon to the Academic Council; and

(e) to perform such other functions as may be prescribed by the Statutes.

4. Board of Advanced Studies and Research.— (1) The Board of Advanced Studies and Research shall consist of—

(a) the '[Rector/Principal] who shall be the Chairman;

(b) Program coordinator (HRD)

(c) Program coordinator (R&D)

(d) Program coordinator (Soft ware)

(e) three professors to be appointed by the Board; and

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(f)

three scholars of eminence in a field not represented on the Board of Advance Studies and Research to be appointed by the [Rector/Principal], on the recommendation of the Academic Council.

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

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

(4) The functions of the Board of Advance Studies and Research shall

be—

(a) to advise the Authorities on all matters connected with the promotion of advanced studies and research in the Institute;

(b) to consider and report to the Authorities on the institution of research degree in the Institute;

(c) to appoint supervisors for research studies;

(d) to propose regulations for award of research degree;

(e) to recommend the names of examiners for research degree;

(f) two persons of eminence to be nominated by the Board provided that none of them is an employee of the Institute; and

(g) the Chairman of the Teaching Department concerned.

5. Finance Planning Committee.— (1) There shall be a Finance and

Planning Committee consisting of—

(a)

(b)

(c)

(d)

(e)

the [Rector/Principal], who shall be the Chairman;

two nominees of the Institute;

one nominee of the Board;

three experts in the field of finance and planning to be nominated by the Board;

The Accounts Officer who shall be the Secretary.

(2) The quorum for a meeting of the Finance and Planning Committee

shall be four members.

(3) The functions of the Finance and Planning Committee shall be—

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- (a) to consider annual statement of accounts and revised budget estimates and advise the Board thereon;
- (b) to review periodically the financial position of the Institute;
- (c) to advise the Board on all matters relating to planning, development, finance, investment and accounts of the Institute;
- (c) to prepare short term and long term development plans;
- (d) to prepare resource development plans; and
- (e) to perform such other functions as may be prescribed by the Statutes.

6. **Affiliation Committee** — (1) There shall be an Affiliation Committee consisting of—

- (a) the '[Rector/Principal] who shall be the Chairman;
- (b) one member to be nominated by the Board; and
- (c) two Professors or two Project Coordinators to be nominated by the Academic Council.

(2) The term of office of the members of the Affiliation Committee other than ex-officio members shall be two years.

(3) The Affiliation Committee may co-opt not more than three experts.

(4) The quorum of the meeting of the Affiliation Committee shall be three members.

(5) An officer of the Institute to be designated by the '[Rector/Principal] for this purpose shall be the Secretary of the Affiliation Committee.

7. **Discipline Committee**— (1) The Discipline Committee — shall consist of—

- (a) the '[Rector/Principal] or his nominee;
- (b) Administrative Officer
- (c) one member to be nominated by the Board; and
- (d) the teacher or officer in charge Students Affairs by whatever name called who shall be the member and Secretary.

(2) The term of office of the members of the Discipline Committee other than ex-officio members shall be two years.

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(3) The functions of the Discipline Committee shall be—

- (a) to propose regulations to the Academic Council for the conduct of Institute students, maintenance of discipline and for dealing with cases of indiscipline; and
- (b) to perform such other functions as may be assigned to it by regulations.