

of Pakistan

EXTRAORDINARY
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ISLAMABAD, SATURDAY, DECEMBER 11, 2010

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 1]th December, 20/0

No. F. 9 (27)/2010-Legis.—The following Act of Majlis-e-Shoora
(Parliament), received the assent of the President on 8th December, 2010 and is
hereby published for general information:—

Act No. XXIII oF 2010

An Act to provide for Degree Awarding Status to Dawood College of
Engineering and Technology, Karachi

WHEREAS it is expedient to make provisions to grant degree awarding status
to Dawood College of Engineering and Technology, Karachi and for matters

connected therewith or ancillary thereto;

It is hereby enacted as follows:—

(699)

Price ; Rs. 20.50
[3061(2010)/Ex.Gaz.]

CHAPTER |
PRELIMINARY

I. Short title and commencement.—(1) This Act may be called the Degree Awarding Status to Dawood College of Engineering and Technology, Karachi, Act, 2010.

(2) It shall come into force at once and shall be deemed to have taken effect on the 29th day of November, 2009,

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

(a) "Academic Council" means the Academic Council of the College "established under section 22:

(b) "Authority" means any of the Authorities of the College specified in section 17;

(c) "Campus" means campus of the College;

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

(e) "College" means the Dawood College of Engineering and Technology, Karachi;

(f) "College Teacher" or "teacher" means a whole time teacher appointed and paid by the College or its campuses which includes Professors. Associate Professors, Assistant Professors and Lecturers;

(g) "Commission" means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);

(h) "Dean" means the head of a Faculty or the head of an academic body granted the status of a Faculty under this Act or by the statutes or

regulations; :

(i) "Department" means a teaching department maintained and administered or recognized by the College in the manner prescribed:

G) "Director" means the head of a campus;

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“Faculty” means an administrative and academic unit of the College
consisting of one or more departments as prescribed;

“Government” means the Federal Government;

“prescribed” means prescribed by statutes, regulations or rules made
under the Act;

“Principal” means the Principal of the College;
“Pro-Chancellor” means the Pro-Chancellor of the College;

“Representation Committee” means Representation Committee
constituted under section 24;

“Search Committee” means the Search Committee set up by the Senate
under section 13;

“Senate” means the Senate of the College;

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“Statutes”, “regulations” and “rules” means respectively the statutes,
the regulations and the rules made under this Act and for the time
being in force: and

“Syndicate” means the Syndicate of the College.

Incorporation.—(1) The Dawood College of Engineering and Karachi is hereby reconstituted and set up as a degree awarding

The College shall consist of the following, namely:—

(a) the Chancellor, the Pro-Chancellor; the Principal and the members of the Senate:

(b) the members of the Authorities of the College established under section 17;

(c) all College Teachers and persons recognized as students of the College in accordance with terms prescribed from time to time; and

(d) all other full-time officers and members of the College.

(3) The College shall be a body corporate known as the Dawood College of Engineering and Technology, Karachi and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(4) The College shall be competent to acquire and hold property, both movable and immovable and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it,

(5) Notwithstanding anything contained in any other law for the time being in force, the College shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the provisions of this Act. In particular and without prejudice to the authority granted to Ministry of Education by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Senate in the annual budget of the College.

(6) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in or held in trust by or for the College and liabilities legally subsisting against the College in existence shall pass to the College re-constituted under this Act.

4. Powers and purposes of the College —The College shall have the following powers, namely>—

(i) to provide for education and scholarship in such branches of knowledge 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 and in its campuses;

(iii) to hold examination and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;

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to prescribe the terms and conditions of employment of the officers, teachers and other employees of the College and to lay down terms and conditions that may be different from those applicable to government servants in general;

to engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;

to confer honorary degrees or other distinctions on approved persons in the manner prescribed;

to provide for instructions for persons not being students of the College as it may prescribe and to grant certificates and diplomas to such Persons;

to institute programmes for the exchange of students and teachers between the College and other universities, educational institutions and research organizations, insideas well as outside Pakistan:

to provide career counseling and job search service to students and alurmi;

to maintain linkages with alumni;
to develop and implement fund-raising plans;

to provide and support the academic development of the faculty of the College;

to confer degrees on persons who have carried on independent research under prescribed conditions;

to accept the examinations passed and the period of study undertaken by the students of the College at other universities and places of learning equivalent to such examinations and periods of study in the College, as it may prescribe, and to withdraw such acceptance;

to co-operate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as may be prescribed;

to institute Professorships, Associate Professorships, Assistant Professorships, Lecturerships and any other posts and to appoint persons thereto;

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to create posts for research; extensions, administration and other related purposes and to appoint persons thereto:

to organize selected members of the teaching staff of educational institutions admitted to the privileges of the College or such other persons as it may deem fit, as College teachers;

to institute and award financial assurance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;

to establish teaching departments, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;

to provide for the residence of the students of the College to institute and maintain halls of residence and to approve or license hostels and lodgings;

to maintain order, discipline and security on the campuses of the College;

to promote the extra curricular and recreational activities of such students and to make arrangements for promoting their health and general welfare;

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

to make provision for research advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;

10 enter into, carry out, vary or cancel contracts;

to receive and manage property transferred and grants, contributions made to the College and to invest any fund representing such property, grants, bequests, trusts, gifts, donations endowments or contributions in such manner as it may deem fit:

to provide for the printing and publication of research and other works; and

to do all such other acts and things, whether incidental to powers aforesaid or not, as may be requisite or expedient in order to further

the objectives of the College as a place of education, learning, and research.

5. College open to all classes, creeds, etc.—(1) The College shall be open to all persons of either gender and of whatever religion, caste, race, creed, class, colour or domicile and no person shall be denied the privileges of the College on the ground of gender, religion, race, caste, creed, class, colour or domicile.

6. Teaching at the College.—(1) All recognized teaching in various courses shall be conducted by the College at its campus in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instructions as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.

(2) The authority responsible for organizing recognized teaching shall be such as may be prescribed.

CHAPTER III OFFICERS OF THE COLLEGE

7. Principal officers—The following shall be the principal officers of the College namely:—

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Principal;
- (d) the Deans;
- (e) the Directors of the campuses;
- (f) the Chairpersons of the departments;
- (g) the Registrar;
- (h) the Treasurer;
- (i) the Controller of Examination; and
- (j) such other persons as may be prescribed by the statutes or regulations to be the principal officers of the College.

8. Chancellor—(1) The President of Pakistan shall be the Chancellor of the College and the Chairperson of the Senate;

(2) The Chancellor shall, when present, preside over the meetings of the Senate and the convocation of the College. In the absence of the Chancellor the Pro-Chancellor will preside over the meeting of the Senate or convocation of the College,

(3) The members of the Senate as well as the Principal shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with this Act and the statutes, as the case may be, alongwith those elected

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

(5) If the Chancellor is satisfied that serious irregularity or mis-management with respect to the affairs of the college has occurred, he may,

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

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

(b) as regards proceedings of 'any Authority or with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercise powers under section 19,

9. Pro-Chancellor— 1) The Federal Minister in charge of the Ministry of Education shall be the Pro-Chancellor of the College.

(2) In the absence of the Chancellor, the Pro-Chancellor shall, when present, preside over the meetings of the Senate and the convocation of the College,

(3) If the Pro-Chancellor is satisfied that the proceedings of any Authority other than the Senate or the orders of any officer are not in accordance with the provisions of this Act, the statutes, the regulations or the rules made thereunder, he may, after calling upon such Authority or officer to show cause why such proceedings or orders should not be annulled, by order in writing, or may recommend to the Chancellor to annul such proceedings or orders.

(4) The Pro-Chancellor may recommend to the Chancellor to remove any person from the membership of any Authority other than the Senate if such a person—

(a) has become of unsound mind;

(b) has become subject to an incapacity which prevents him from functioning as a member of such Authority: or

(c) has been convicted by a court of law of an offence involving moral turpitude.

10. Visitation, etc—(1) The Pro-Chancellor may cause a Visitation or an inspection or inquiry to be made in respect of any matter connected with the affairs of the College and shall, from time to time, appoint such person or persons as he may deem fit for the purpose of carrying out inspection of —

(a) the College, its buildings, laboratories, libraries, workshops and other establishments and equipments;

(b) Campuses of the College;

(c) the teaching and other work conducted by the College;

(d) the conduct of examinations held by the College; and

(e) other matters of the College.

(2) The Pro-Chancellor shall communicate to the College of his intention to cause a visitation or an inspection or inquiry to be made under sub-section (1) and the Senate shall be entitled to be represented there,

(3) The Pro-Chancellor shall communicate to the Senate his views with regard to the results of a visitation or an inspection or inquiry made under sub-section (1), and shall, after ascertaining the views of the Syndicate thereon, advise the Senate on the action to be taken by it.

(4) Where the Senate does not, within the time specified by the Pro-Chancellor, take action to the satisfaction of the Pro-Chancellor, he may, after consideration of any explanation furnished or representation made by the Senate, issue such directions as he thinks fit, and the Principal shall comply with such directions:

Provided that the Senate shall not propose draft of a statute affecting the constitution or powers of any Authority, until such Authority has been given an opportunity of expressing an opinion in writing upon the proposals:

Provided further that if the draft of a statute, after the Senate not presided over by the Chancellor, has been approved, it shall be forwarded to the Pro-Chancellor and shall not be effective until it has been approved by the Pro-Chancellor.

II. Removal from the Senate.—The Chancellor may, upon the recommendations of the Review Panel, remove any person from the membership of the Senate on the ground that such person—

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

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

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

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

12, The Principal—(1) The Principal of the College, who shall be an eminent academic or a distinguished administrator, shall be appointed on such terms and conditions as may be prescribed.

(2) The Principal shall be the academic and executive head of the College and shall be responsible for all administrative and academic functions of the College and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed in order to Promote the general efficiency and good order of the College, The Principal shall have all powers prescribed for this purpose including administrative control over the officers, teachers and other employees of the College,

(3) The Principal shall, if present, be entitled to attend any meeting of any Authority or body of the College;

(4) The Principal may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Principal, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be set up by statute. The Emergency Committee may direct such further action as is considered appropriate,

(5) The Principal shall also have the following powers, namely:—

(a) to direct teachers, officers and other employees of the College to take up such assignments in connection with examination, administration and such other activities in the College as he may consider necessary for the purposes of the College;

(b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for unforeseen item not provided for in the budget and report it to the Senate at the next meeting;

(c) to make appointment of such categories of employees of the College and in such manner as may be prescribed by the statutes;

(d) to suspend, punish and remove, in accordance with prescribed procedure, from service officers, teachers and other employees of the College except those appointed by or with the approval of the Senate;

(e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Ordinance to an officer or officers of the College; and

(f) to exercise and perform such other powers and functions as may be prescribed.

(6) The Principal shall present an annual report before the Senate within three months of the close of the academic year. The annual report shall present

such information as regards the academic year under review as may be prescribed including disclosure of all relevant facts pertaining to—

- (a) academics;
- (b) research;
- (c) administration; and
- (d) finances.

(7) The Principal's annual report shall be made available, prior to its presentation before the Senate, to all officers and College Teachers and shall be published in such numbers as are required to ensure its wide circulation,

13. Appointment and removal of the Principal—{(1) The Principal shall be appointed by the Chancellor on the basis of recommendations made by the Senate.

(2) A Search committee for the recommendation of persons suitable for appointment as Principal shall be constituted by the Senate on the date and in the manner prescribed by the statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed the Convener, two members of the Senate, two distinguished College Teachers who are not members of the Senate and one academic of eminence not employed by the College, The two distinguished College Teachers shall be elected by the Senate through a process to be prescribed by statute that provides for the recommendation of suitable names by the College Teachers in general. The Search Committee shall remain in existence till such time that the appointment of the next Principal has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Principal be considered by the Senate and of these a panel of three, in order of priority, shall be recommended by the Senate to the Chancellor:

Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendations being sought by the Chancellor the Search Committee shall make a proposal to the Senate in the prescribed manner.

(4) The Principal shall be appointed for a renewable tenure of five years on terms and conditions prescribed by statute. The tenure of an incumbent Principal shall be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal;

Provided that the Chancellor may call upon the Senate to reconsider such resolution once.

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

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

Provided further that prior to a resolution for the removal of the Principal being voted upon the Principal shall be given an opportunity of being heard,

(6) A resolution recommending the removal of the Principal shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order removal of the Principal or return the recommendation to the Senate.

(7) At any time when the office of the Principal is vacant, or the Principal is absent or is unable to perform the functions of his office due to illness or some other cause, the Senate shall make such arrangements for the performance of the duties of the Principal as it may deem fit,

14. Registrar.—(1) There shall be a Registrar of the College to be appointed by the Senate on the recommendation of the Principal, on such terms and conditions as may be prescribed,

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

(3) The Registrar shall be a full-time officer of the College and shall—
(a) be the administrative head of the secretariat of the College and be responsible for the provision of secretariat support to the principal

officers of the College:

(b) be the custodian of the common seal and the academic records of the College;

(c) maintain a register of registered graduates in the prescribed manner:

(d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and

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

15. Treasurer.—(1) There shall be a treasurer of the College to be appointed by the Senate on the recommendation of the Principal, on such terms and conditions as may be prescribed.

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

(3) The treasurer shall be the chief financial officer of the College and shall—

(a) manage the assets liabilities, receipts, expenditures funds and investments of the College;

(b) prepare the annual and revised budget estimates of the College and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;

(c) ensure that the funds of the College are expended on the purposes for which they are provided;

(d) have the accounts of the College audited annually so as to be available for submission to the Senate within six months of the close of the financial year; and

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

16. Controller of Examinations.—(!) There shall be a Controller of Examinations to be appointed by the Senate on the recommendation of the Principal, on such terms and conditions as may be prescribed.

(2) The minimum qualifications necessary for appointment to the post of the Controller of Examinations shall be as may be prescribed.

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

CHAPTER IV
AUTHORITIES OF THE COLLEGE

17. Authorities—(1) The following shall be the Authorities of the College, namely:—

(a) Authorities established by this Ordinance:—

(i) the Senate;

(ii) the Syndicate; and

(iii) the Academic Council;

(6) Authorities to be established by the statutes, namely:—

(i) Graduate and Research Management Council;

(ii) Recruitment, Development, Evaluation and Promotion Committee for teachers and other staff whether at the level of the department, the Faculty or the College;

(iii) Career Placement and Internship Committee of each Faculty;

(iv) Search Committee for the appointment of the Principal;

(v) the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;

(vi) Faculty Council; and

(vii) Departmental Council.

(2) The Senate, the Syndicate and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through statutes or regulations as appropriate. Such committees or sub-committees shall be Authorities of the College for the purposes of this Act.

18, Senate.—(1) The body responsible for the governance of the College shall be described as the Senate and shall consist of the following, namely:—

(a) the Chancellor who shall be the Chairperson of the Senate;

(b) Pro-Chancellor;

(c) the Principal;

(d) representative of Ministry of Education, not below the rank of Joint Educational Adviser;

(e) four persons from civil society being persons of distinction in the fields of literature, architecture, administration, management, education, academics, science, technology and engineering such that the appointment of these persons reflects a balance across the various fields;

(f) one person from amongst the alumni of the College;

(g) two persons from the academic community of the country, other than an employee of the College at the level of professor or Director of a campus;

(4) four College Teachers; and

(i) one person nominated by the Commission.

(2) The numbers of the member of the Senate described in clauses (for (0) of sub-section (1) may be increased by the Senate through statutes subject to condition (that the total membership of the Senate does not exceed twenty-one, with a maximum of five College Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1)).

(3) All appointments of the Senate shall be made by the Chancellor, Appointments of persons described in clauses (f) and (i) of sub-section (1) shall be made from amongst a panel of three names or each vacancy recommended by the Representation Committee set up in terms of section 24 and in accordance with procedure as may be prescribed:

Provided also that effort shall be made, without compromising on quality or qualification to give fair representation to women on the Senate:

Provided further that as regards the College Teachers described in clause (h) of sub-section (1) the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of College Teachers:

Provided also that the Senate may alternatively prescribe that appointments of College Teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (f) and (g) of sub-section (1).

(4). Members of the Senate, other than ex-officio members, shall hold office for a period of three years. One-third of the members, other than ex-officio members of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than ex-officio members, of the first restructured Senate, to be determined by lot, shall retire from office on the expiration of 1wo years from the date of appointment and the remaining one-half, other than ex-officio members. shall retire from office on the expiration of the third year:

Provided that no person, other than an ex-officio member, shall serve on the Senate for more than two consecutive terms:

Provided further that the College Teachers appointed to the Senate may not serve for two consecutive terms.

(5) The Senate shall meet at least twice in a calendar year,
(6) Service on the Senate shall be on honorary basis:

Provided that actual expenses may be reimbursed as prescribed,

(7) The Registrar shall be the Secretary of the Senate.

(8) In the absence of the Chancellor, meetings of the Senate shall be presided over by the Pro-Chancellor.

(9) All decisions of the Senate shall be taken on the basis of the opinion of the majority of the members present. In the event of the members being evenly divided on any matter the person presiding over the meeting shall have a casting vote.

(10) The quorum for a meeting of the Senate shall be two-third of its membership, a fraction being counted as one.

19. Powers and function of the Senate.—(1) The Senate shall have the power of general supervision over the College and shall hold the Principal and the Authorities accountable for all the functions of the College, The Senate shall have all powers of the College not expressly vested in an Authority or officer by this Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions.

(2) Without prejudice to the generality of the foregoing powers, the Senate shall have the following powers, namely; —

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to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;

to hold control and lay down policy for the administration of the property, funds and investments of the College, including the approval of the sale and purchase or acquisition of immovable property;

to oversee the quality and relevance of the College's academic programmes and to review the academic affairs of the College in general;

to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;

to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the College;

to approve strategic plans;

to approve financial resource development plans of the College,

to consider the drafts of statutes and regulations proposed by the Syndicate and the Academic Council and deal with them in the manner as provided for in section 26 and 27, as the case may be;

Provided that Senate may frame statute or regulation on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council, as the case may be:

to annul by order in writing the proceedings of any Authority or officer if the Senate is satisfied that such proceedings are not in accordance

with the provisions of the Act, statutes or regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;

to recommend to the Chancellor, removal of any member of the Senate in accordance with the provisions of this Act;

to make appointment of members of the Syndicate, other than &x-officio members, in accordance with the provisions of this Act,

(1) to make appointment of members of the Academic Council, other than ex-officio members, in accordance with the provisions of this Act;

(m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;

(n) to remove any person from the membership of any Authority if such person—

(i) has become of unsound mind;

(ii) has become incapacitated to function as member of such Authority; or

(ii) has been convicted by a court of law for an offence involving moral turpitude;

(o) to determine the form, provide for the custody and regulate the use of the common seal of the College.

(3) The Senate may, subject to the provisions of this Act, delegate all or any of the powers and functions of any Authority, officer or employee of the College at its main campus, to any Authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus, and for this purpose the Senate may create new posts or positions at the additional campus.

20. Syndicate—(1) There shall be a Syndicate of the College consisting of the following, namely:—

(a) The Principal who shall be its Chairperson;

(b) the Deans of the Faculties of the College;

(c) three professors from different departments who are not members of the Senate, to be elected by the College Teachers in accordance with procedure to be prescribed by the Senate;

(d) the Directors of the campuses;

(e) the Registrar;

(f) the Treasurer; and ;

(2) the Controller of Examinations.

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

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

(4) The Syndicate shall meet at least once in each quarter of the year.

21. Powers and duties of the Syndicate.—(1) The Syndicate shall be the executive body of the College and shall, subject to the provisions of this Act and the statutes, exercise general supervision over the affairs and management of the College,

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act, the statutes and directions of the Senate, the Syndicate shall have the following powers, namely:—

(a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;

(b) to transfer and accept transfer of moveable property on behalf of the College;

(c) to enter into, vary, carry out and cancel contracts on behalf of the College;

(d) to cause proper books of account to be kept for all sums of money received and expended by the College for the assets and liabilities of the College;

(e) to invest any money belonging to the College including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act II of 1882) or in the purchase of immovable property or in such other manner as it may prescribe, with the like power of verifying such investments,

(f) to receive and manage any property transferred, and grants, bequest, trust, gifts, donations, endowments and other contributions made to the College;

(g) to administer any funds placed at the disposal of the College for specified purposes;

(h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the College;

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to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;

to recommend to the Senate admission of educational institutions to the privileges of the College and withdraw such privileges;

to arrange for the inspection of campuses and the Departments;
to institute professorships, associate professorships, assistant professorships, lectureships and other teaching posts or to suspend or

to abolish such posts;

to create, suspend or abolish such administrative or other posts as may be necessary;

to prescribe the duties of officers, teachers and other employees of the College;

to report to the Senate on matters with respect to which it has been asked to report;

to appoint members to various Authorities in accordance with the provisions of this Act;

to propose drafts of statutes for submission to the Senate;
to regulate the conduct and discipline of the students of the College;

to take action necessary for the good administration of the College in general and to this end exercise such powers as are necessary;

to delegate any of its powers to any Authority or officer or a committee; and

to perform such other functions as have been assigned to it by the provisions of this Act or may be assigned to it by the statutes.

Academie Council._{(1) There shall be an Academic Council of the

College consisting of the following, namely:—

(a)
(b)

(c)

the Principal who shall be its Chairperson;

the Deans of faculties and such Chairpersons of Departments as may be prescribed;

five members representing departments, institute and the campuses to be selected in the manners prescribed by the Senate:

(d) five Professors including Emeritus Professors;

(e) the Registrar;

(f) the Controller of Examinations; and

(g) the Librarian.

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

Provided that as regards the five Professors and the members representing the departments, institute and the campuses, the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of section 24. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Principal.

(3) Members of Academic Council shall hold office for three years.

(4) The Academic Council shall meet at least once in each quarter,

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

23, Powers and functions of the Academic Council.—(1) The Academic Council shall be the principal academic body of the College and shall, subject to the provisions of this Act and the statutes, have the power to lay down proper standards of instructions, research and examinations and to regulate and to promote the academic life of the College and its campuses.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act and the statutes, the Academic Council shall have the power to—

{4} approve the policies and procedures pertaining to the quality of academic programmes;

(b) approve academic programmes;

(c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations

and certifications;

(d) approve the policies and procedures assuring quality of teaching and research;

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propose to the Syndicate schemes for the constitution and organization of Faculties, teaching departments and boards of studies:

appoint paper setters and examiners for all examinations of the College after receiving panels of names from the relevant authorities;

institute programmes for the continued professional development of College Teachers at all levels;

recognize the examinations of other universities or examining bodies as equivalent to the corresponding examination of the College;

regulate the award of studentships, scholarships, exhibitions, medals and prizes; :

make regulations for submission to the Senate;

prepare an annual report on the academic performance of the

* College; and

perform such functions as may be prescribed by regulations.

Representation Committees.—There shall be a Representation

Committee constituted by the Senate through statute for recommendation of persons for appointment to the Senate in accordance with the provisions of section 18.

(2)

There shall also be a Representation Committee constituted by the

Senate through statute for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provision of sections

20 and 22.

(3)

Members of the Representation Committee for appointments to the

Senate shall consist of the following, namely:—

(a)
(b)

(c)

three members of the Senate who are not College Teachers;

two persons nominated by the College Teachers from amongst themselves in the manner prescribed;

one person from the academic community . not employed by the College, at the level of professor or Director of campuses to be nominated by the College Teachers in the manner prescribed; and

◦

(d) one eminent citizen with experience in administration, philanthropy development work, law or accountancy to be nominated by the Senate,

(4) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following, namely —

(a) two members of the Senate who are not College Teachers; and

(b) three persons nominated by the College Teachers from amongst themselves in the manner prescribed.

(5) The tenure of the Representation Committees shall be three years; Provided that no member shall serve for more than two consecutive terms.

(6) The procedures of the Representation Committee shall be as may be prescribed.

(7) There may also be such other Representation Committee set up by any of the other Authorities of the College as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the College.

25. Appointment of committees by certain Authorities.—The Senate, the Syndicate, the Academic Council and other Authorities may from time to time appoint such standing, special or advisory committees, as they may deem fit and may place on such committees persons who are not members of the Authorities appointing the committees.

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

CHAPTER V STATUTES, REGULATIONS AND RULES

26. Statutes.—(1) Subject to the provisions of this Act, statutes, 10 be published in the official Gazette, may be made to regulate or prescribe all or any of the following matters, namely:—

(a) the contents of and the manner in which the annual report to be presented by the Principal before the Senate shall be prepared;

(b) the College fees and other charges: F

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the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for College employees;

the scales of pay and other terms and conditions of service of officers teachers and other College employees;

the maintenance of the register of registered graduates;

admission of educational institutions to the privileges of the College and the withdrawal of such privileges;

the establishment of Faculties, departments, institutes, campuses and other academic divisions;

the powers and duties of officers and teachers;

conditions under which the College may enter into arrangements with other institutions or with public bodies for purposes of research and

advisory services;

conditions for appointment of Emeritus Professors and award honorary degrees;

efficiency and discipline of College employees;

the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;

the constitution and procedure to be followed by the Search Committee for appointment of the Principal;

constitution, functions and powers of the Authorities of the College; and

all other matters which by this Act are to be or may be prescribed or regulated by statutes.

The draft of statutes shall be proposed by the Syndicate to the Senate

which may approve or pass with such modifications as the Senate may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

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

Provided further that the Senate may initiate statute with respect to any matter in its power or with respect to which statute may be made in terms of this Act and approve such statutes after seeking the views of Syndicate,

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27. Regulations.—{ 1) Subject to the provisions of this Act and the statutes, the Academic Council may make regulations, to be published in the official Gazette, for all or any of the following matters, namely:—

- (a) the courses of study for degrees, diplomas and certificates of the ' College;
- (b) the manner in which the teaching referred to in sub-section (1) of section 6 shall be organized and conducted;
- (c) the admission and expulsion of students to and from the College;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the College and shall become eligible for the award of degrees, diplomas and certificates;
- (e) the conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;
- (g) the institutions of fellowships, scholarships, exhibitions, medals and prizes;
- (h) the use of the library;
- (i) the formation of Faculties, departments and board of studies; and
- (j) all other matters which by 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 Senate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. The regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Senate,

(3) Regulations regarding or incidental to matters contained in sub-clauses (g) and (i) of sub-section (1) shall not be submitted to the Senate without the prior approval of the Syndicate.

28. Rules—(1) The Authorities and other bodies of the College may make rules, to be published in the official Gazette, not inconsistent with this Act, statutes or the regulations, to regulate any matter relating to the affairs of the College including rules to regulate the conduct of business and the time and place of meetings and related matters.

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

CHAPTER VI
COLLEGE FUND

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

30. Increase in fee and financial schemes.—(1) An increase in any fee or charge that is excess of ten per cent per annum on an annualized basis from the last such increase may not be made-except in special circumstances and with the approval of the Chancellor.

(2) The College shall institute financial aid programmes for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the College and the various opportunities provided by it to be based on merit rather than ability to pay:

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

31. Audits and accounts—(1) The accounts of the College shall be maintained in such form and in such manner as may be prescribed,

(2) The teaching departments, campuses and all other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centers of (he College with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it: '

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

(3) All funds generated by a teaching department, campuses or other unit of the College through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made after deduction of overheads in the matter and to the extent prescribed by statute to the teaching Department, campuses or other unit for its development. A part of the funds so generated may be shared with the College Teachers or researchers incharge of the consultancy, research or service concerned in the manner and to the extent prescribed by statute.

(4) No expenditure shall be made from the funds of the College, unless a bill for its payments has been issued by the head of the cost center concerned in accordance with the relevant statutes and the Treasurer has verified that the payment

is provided for in the approved budget of the cost centre, subject to the authority to re-appropriate available to the head of the cost centre.

(5) Provision shall be made for an internal audit of the finances of the College.

(6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force the annual audited statement of accounts of the College shall be prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor-General of Pakistan for his observations.

(7) The observations of the Auditor-General of Pakistan, if any, together with such annotations as the Treasurer may make shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year,

CHAPTER VII GENERAL PROVISIONS

32. Opportunity to show cause.—Except as otherwise provided by law no officer, teacher or other employee of the College holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken,

33. Appeal to the Syndicate and the Senate.—Where an order is passed punishing any officer other than the Principal, teacher or other employee of the College or altering or interpreting to his disadvantage the prescribed terms or conditions of his service he shall, where the order is passed by any officer or teacher of the College other than the Principal, have the right to appeal to the Syndicate against the order, and where the order is passed by the Principal, have the right to appeal to the Senate,

34. Service of the College.—(1) All persons employed by the College in accordance with the terms and conditions of service prescribed by statutes shall be persons in the services of Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan: d

Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable

employment notwithstanding the service of persons employed by the College shall be entirely governed by the terms and conditions prescribed by the relevant statutes.

(2) An officer, teacher or other employees of the College shall retire from service on the attainment of such age or tenure of service as may be prescribed.

(3) No adverse change shall be made in the terms and conditions of employment of any College Teacher in the employment of the College on the date of enforcement of this Act.

35. Benefits and insurance—(1) The College shall constitute for the benefit of its officers teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

(2) Where any provident fund has been constituted under this Act the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such funds as if it were the Government Provident Fund.

36, Commencement of term of office of members of Authority.—

(1) When a member of a newly constituted Authority is elected, appointed or nominated his term of office, as fixed under this Act, shall commence from such date as may be prescribed. y

(2) Where a member who has accepted any other assignment for any other similar reason remains absent from the College for a period of not less than six months he shall be deemed to have resigned and vacated his seat.

37. Filling of casual vacancies in Authorities —Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.

38. Flaws in the constitution of Authorities—Where there is a flaw in the constitution of an Authority, as constituted under this Act, the statutes or the regulations on account of the abolition of a specified office under Government or because an organization, institution or other body outside the College has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Senate may direct.

39, Proceedings of Authorities not invalidated by the vacancies—

No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing or making it or by reason of any want of qualification invalidity in the election, appointment or nomination of any defunct member of the Authority whether present or absent.

40, First statutes and regulations—Notwithstanding anything to the contrary contained in this Act, the Chancellor shall, if required, make the first statutes and regulations which shall be deemed to be statutes and regulations made under sections 26 and 27 and shall continue to remain in force until amended or replaced or till such time new statutes and regulations are made in accordance with the provisions of this Act.

41. Transitory provisions—(1) Notwithstanding anything contained in this Act and the repealed Resolution, as soon as may be upon the commencement of this Act the existing Board of Governors of the Dawood College of Engineering and Technology, Karachi shall be restructured, to be described henceforth as the Senate. and the members thereof appointed afresh by the Chancellor in accordance with the numbers and criteria for membership of the Senate specified in this Act. As regards the places for College Teachers on the Senate the Chancellor shall after the coming into force of this Act, make appropriate appointments in his discretion forthwith to fill up these places till such time that elections for these places have taken place in accordance with this Act. The number of College Teachers to be elected to the Senate shall be as provided in this Act. The first Senate so constituted shall initiate, as soon as possible, the process for the appointment of the members of the Syndicate and the Academic Council in accordance with the provisions of this Act.

(2) Notwithstanding the provisions of this Act the first Principal shall be appointed by the Chancellor for a period of three years.

42. Interpretation and removal of difficulties —(1) If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Chancellor whose decision thereon shall be final,

(2) Where any difficulty arises in giving effect to any of the provisions of this Act, the Chancellor may make such order after obtaining the views of the Senate, not inconsistent with the provisions of this Act as may appear to him to be necessary for removing the difficulty.

(3) Where this Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom, or the time at which, or the manner in which, it shall be done, then it shall be done by such authority, at such time or in such manner as the Chancellor may direct after obtaining the views of the Senate.

43. Indemnity.—No suit or legal proceedings shall lie against the Government, the College or any Authority, officer or employee of the Government or the College or a member of an Authority in respect of anything which is done in good faith under this Act,

44. Power to allow appointment of employees of the Government, other universities or educational or research institutions to the College.—
(1) Notwithstanding anything contained in this Act, the Senate may on the advice of the Syndicate, allow any post in the College to be filled by appointment, on such terms as the Senate may specify, an employee of the government or any other university or educational or research institution,

(2) Where any appointment has been made under this section, the terms and conditions of services of the appointee shall not be less favourable than those admissible to him immediately before such appointment and he shall be entitled to all benefits of his post of service.

45. Repeal and savings—{(1) The Dawood College of Engineering and Technology Karachi Resolution No, F.3/82-N-1, dated the 27th September, 1987 is hereby repealed.

(2) Notwithstanding the repeal envisaged by sub-section (1)}—

(a) anything done, actions taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships or exhibitions instituted, affiliations or privileges granted and orders issued under any of the provisions of the repealed Resolution, other legal instruments or the statutes, the regulations and the rules made or deemed to have been made thereunder, shall, if not inconsistent with the provisions of this Act or the statutes, the regulations or the rules made under this Act. be continued and, so far as may be, deemed to have been respectively done, taken, incurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under this Act, and any documents referring to any of the provisions of the repealed Resolution or the statutes, the regulations and the rules first referred shall, so far as may be, be considered to refer to the corresponding provisions of this Act or the statutes, regulations and rules made under this Act;

(b) all institutes, campuses or other constituent units of the College, functioning in terms of the provisions of the repealed Resolution or

other legal instruments, shall continue to function in terms of the relevant repealed provisions till such time that the Senate through statute has prescribed otherwise; and

(c) any statutes, regulations or rules made or deemed to have been made under the repealed Resolution or other legal instruments shall, if not inconsistent with the provisions of this Act, be deemed to be statutes, regulations or rules made under this Act having regard to the various matters which by this act are to be regulated or prescribed by statutes, regulations and rules respectively and shall continue to remain in force until repealed, rescinded or modified in accordance with the provisions of this Act.

, RAJA MUHAMMAD AMIN,
Secretary.

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