

SINDH ACT NO.X OF 2004

THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

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FIRST STATUTES

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THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

An Act to establish a University known as the Dow University of Health Sciences.

[19 July, 2004]

WHEREAS it is expedient to establish a University known as the DOW Preamble University of Health Sciences and to provide for matters ancillary thereto;

It is hereby enacted as follows:—

1. ()
Act, 2004.

(2)

CHAPTER—I PRELIMINARY

This Act may be called the DOW University for Health Sciences

It shall come into force at once and be deemed to have taken effect

on and from 29" March, 2004.

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

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(viii)

“Academic Council” means the Academic Council of the University;

“affiliated college” means the College affiliated to the University but not maintained or administered by it;

“affiliated institute” means an institute affiliated to the University but not maintained and administered by it;

“Authority” means an Authority of the University specified in section 19;

“Chairman” means the Chairman of a Teaching Department.

“Chancellor” means the Chancellor of the University;

“College” means a constituent college or affiliated college imparting instructions or practical training in courses of studies

relating to health sciences and allied sciences;

“constituent college” means a college maintained and administered by the University;

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commencement.

Definitions

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(ix) "constituent institute" means an _ institute maintained and administered by the University;

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

(xi) | "Director" means the Head of an Institute;

(xii) "Faculty" means a Faculty of the University;

(xiii) "Government" means the Government of Sindh;

(xiv) "honorary Professor" means a Professor who provides academic service on honorary basis;

(xv) "Officer" means any of the officers of the University specified in section 8;

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

(xvii) "Principal" means a head of a constituent or affiliated College;

(xviii) "Pro-Chancellor" means the Pro Chancellor of the University;

(xix) "Professor Emeritus" means a retired Professor working in the University;

(xx) "Pro-Vice Chancellor" means the Pro-Vice Chancellor of the University;

(xxi) "registered graduate" means a graduate of the University who has his name entered in the register maintained for the purposes;

(xxii) "Registrar" means the Registrar of the University;

(xxiii) "statutes, regulations and rules" means respectively the Statutes, Regulations and Rules made under this Act;

(xxiv) "senate" means the Senate of the University;

(xxv) "Syndicate" means the Syndicate of the University;

(xxvi) "teachers" means teacher engaged as Professor, Associate

Professor, Assistant Professors, Senior Registrar and Lecturer and such other persons as may be declared to be the teachers;

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(xxvii) "Teaching Department" means a Teaching Department established and maintained or recognized by the University;

(xxviii) "University" means the Dow University of Health Sciences, Karachi;

(xxix) "Vice-Chancellor" means the Vice-Chancellor of the University; and

(xxx) "visiting teacher" means a teacher, who is invited for teaching by the University for a short period.

CHAPTER—II
THE UNIVERSITY

(1) The Dow University of Health Sciences shall be established in accordance with the provisions of this Act.

(2) The University shall consist of-

i) the Chancellor;

ii) the Pro-Chancellor;

iii) the Vice-Chancellor, Pro-Vice Chancellor, Deans, Principals of the constituent colleges, Directors of the constituent Institutions, Chairman of Teaching Departments, Registrar, Director of Finance, Controller of Examinations, Chief Accountant, Resident Auditor and such other officers as may be prescribed;

iv) the members of the Senate, the Syndicate, Academic Council and other authorities of the University;

v) all University teachers; and

vi) Emeritus Professors.

(3) The University shall be a body corporate by the name of Dow University of Health Sciences, Karachi and shall have perpetual succession and a common seal may sue and be sued by the said name.

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

Establishment and
incorporation of the
University

4. (1) All properties, rights and interest of whatever kind, used, enjoyed Assets and liabilities possessed, owned or vested in or held in trust by the Dow Medical "4 transfer of staff. College, Sindh Medical College and Ojha Institute of Chest Diseases and all liabilities legally subsisting against them shall stand transferred to the University;

(2) All persons serving in the Dow Medical College, Sindh Medical College and Ojha Institute of Chest Diseases in any capacity immediately before the commencement of this Act, shall notwithstanding any law or terms and conditions of their services, stand transferred for service to the University on the terms and conditions as may be prescribed.

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

4-A. Jurisdiction of the University;

(1) The University shall exercise the powers conferred on it by or under this Act within the territorial limits and in respect of the institutions as specified by the Governor.

Provided that Government may, in consultation with the University by general or special order, modify the extent and scopes of the aforesaid powers of the University with regard to such territorial limits of institutions.

(2) No educational institutions of Health Sciences situated within the territorial limits of the University shall, save with the consent of the University and sanction of Government, be associated in anyway with or seek admission to the privileges of any other University;

(3) | The University may admit to its privileges under the prescribed conditions, an educational institution falling within the territorial limits of another University, whether inside or outside Pakistan; provided that the consent of such other University is first obtained.

5. (1) | The University shall be open to all persons of either sex of University open to all whatever religion, race, creed, colour 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, foreigners shall be eligible for admission if they are qualified for admission.

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(2) The policy of admission to the constituent colleges and constituent institution in force immediately before the commencement of this Act shall continue until modified by the Syndicate.

The University shall have power—

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- (viii)

to provide for the dissemination of knowledge and technology and to make provision for instructions, training, research, demonstration and service in the health sciences and allied sciences;

to admit and examine students and to confer or award degrees, diplomas, certificates and other academic distinctions on the persons, who have passed its examinations under prescribed conditions;

to affiliate itself or associate with other institutions within and outside the country and establish faculties and the Teaching Departments to discharge its functions and responsibilities for the betterment of education;

to confer honorary degrees or other distinctions to persons who have carried an independent research in the manner prescribed;

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

to provide and support other facilities of education, professional training and research;

to affiliate and disaffiliate colleges or institutes and inspect such institutes or associate itself with other selected educational training and research institutions, provide them with services and facilities for the effective discharge of their functions and _ responsibilities and determine teaching

methodology, techniques and strategies in order to ensure the most effective educational training and research programmes;

to acquire, receive and manage property, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University and to invest them in such manner as it may deem fit;

Powers and Functions
of the University.

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

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

(xi) to appoint members of the various bodies and committees as the Syndicate may determine for instructional and co-curricular activities and admit students of the University and its colleges and institutes;

(xii) to provide for appointment of teaching and non teaching staff and to determine their salaries, allowances, benefits, their promotions, holidays, administrative conditions, powers and duties of such officers and staff and to provide for efficiency and disciplinary matters in respect thereof;

(xiii) to establish faculties, teaching departments, research institutes and other learning centres and to provide or support other facilities for education, professional training and research.

(xiv) to co-operate with other universities and public authorities in such manner and for such purposes as it may determine;

(xv) to institute professorships, associate professorships, assistant professorships, senior registrarship and lecturer-ships and any other parts;

(xvi) to create professional research, administrative post and all such other posts as may be necessary for the purposes of the University;

(xvii) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;

(xviii) to control the residence of the students of the University and constituent college and constituent institutes as per policy framed by the university;

(xix) to institute and maintain halls, residence, hostels and lodging, guest houses;

(xx) to supervise and control the discipline of the students of the University, constituents, colleges and institutes to promote the extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

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

(xxii) to undertake such research as it may determine; and

(xxiii) to do all such other acts and things as may be requisite to further its objectives.

(1) All recognized teaching in various courses shall be conducted by the University or colleges in the prescribed manner and may include lecturers, tutorials, discussions, seminars, demonstrations, as well as practical work in the laboratories, hospitals, and other methods of instructions.

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

(3) The course and the curricula shall be such as may be prescribed.

Provided that at the level of Bachelor's degree in all faculties, a discipline to be called the Islamic and Pakistan Studies discipline shall be compulsory for Muslim Students, and non-Muslim students shall, in lieu of such discipline, have option to have Ethics and Pakistan Studies.

CHAPTER— III
OFFICERS OF THE UNIVERSITY

(1) The following shall be the officers of the University:—

(i) the Vice- Chancellor;

(ii) the Pro-vice Chancellor;

(iii) the Deans;

(iv) the Principals of the constituent colleges;

(v) the Vice-Principals of the constituent colleges;

(vi) the Directors of the constituent institutes;

(vii) the Chairman of the Teaching Departments;

(viii) the Registrar;

(ix) the Controller of Examination;

(x) the Deputy Controller of Examination;

(xi) the Director Planning and Development;

Teaching in

University.

Officers of
University

the

the

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(xii) the Director Finance;

(xiii) the Librarian;

(xiv) the Assistant Controller of Examination;

(xv) the Resident Auditor;

(xvi) the Chief Accountant;

(xvii) the Director Administration;

(xviii) _ the Director Student Affairs;

(xix) the Director Legal Affairs;

(xx) the Director of Research;

(xxi) the Research Officer;

(xxii) the Bursars, and

(xxiii) | such persons as may be prescribed by the regulations to be

the officers of the University.

(1) The Governor shall be the Chancellor of the University.

(2) The Chancellor shall, when present, preside over the convocation of the University and the meetings of the senate.

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

(4) The Chancellor shall have the power to assent to such Statutes as are required to be submitted to him by the Senate or withhold assent

or refer them back to the Senate for reconsideration.

(5) The Chancellor may remove any person from the membership of any Authority if such person-

(i) has become of unsound mind; or

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

(iii) has been convicted by a court of law for an offense involving moral turpitude.

Chancellor

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10. (1) The Chancellor may cause an inspection or enquiry to be made in response to any matter directly or indirectly connected with the University and shall, from time to time, appoint such person or persons as he may deem fit for the purpose of carrying out inspection of—

i. the University its building, laboratories, libraries, museums, workshop and equipments;

ii. any institution, college or hostel maintained, or recognized by or affiliated to the University;

iii. the teaching and other work conducted by the university;
and

iv. the conduct of the examination held by the University.

(2) The Chancellor shall, in every such case as aforesaid, give notice to the Syndicate of his intention to cause an inspection or inquiry to be made and the Syndicate shall be entitled to be represented there at.

(3) The Chancellor shall communicate to the Syndicate his views with regards to the results of such inspections or inquiry and shall, after ascertaining the views thereon of the Syndicate, advise the Syndicate on the action to be taken.

(4) The Syndicate shall communicate to the Chancellor such action, if any, as has been taken or may be proposed to be taken upon the results of the inspections or inquiry with in such time as may be specified by the Chancellor.

(5) Where the Syndicate does not, within the specified time to take action to the satisfaction of the Chancellor, the Chancellor may, after considering and explanation furnished or representation made by the Syndicate, issue such directions as he thinks fit and the Vice-Chancellor shall comply with such directions.

11. The Minister of Health shall be Pro-Chancellor of the University.

12. (1) The Vice-Chancellor shall be appointed by the Chancellor for a period of four years from amongst the professors of the University on such terms and conditions as the Chancellor may determine and shall hold office during the pleasure of the Chancellor.

Visitation

The Pro-Chancellor.

The Vice-Chancellor.

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(2) 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 his office due to illness or some other cause, the Chancellor shall make such arrangements for the performance of the duties of the Vice-Chancellor as he may deem fit.

(3) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall ensure that the provisions of this Act, the Statutes, the Regulations and Rules are faithfully observed in order to promote the general efficiency and good order of the University. He shall have all the powers necessary for this purpose including administrative control over all officers, teachers and other employees of the University.

(4) The Vice-Chancellor shall, in the absence of the Chancellor and Pro-Chancellor, presides at the Convocation of the University and the meetings of the senate and shall, if present, preside at the meetings of the Authorities of which he is the Chairman and be entitled to attend and preside at any meeting of any other Authority or body of the University.

(5) The Vice-Chancellor may, in an emergency which in his opinion requires immediate action, take such action as he may consider necessary and shall, as soon thereafter as possible, report his action to the officer, authority, or other body, which in the ordinary course would have dealt with the matter.

(6) The Vice-Chancellor shall also have the powers-

(a) to create and fill temporary posts for a period not exceeding six months;

(b) to sanction all expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure;

(c) to sanction re-appropriation of funds for an unforeseen item not provided for in the budget and report it to the Syndicate at the next meeting;

(d) to appoint paper setters and examiners for all examinations of the University after-receiving panels of names from the relevant authorities;

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

(f) 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;

(g) 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;

(h) to appoint employees of such categories in respect of which powers have been delegated to him by the Syndicate;

(i) to exercise and perform such other powers and functions as may be prescribed; and

Gj) to make appointments to the posts in all grade of the national scales of pay up to grade 16.

13. (1) The Chancellor may, in consultation with the Vice-Chancellor, appoint a Pro-Vice- Chancellor for the main campus or of the additional campus, if any, or for both the campuses jointly or separately, on such terms and conditions and for such period not exceeding four years at a time as the Chancellor may determine.

(2) Where a Pro-Vice-Chancellor is appointed under sub-section (1) he shall, notwithstanding any thing contained in this Act, exercise such powers and perform such functions of the Vice-Chancellor or such other powers and functions, in respect of the campus for which he is appointed, as the Chancellor may delegate to him.

(3) The Pro-Vice-Chancellor, if appointed, shall be ex-officio member of the Senate, Syndicate and the Academic Council.

14. (1) The Registrar shall be a whole time officer of the University and shall be appointed by the Syndicate on such terms and conditions as it may determine.

(2) The Registrar shall-

a) hold office for a period of three years on expiry of which he shall be eligible for reappointment.

Pro-Vice Chancellor.

Registrar.

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

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

d) conduct elections of members of the various authorities in the prescribed manner; and

e) perform such other duties as may be prescribed.

15. (1) The Director of Finance shall be a whole time officer of the University and shall be appointed by the Chancellor on such terms and conditions as the Chancellor may determine.

(2) The Director of Finance shall—

a) manage the property, finance and the investment of the University;

b) prepare the annual budget and revise the budget estimates of the University and place such estimates before the Finance and Planning Committee, the Syndicate and the Senate;

c) Ensure that the funds of the University are expended for the purpose for which they are provided; and

d) Perform such other duties as may be prescribed.

(3) The Director of Finance shall be assisted by the Chief Accountant and the Resident Auditor.

16. (1) The Resident Auditor shall be a whole time officer of the University and shall be appointed by the Syndicate on such terms and conditions as it may determine.

(2) The Resident Auditor shall be responsible for all matters connected with the auditing of accounts of the University and shall perform such other duties as may be prescribed.

17. (1) The Controller of Examination shall be a whole time officer of the University and shall be appointed by the Syndicate on such terms and conditions as it may determine: provided that the first Controller of

Director of Finance

Resident Auditor

Controller
Examination

of

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19.

20.

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Examination shall be appointed by the Chancellor on the recommendation of the Vice-Chancellor.

(2) The Controller of Examination shall be responsible for all matters connected with the conduct of examinations and shall perform such other duties as may be prescribed.

The Director Planning and Development shall be a whole time officer of the University and shall be responsible for planning and development of the University.

CHAPTER—IV AUTHORITIES OF THE UNIVERSITY

The following shall be the Authorities of the University—

- (i) the Senate;
- (ii) — the Syndicate;
- (iii) the Academic Council;
- (iv) the Boards of Faculties;
- (v) the Board of Studies;
- (vi) the Selection Board;
- (vii) the Advanced Studies and Research Board;
- (viii) the Finance and Planning Committee;
- (ix) the Affiliation Committee;
- (x) the Discipline Committee; and
- (ix) such other Authorities as may be prescribed by the statutes.

The Senate shall consist of -

- a. the Chancellor;
- b. the Pro-Chancellor;
- the Vice-Chancellor;

o

a

the Pro-Vice Chancellor;

e. the members of the Syndicate;

The Director Planning
and Development.

Authorities

Senate

21.

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f. the Deans;
g. the Directors;
h

the Principals of the constituent colleges;

i. the University Professors and Emeritus Professors;

j the Chairman of the Teaching Departments;

k. the Director of Students Affairs;

1. all Principals of the affiliated colleges;

m. one registered graduate to be elected by all such graduates
from amongst themselves;

n. two persons from amongst the eminent members of
medical and dental professions;

0. one nominee of the Pakistan Medical and Dental Council;

p. the Registrar;

q. the Director Finance;

nm

the Controller of Examination; and

S. Librarian.

(2) The Chancellor or in his absence, the Pro-Vice-Chancellor or in
absence of both, the Vice-Chancellor shall be the Chairman of the
Senate.

(3) The members of the Senate, other than ex-officio members, shall
hold office for three years, and if the office of any such member
becomes vacant before the expiry of such term, such vacancy shall be
filled in accordance with sub-section (1) and the member appointed to
such vacancy shall hold office for the un-expired portion of the term.

(4) The senate shall meet at least once a year on the dates to be fixed
by the Vice-Chancellor with the consent of the Chancellor.

(5) The quorum for a meeting of the Senate shall be one third of the
total number of members, a fraction being counted as one.

Subject to the provisions of this Act, the Senate shall have the powers

to—

(a) consider the drafts of statutes proposed by the Syndicate and dispose of them in the manner indicated in sub-section (2) of section 28;

Powers and duties of
the Senate.

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(b)

(d)

(e)

Consider and pass resolution on the annual report, the annual statement of accounts and the annual and revised budget estimates;

Appoint members of the Syndicate and other Authorities in accordance with the provisions of this Act;

Delegate any of its powers to an Authority or Officers or a Committee or Sub-Committee; and

Perform such other functions as may be prescribed by the statutes.

22. (1) The Syndicate shall consist of—

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(iv)

the Vice-Chancellor, who shall be its Chairman;

one member of the Provincial Assembly of Sindh to be nominated by the Speaker of the Assembly;

two members of the Senate to be elected by the Senate;

a Judge of the High Court of Sindh nominated by the Chief Justice;

(iv-A) Secretary to Government of Sindh, Health Department;

(v)

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(vii)

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(x)

One nominee of the Higher Education Commission;

one Dean to be nominated by the Chancellor on the recommendation of the Chancellor;

one Professor to be elected by the Professors of the University from amongst themselves;

one Associate Professor to be elected by the Associate Professors of the University from amongst themselves;

one assistant Professor to be elected by the Assistant Professors of the University from amongst themselves;

one Lecturer with minimum service of two years to be elected by the Lecturers of the University from amongst themselves;

The Syndicate

(xi) three persons of eminence to be nominated by the Chancellor;

(xii) one Principle of an affiliated college, if any, and the Principals of constituent colleges.

(2) The members of the Syndicate, other than ex-officio members, shall hold office for three years and if the office of any such members becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with sub-section (1), and the member appointed to such vacancy shall hold office for the expired portion of the term.

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

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

(2) Without prejudice to the generality of the foregoing powers, the Syndicate shall have powers -

(a) to determine the form, provide for the custody and, regulate the use of the common seal of the University;

(b) to hold, manage, receive, acquire in any manner or transfer by sale or otherwise, any movable or immovable property, on behalf of the University;

(c) to hold, administer and control funds on behalf of the University and after giving the due regard to the advice of the Finance and Planning Committee, invest such funds in Government securities or such other securities as may be prescribed;

(d) to consider the annual and revised budget estimates and advise to Senate thereon, and re-appropriate funds from one major head of expenditure to another;

(e) to cause to be maintained books of accounts of all financial transaction including the assets and liabilities of the University;

(f) to enter into contracts on behalf of the University;

(g) to provide buildings and other premises, libraries, furnitures, apparatus, equipment and such other things required for the University;

(h) to establish and maintain halls of residence or hostels for students and approve any place as hostel or lodging of students;

(i) to affiliate and disaffiliate colleges;

(j) to admit colleges to the privileges of the University; and

(k) to cause inspections to be made of the colleges and the Teaching Department;

(1) to create posts in connection with teaching, research, extension administration, training and for any other purposes

related thereto;

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to appoint, on the recommendation of the Selection Board, University Teachers and employees to posts in BPS-17 and above of the National Pay Scale;

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

(0) to suspend, punish and remove from service, officers (other than the Vice-Chancellor), teachers and other employees in the prescribed manner;

(p) to appoint members to the Authorities in accordance with the provisions of the Act;

(q) to confer, subject to the approval of the Chancellor, Honorary Degrees in accordance with the conditions as may be prescribed;

(x) to propose drafts of statutes for submission to the Senate;

(s) to consider and approve regulations proposed by the

Academic Council, or frame regulations after calling for the advice of the Academic Council;

- (t) to furnish report on any matter called for by the Senate;
- (u) to deal with the matters concerning the University not provided for in this Act in any manner as it may deem fit;

and

- (v) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee.

24. (1) The Academic Council shall consist of— Academic Council.

- (i) | the Vice-Chancellor, who shall be the Chairman;
- (ii) the Pro-Vice Chancellor;
- (iii) the Deans;
- (iv) the Directors of Institutes;
- (v) _ the Principals of the constituent college;

- (vi) the Professors of the University including Emeritus Professors;

- (vii) the Chairmen of the teaching departments;
- (viii) the Principals of the affiliated Colleges if any;
- (ix) the Registrar;

- (x) _ the Librarian;

- (xi) the Controller of Examinations; and

- (xii) the Administrator of the University Hospital, who must be a Professor.

(2) The members of the Academic Council, other than ex-officio members, shall hold office for three years and if the office of any such members becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with sub-section (1), and the member appointed to such vacancy shall hold office for the un-expired portion of the term.

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

(1) The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act, the Statutes and the regulations have the power to lay down proper standards of instruction, scholarship, research and examinations, and to regulate and promote the academic life of the University and the Colleges.

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

(a) to advise the Syndicate on academic matters;

(b) to regulate the conduct of teaching, research and examinations;

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

(d) to regulate the award of studentship, scholarships, medals and prizes;

(e) to regulate the conduct and discipline of the students of the University;

(f) to propose to the Syndicate schemes for the constitution and organization of Faculties, Teaching Departments and Board of Studies;

(g) to initiate regulations for consideration and approval of the Syndicate;

(h) to propose regulations annually, on the recommendations of any Board of Faculty or the Board of Studies, prescribing the courses of studies, the syllabi and the outlines of texts for all university examinations; provided that if the recommendations of such Boards are not received by the prescribed date, the Academic Council may, subject to approval of the Syndicate permit such regulations to continue for the next following year:

Powers and duties of
the Academic Council.

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- (i) to recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;
- (j) to appoint members to the authorities in accordance with the provisions of this Act;
- (k) to consider or formulate proposals for the planning and development of teaching and research in the University;
- (1) _ to arrange short and long term training and courses within the country and abroad as prescribed under the rules; and
- (m) to perform such other functions as may be prescribed by statutes.

26. 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.

27. Any Authority may, from time to time, constitute such standing, special or advisory committees, as it may fit, and appoint persons not being members of such Authority, as members of the Committee.

CHAPTER— V
STATUTES, REGULATIONS AND RULES

28. (1) Subject to the provisions of this Act, Statutes may be made to regulate all or any of the following matters:—

- (a) terms and conditions of services of officers, teachers and other employees of the University, including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (b) the establishment of Faculties, Teaching Departments and other academic units and divisions;
- (c) the powers and duties of officers and teachers;
- (d) conditions under which the University may enter into arrangements with other public or private institution for the purposes of instruction, research and other scholarly activities;
- (e) conditions of appointment of Professors, Emeritus and award of honorary degrees;

Constitution, functions
and powers of other
authorities

Appointment of
Committees by certain
Authorities

Statutes

THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

- (f)
- (g)
- (h)

efficiency and discipline of the employees of the University;

acquisition and administration of properties and investment of the University; and

all other matters which under this Act are required to be or may be prescribed or regulated by the Statutes.

(2) The Syndicate shall make a proposal for any statutes to the Senate which may after considering the proposal, approve it with or without any modifications or refer it back to the Syndicate for reconsideration or reject it.

(3) No Statute shall be effective until it has been assented to by the Chancellor.

29. (1) Subject to the provisions of this Act and the Statutes, regulations may be made for all or any of the following matters, namely:—

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)

Schemes of studies and research, including the duration of courses, number of subjects or papers for examination;

Syllabi and courses of study and research programmes leading to degrees, diplomas and certificates;

conduct and supervision of examinations, appointment of examiners, scrutiny, tabulation and declaration of results;

determinations of fees and other charges for admission to

various courses, examinations and hostels;

maintenance of discipline among students and schemes for their welfare;

Institution of fellowships, scholarships, prizes, medals, honoraria and other financial assistance for students and research scholars;

conduct of convocation and form of academic costumes;

conditions of residence of students; and

all other academic matters which by this Act or Statutes are to be or may be prescribed by the regulations.

Regulations.

THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

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

(3) No Regulation shall be valid until it has been approved by the Syndicate.

30. (1) The Authorities and the other bodies of the University may make rules consistent with this Act, Statutes and the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.

Provided that the Syndicate may direct the amendment or the annulment of any rules, made by any Authority, or body excepting the Senate, under this section;

Provided further that if such Authority or body is dissatisfied with such directions it may appeal to the Chancellor whose decision in the matter shall be final.

(2) The Syndicate may make rules to regulate any matter relating to the affairs of the University, which has not been specifically provided for by this Act, statutes or regulations.

CHAPTER—VI
THE UNIVERSITY FUND

31. (1) There shall be a fund for the University to be called the University fund to which shall be credited all moneys, received by the University from fees, donations, trusts, bequests, endowments, contributions, grants and other sources.

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

(2) No expenditure shall be made from the funds of the University unless a bill for its payment has, in accordance with the statutes, been audited by the Resident Auditor and the payment is included in the approval budget of the University.

(3) The accounts of the University shall, in the prescribed manner, be audited once a year by the Auditor appointed by the Syndicate.

Rules.

University Fund.

Audit And Accounts.

(4) The annual statement of accounts of the University signed by the Director of Finance and the Resident Auditor shall be submitted to Government within six months of the closing of the financial year.

(5) The accounts of the University together with audit objections, if any and the observations of the Auditor and the Director of Finance shall, in the prescribed manner, be presented to the Senate.

CHAPTER VII GENERAL PROVISIONS

33, 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 other 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) above on the completion of sixty years of his age.

Explanation:- In this section “competent authority” means the appointing authority or a person duly authorized by the appointing authority in that behalf, not being a person lower in rank to the officers, teacher or other employee concerned.

34. Except as otherwise provided in this act no officer, teacher or other Opportunity of Show employee of the University shall be reduced in rank, or removed or Cause. compulsorily retired from service, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

35. (1) Where an order is passed punishing an officer, other than the Vice- Appeal or review

Chancellor, teacher or other employee of the University, or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order passed by the Vice-Chancellor or any other officer or teacher have the right to appeal to the Syndicate against the order, and where the order is made by the Syndicate have the right to apply to the Syndicate for review of that order.

36.

37.

38.

39,

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(2) The appeal or application for review shall be submitted to the Vice-Chancellor who shall lay it before the Syndicate with his views alongwith the 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.

(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.

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

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

(2) | Where a member nominated or elected to any Authority fails to attend three meetings consequently, he shall cease to be the member.

Any casual vacancy among the elected, appointed or nominated members of any Authority shall be filled as soon as conveniently may be, possible by the person or persons the body who appointed or nominated the member whose place has become vacant, and the person elected appointed or nominated 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:

(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.

(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 Vice-Chancellor, and the Judge of the High Court, who is the member of the Syndicate and a nominee of the Chancellor and the decision of the Committee shall be final and binding.

Pension, Insurance,
gratuity, provident
fund and_ benevolent
Fund

Commencement of
term of members of
authorities.

filling of casual
vacancies in authorities

Cessation of members
of authorities

40.

41.

42.

43.

44.

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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.

Notwithstanding anything contained in this Act, the Statutes set out in the Schedule, to this act shall be deemed to be the Statutes framed under section 28 and shall remain in force until they are amended or replaced by new Statutes framed in accordance with this Act.

No court shall have jurisdiction to entertain any proceedings, 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.

No suit or legal proceedings shall lie against Government, the University or any Authority or an employee of Government or 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 or has been done under this Act.

Notwithstanding anything contained in this Act, the following shall be the constituent colleges and the constituent institutes as defined in this Act.

- 1) Dow Medical College
- 2) Sindh Medical College
- 3) Ojha Institute of Chest Disease, Karachi.

44-A. Notwithstanding anything contained hereinabove—

(a) any officer, teacher or other employees of the University shall, as the Chancellor may in the public interest direct, serve in any post under Government or any other University or an Educational or Research Institution;

provided that in the case of a teacher, the syndicate shall be consulted before issuing the direction:

(b) the Chancellor may, in public interest, direct any post in the University to be filled by appointing an employees of Government or any other University or an Education or Research Institution.

Validity of proceedings
of the authorities.

First statutes.

Bar of Jurisdiction

Indemnity

constituents institutions.

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45. 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.

46. The Dow University of Health Sciences Ordinance 2003, is hereby Repealed.
repealed.

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THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

SCHEDULE
FIRST STATUTES

(See section 41)

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

the Faculty of Basic Medical Sciences;

the Faculty of Medicine and Dentistry;

the Faculty of Nursing and Paramedical Sciences;

the Faculty of Biological Sciences;

the Faculty of Pharmaceutical Sciences;

the Faculty of Health Management;

the Faculty of Surgery;

the Faculty of Community Health Sciences;

the Faculty of Bio Medical Engineering; and
such other Faculty of allied sciences as may be prescribed by the
statutes.

Tye ho Boop

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

(3) There shall be a Board of each Faculty consisting of—

(a) the Dean;

(b) the Professors, Associate Professors and Chairman of the
Teaching Departments comprised in the Faculty;

(c) one member of each Board of Studies comprised in the Faculty, to
be nominated by the Board of Studies concerned; and

(d) three teachers to be nominated by the Academic Council by reason
of their specialized knowledge of subjects which, though not
assigned to the Faculty, have in the opinion of the Academic
Council, important bearing on the subject assigned to the Faculty.

(4) The members, mentioned in clauses (c) and (d) of sub-para (3) shall
hold office for three years.

(5) The quorum for a meeting of the Board of a Faculty shall be one half
of the total number of members, fractions being counted as one.

(6) 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 in the subjects 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 alongwith its observations;

- c. to scrutinize the recommendations of the Board of Studies comprised in the Faculty, on the appointment of paper setters and examiners, except for research and examiners forward them to the Vice Chancellors; and

- d. to perform such other functions as may be prescribed.

(1) There shall be a Dean of each Faculty who shall be the Chairman and Dean of Faculty. Convener of the Board of Faculty.

(2) The Dean of each Faculty shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor from amongst the three most senior Professors in the Faculty for a period of three years.

(3) The Dean shall present candidates for admission to degrees, except honorary degrees, in the courses falling within the purview of the Faculty.

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

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

(2) The Chairman or the Department shall be appointed by the Syndicate on the recommendation of Vice Chancellor from amongst the senior teachers of the department for a period of three years.

(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 Faculty in which his Department is comprised for the work of his Department.

4.

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

(2) Each Board of Studies shall consist of—

a) the Chairman of the Teaching Department concerned;

b) all Professors and Associate Professors in the Teaching Department concerned;

c) two University Teachers, other than Professors or Associate Professors, to be appointed by the Academic Council; and

d) three experts, other than University Teachers, to be appointed by the Vice-Chancellor.

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

(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 of the Board of Studies.

(6) Where in respect of a subject there is no University Teaching Department, the Chairman shall be appointed by the Syndicate.

(7) The functions of the Board of Studies shall be—

(a) to advice authorities on all academic matters connected with instructions, research and examinations in the subject

concerned;

(b) to propose curricula and syllabi for all degrees, diploma and certificate courses in the subject or subjects concerned;

(c) to suggest a panel of names of paper setters and examiners in the subject concerned; and

(d) to perform such other functions as may be prescribed by Regulations.

5.

6.

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(1) There shall be a Board of Advanced Studies and Research consisting of—

- (a)
- (b)
- (c)

(d)

(e)

the Vice Chancellor, who shall be the Chairman;
the Deans;

three University Professors, other than Deans, to be
appointed by the Syndicate;

three University Teachers having research qualifications and
experience, to be appointed by the Academic Council; and

the Professors Emeritus.

(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 and Research Board shall be—

- (a)
- (b)
- (c)
- (d)
- (e)

to advise the Authorities on all matters connected with the
promotion of advanced studies and research in the
University;

to propose Regulations regarding the award of research
degrees;

to appoint supervisors for research students to determine the subject of their thesis;

to recommend panels of names of paper setters and examiners for research examination after considering the proposals of the Board of Studies in this behalf; and

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

(1) There shall be a Selection Board consisting of:—

(a)

the Vice Chancellor who shall be the Chairman;

Board of Advanced
Studies and Research

The Selection Board

THE DOW UNIVERSITY OF HEALTH SCIENCES ACT, 2004.

(b) a Judge of the High Court of Sindh nominated by the Chief Justice;

(c) two persons of eminence to be nominated by the Syndicate provided that none of them is an employee of the University;

(d) the Dean of the Faculty concerned; and

(e) 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 the Selection Board shall be four 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 a standing list of experts of each subject approved by the Board on the recommendation of the Selection Board and revised from time to time.

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

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

(3) The Selection Board may recommend to the Syndicate the appointment of an eminently qualified person to a Professorship in the University on the 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 Syndicate the names of suitable candidates for such promotions.

Functions of Selection Board.

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

8. (1) There shall be a Finance and Planning Committee consisting of:— The Finance — and Planning Committee

(a) the Vice Chancellor, who shall be the Chairman;

(b) two nominees of the Senate;

(c) an nominee of the Syndicate;

(d) two experts in the field of finance and planning to be nominated by the Chancellor;

(e) one Dean to be nominated by the Chancellor on the recommendations of the Vice-Chancellor; and

(f) the Director Finance of the University shall be the Member and Secretary.

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

(3) The term of the office of the members of the Finance and Planning Committee excluding ex-officio members shall be three years.

9. The functions of the Finance and Planning Committee shall be— Functions of the Finance and Planning Committee

(a) to consider annual statement of accounts and annual and revised budget estimates and advice the Syndicate thereon;

(b) to review periodically the financial position of the University;

(c) to advise the Syndicate on all matters relating to planning, development Finance, Investments and accounts of the University;

(d) to prepare short term and long term development plans; and

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

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

(a) | the Vice Chancellor who shall be the Chairman;

(b) one member of the Syndicate to be nominated by the Syndicate;
and

(c) two Professors to be nominated by the Academic Council.

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

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

(4) The quorum for a meeting of or an inspection by the Affiliation Committee shall be three members.

(5) An officer of the University to be designated by the Vice Chancellor for this purpose shall act as the Secretary of the Committee.

(1) The Disciplinary Committee shall consist of— Disciplinary Committee.

i. the Vice-Chancellor or his nominee;

ii. two Professors to be nominated by the Academic Council;

one member to be nominated by the Syndicate; and

mE:

iii.

iv. one Teacher or Officer Incharge of Student Affairs by whatever name called (Member-Secretary).

(2) The term of office of the member of Disciplinary Committee excluding ex-officio members, shall be two years;

(3) The quorum for a meeting of the Disciplinary Committee shall be four members.

The functions of the Disciplinary Committee shall be—

i. to propose regulations to the Academic Council for the conduct

of University students, maintenance of discipline and for dealing with the case of indiscipline, and

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ii. to perform such other functions as may be prescribed by regulations.