

SINDH ACT NO. XVIII OF 2006
THE SUKKUR INSTITUTE OF BUSINESS ADMINISTRATION ACT, 2006.

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[22.4 December, 2006]

An Act to Sindh provide for the establishment of Sukkur institute of business administration.

WHEREAS it is expedient to provide for establishment of Sukkur Institute of business Administration as a degree awarding institution and to provide mattes ancillary thereto;

It is hereby enacted as follows:-

CHAPTER |
PRELIMINARY

(1) This Act may be called the Sukkur Institute of Business Administration Act, 2006.

(2) It shall more into force at once.

In this Act unless there is anything repugnant in the subject or

context-

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"Academic Council" means the Academic Council of the Institute;

"affiliated college" means and educational _ institution affiliated to the institute but not maintained or administered by it;

"Authority" means any of authorities of the Institute specified or setup under section 16;

"Chairperson" means the Chairperson of the Senate;

"Chancellor' means the Chancellor of the Institute;

"College" means a constituent college or affiliated college;

"Commission" means the Higher Education Commission set up by the Higher education Commission Ordinance, 2002;

"constituent college" means an education institute, by whatever named described, maintained and administered by the Institute;

"Dean" means the head of a faculty or the head of an academic body granted the statues of a faculty by his Act or by the Statutes or Regulations;

Preamble.

Short title and commence ment.

Definitions.

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"Department" means a teaching department maintained and administered or recognized by the Institutes in the manner prescribed

Director means the Director of the Institute;

"Faculty" means an administrative and academic unit of the Institute consisting of one or more departments, as proscribed;

"Government" means the Government of Sindh;

"Head" means head of the teaching Department;

"Institute" means the Sukkur Institute of Business Administration as constituted under this Act;

"Institute Teacher" means a whole-time teacher appointed and paid by the Institute, or recognized by the Institute as Such;

"prescribed" means prescribed by statutes, regulations or rules made under this Act;

"Principal" means the head of a Collage:

"Representation Committees" means the representation committees constituted under section24;

"Review Panel means the review panel set up under section 8;

"Search Committee" means the Search Committee set up under section 12;

"Senate" means the Senate of the Institute;

"statutes, regulations and rules" means the statutes, regulations and rules respectively made under this Act;

"Syndicate" means the Syndicate of the Institute; and

"teachers" include Professors, Associate Professors, Assistant Professors and Lectures engaged whole time by the Institute or by the constituent or affiliated college and such other person as may be declared to be teachers by regulations,

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CHAPTER II
THE INSTITUTE

The Institute shall consist of the following, namely:-

(a) the chancellor, the Chairperson, the members of the Senate and the Director;

(b) the members of the Authorities of the Institute established under section 16;

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

(d) — all other full time officers and members of the staff of the Institute.

The Institute shall be a body corporate by the name of the Sukkur Institute of Business Administration, and shall have perpetual succession and a common seal, and may by the said name sue and be sued.

3) The Institute 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.

4) (a) Notwithstanding anything contained in any other law for the time

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being in force, the Institute shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms and conditions as may be proscribed.

(6) In particular, and without prejudice to the authority granted to the Commission 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 Institute.

All properties, rights and interests of whatever kind, used enjoyed, possessed, owned or held in trust by or for the Institute of Business

Administration, Sukkur established in 1995 and all liabilities legally subsisting against the said Institute shall pass to the Sukkur Institute of Business Administration as constituted under this Act;

Establishment
of the
Institute.

The Institute shall have the following powers- Powers and purposes of

i, to provide for education and scholarship in such branches of the Institute. 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 the colleges;

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

iv. to prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute;

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

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

Vii. to provide for such instructions for persons not being students of the Institute as it may prescribe, and to grant certificates and diplomas to such persons;

viii. to institute programmes for the exchange of students and teachers between the Institute and other universities, educational institutions and research organizations, inside as well as outside Pakistan;

ix. to provide career counselling and job search services to students and alumni:

x. to maintain linkages with alumni;

xi. to develop and implement fund-raising plans;

xii. to provide support the academic development of the

faculty of the Institute:

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

xiv. to affiliate and disaffiliate educational institutions Under the

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prescribed conditions;

to inspect colleges and other educational institutions affiliated or seeking affiliation with it;

to accept the examinations passed and the period of study spent by students of the Institute at other universities and place of learning equivalent to such examinations and periods of study in the Institute, 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 it may prescribe;

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

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

to recognize selected numbers of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the institute or such other persons as it may deem fit, as Institute teachers;

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

to establish teaching departments, schools, colleges, faculties, 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 Institute and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;

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

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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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 the prescribed conditions;

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

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

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

to do all such other acts things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the institute as a place education, learning and research.

The institute shall be open to all persons of either gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the institute on the grounds of religion race, caste, creed, class, colour or domicile.

An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances, and only with the approval of the senate.

The institute 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 institute and the various opportunities provided by it to based on merit rather than ability to pay provided that the institute may institute self-finance schemes not covering more than ten percent of the total number of candidates in any campus taught course or research-based programme of study

(1) All recognized teaching in various courses shall be conducted by the

institute or the colleges in the prescribed manner and may include
lecture tutorials discussions, seminars, demonstrations, distance
learning, case studies and others methods of instruction as well as
practical work in the laboratories, workshops and other

Institute open
to all classes,
creeds, etc.

Teaching at
the Institute.

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governmental or private organizations, corporations and financial institutions.

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

CHAPTER III

OFFICERS OF THE INSTITUTE

The following shall be the principal officers of the Institute, namely:- Officers of the Institute.

- a. the Chancellor;
- b. the Chairperson Senate';
- Cc. the Director;

- d. the Deans;
- e. the Principal of the constituent colleges;
- f. the Heads of the teaching departments;
- g. the Registrar;
- h. the Treasurer;
- the Controller of Examinations; and
- j. such other persons as may be prescribed by the statutes or regulations to be the principal officers of the Institute.

(1) | The Governor of Sindh shall be the Chancellor of the Institute. Chancellor.

(2) The Chancellor shall, when present, preside at the Convocation of the Institute.

(3) In the absence of the Chancellor the Senate may nominate a person of eminence to preside over the Convocation.

(4) The members of the Senate and the Director shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee.

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

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If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the institute has occurred, he may-

(a) as regards the 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 from amongst the persons of eminence in academics, in the fields of law, accounting and administration to examine and report to the Chancellor on the functioning of the Senate within such time as may be prescribed by the Chancellor; and

(6) as regards proceedings of any Authority or with respect to matters within the competence of the Authority other than the Senate, direct the Senate to examine and report to the Chancellor.

The chancellor may, upon the recommendation 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; or

(b) has become incapacitated to function as member of the senate; or

(c) has been convicted by a court of law for an offence

involving moral turpitude; or

(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 grossa inefficiency in the performance of functions.

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

Provided that before passing such resolution the senate shall provide the member concerned an opportunity of being heard:

Removal
from Senate.

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Provided further that the provisions of this section shall not be applicable to the Chairperson of Senate and the Director of the Institute in their capacity as members of the Senate.

The Chairperson of Senate shall be a sitting judge of the Sindh High Court, appointed by the Chancellor from amongst the panel of three judges of the High Court of Sindh furnished by the Chief Justice of the Sindh High Court.

(1) There shall be a Director of the Institute who shall be an eminent academic or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Director shall, be the chief executive officer of the Institute responsible for all administrative and academic functions of the Institute 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 Institute and for the purpose that Director shall have all powers including the power of administrative control over the officers, teachers and other employees of the Institute.

(3) The Director shall if present, be entitled to attend any meeting of any Authority or body of the Institute.

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

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

a. to direct teachers, officers and other employees of the Institute to take up such assignments in connection with examination, admonition and such other activities in the Institutes as he may consider necessary;

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

c. to make appointments of such categories of employees of the Institute 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
Chairperson.

Director.

the Institute 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 Act to an officer or officers of the Institute; and

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

(6) |The Director shall present an annual report before the senate within three months of the close of the academic year.

(7) 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.

(8) The director's annual report shall be made available, prior to its presentation before the Senate, to all officers and _ Institute teachers and shall be published in such number as required to ensure its wide circulation.

(1) The Director shall be appointed by the Chancellor on the basis of the recommendations made by the Senate.

(2) A Search Committee for the recommendation of persons suitable for appointment as Director shall be constituted by the Senate in the manner prescribed by the statutes and shall consist of two eminent persons nominated by the Chairperson one of whom shall be appointed the Convener, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academic of eminence not employees by the Institute.

(3) The two distinguished Institute teachers shall be selected by the senate through a process, to be prescribed by the Senate that provides for the recommendation of suitable mams by the Institute teachers in general.

Appointment

and Removal

of the

Director.

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(4) The Search Committee shall remain in existence till such time that the appointment of the next Director has been made by the Chancellor.

(5) The person proposed by the Search Committee for appointment as Director shall be considered by the Senate which shall recommend to the Chancellor a panel of three persons in order of priority:

Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel and the Search Committee shall make a proposal to the Senate in the proscribed manner.

(6) The Director shall be appointed for a renewable tenure of five years on the terms and conditions prescribed by statutes.

(7) The tenure of the Director shall be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal; provided that the Chancellor is not satisfied with the resolution he may call upon the Senate to reconsider the resolution.

(8) 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 Director 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 Director that have come to his notice and after considering such 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 Director.

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

(9) A resolution recommending the removal of the Director shall be submitted to the Chancellor forthwith and the Chancellor may, on acceptance of the recommendation, order of removal of the Director or return the recommendation to the Senate with such observations as deemed fit.

(10) At any time when the office of the Director is vacant, or the Director 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

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performance of the duties of the Director as it may deem fit.

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There shall be a Registrar of the Institute appointed by the Senate on the recommendation of the Director, on such terms and conditions as may be prescribed.

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.

The Registrar shall be a full time officer of the Institute and shall-

a) be the administrative head of the secretariat of the Institute and be responsible for the provision of secretariat support to the Authorities of the Institute.

b) Be the custodian of the common seal and the records of the Institute.

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.

The term of office of the Registrar shall be renewable for a period of three years:

Provided that the Senate may, on the advice of the Director, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

There shall be a Treasurer of the Institute appointed by the Senate on the recommendation of the Director, on such terms and conditions as may be prescribed.

The experience, professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

The Treasurer shall be the chief financial officer of the Institute and
shall-

Registrar.

Treasurer.

a) manage the assets, liabilities, receipts, expenditures, fund and investments of the Institute;

b) prepare the annual and revised budget estimates of the Institute and present them to the Syndicate or a committee appointed by it for approval and incorporation in the budget to be presented to the Senate;

c) ensure that the funds of the Institute are expended for the purposes for which they are provided;

d) have the accounts of the Institute audited annually so as to be available audit report 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.

(4) The term of the office of the Treasure shall be a renewable for a period of three years:

Provided that the Senate may, on the advice of the Director, terminate the appointment of the Treasurer on the grounds of inefficiency or misconduct in accordance with the prescribed procedure.

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

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

(4) The Controller of Examinations shall be appointed for a renewable term of three years:

Provided that the Senate may, on the advice of the Director, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

CHAPTER IV

AUTHORITIES OF THE INSTITUTE

Controller of
Examination:

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(1) The following shall be the Authorities of the Institute, namely-

- (i) the Senate;
- (ii) the Syndicate;
- (iii) the Academic Council;

(2) the following Authorities shall be constituted by the Statutes:-

(i) Graduate and Research Management Council:

(ii) Recruitment, Development, Evaluation and

promotion Committees for teachers and other
staff whether at the level of the Department;

Faculty or Institute;

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

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

(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 the statutes on
regulations as appropriate and such committees or sub-committee shall

be the Authorities of the Institute for the purposes of Act;

(1) The body responsible for the governance of the Institute shall be the
Senate and shall consist of the following :-

(a) the Chairperson;
(6) the Director;

(c) the Secretary Education, Government of Sindh or his
nominee not below the rank of Additional Secretary;

(d) the District Coordination Officer (DCO) Sukkur;

Authorities of
the Institute.

Senate.

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- (e) the President of Sukkur Chamber of Commerce;
- (f) two prominent business executives of the province;
- (g) two prominent educationists of the province other than employees of the Institute;
- (h) | one nominee of the Commission;
- (i) two prominent citizens;
- (j) four Institute Teachers; and
- (k) one member of the alumni of the Institute elected from amongst themselves.

(2) The number of the members of the Senate mentioned against clauses (h) to (k) of sub section (1) may be increased by the Senate through statutes subject to the condition that the total membership of the Senate does not exceed twenty one.

(3) Appointments of persons mentioned in clauses (g) and (k) of sub section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up under section 24 and in accordance with the procedure as may be prescribed:

Provided 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 Institute Teachers described in clause (j) of sub-section (1) the Senate shall prescribe procedure for appointment on the basis of election that provide for voting by the various categories of Institute Teachers:

Provided also that the Senate may alternatively prescribe the appointment of Institute Teachers to the Senate shall also be in the manner provided by this sub section for the persons prescribed in clauses (g) and (k) of sub- section (1).

(4) The Members, other than ex-officio Members, shall hold officer during the pleasure of the Chancellor and unless removed earlier shall hold office for a period of three years commencing from the date of first meeting of the Senate:

Provided that no person including Institute Teachers other than an ex officio member, may serve on the Senate for more than two

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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 may be prescribed.

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

(8) The meetings of the Senate shall be presided over by the Chairperson or in his absence by one of the members nominated by the Chairperson or by one of the members elected from amongst the members present.

(9) Unless otherwise prescribed by this Act, all decisions of the Senate shall be taken on the basis of the opinion of the majority of the members present and in case of tie, the person presiding over the meeting shall have a casting vote.

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

(1) |The Senate shall have the power of general supervisor over the Institute and shall hold the Director and the Authorities accountable for all the functions of the Institute.

(2) The senate shall have all powers of the Institute not expressly vested in an Authority or officer by his Act and all other powers not expressly mentioned under this Act that are necessary for the performance of its functions.

(3) Without prejudice to the generality of the forgoing powers, the Senate shall have the following powers:-

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

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

(c) to oversee the quality and relevance of the Institute's academic programmes and to review the academic affairs of the Institute in general;

Powers and
functions of
the Senate.

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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 Institute;

to approve strategic plans;

to approve financial resource development plans of the institute;

To consider the drafts of statutes and regulations proposed by the Syndicate and Academic council respectively and deal with them in the manner as provided for in sections 26 and 27, as the case may be:

Provided that the Senate may frame a 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 annual 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 this 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 appointments of members of the Syndicate, other than ex officio members, in accordance with the provisions of this Act;

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

to appoint Emeritus professors on such terms and conditions as may be prescribed;

to remove any person from the membership of any

Authority if such person-

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- (i) has become of unsound mind; or
- (ii) has become incapacitated to function as member of such Authority; or
- (iii) has been convicted by a court of law for an offence involving moral turpitude; and
- (o) to determine the form, provide for the custody and regulate the use of the common seal of the institute.

(4) | The Senate may, subject to the provisions of this Act delegate all or any of the powers and functions of any Authority, delegate all or any of the powers and functions of any Authority, officer or employee of the Institute at its main campus, 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.

The Senate may, in accordance with the terms and procedures as may be prescribed; cause an inspection to be made in respect of any matter connected with the Institute.

(1) There shall be a Syndicate of the Institute consisting of the following :-

- (a) the Director who shall be its Chairperson;
- (b) the Deans of the Faculties of the Institute;
- (c) three professors from different departments, who are not member of the Senate, to be elected by the Institute teachers in accordance with procedure to be prescribed by the Senate;

(d) Principals of the constituent colleges;

(e) the Registrar;

(f) the treasurer; and

(g) | the Controller of Examinations;

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

(3) As regards the three professors described in clause (c) of sub section (1) the Senate may, as an alternative to elections, prescribe

Visitations

Syndicate

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a procedure for proposal of a panel of names by the Representation Committee setup in terms of section 24.

(4) Appointment of the persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Director.

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

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

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

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

(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 movable property on behalf of the Institute;

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

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

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

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

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

(h) to provide the buildings, libraries, premises, furniture, apparatus, equipment's and other means required for

Powers and

duties of the
Syndicate

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(o)

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(v)

carrying out the work of the Institute;

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 affiliation or disaffiliation of colleges;

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

to arrange for the inspection of colleges and the departments;

to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other leaching 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 Institute;

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 Institute;

to take actions necessary for the good administration of the Institute in general and to those 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 may be assigned to it by the statutes.

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(1) there shall be an Academic Council of the Institute consisting of the following:-

(a) the Director who shall be the Chairperson;

(6) the Deans of Facilities and such Heads of Departments as may be prescribed;

(c) five members representing the departments and the constituent colleges to be elected in the manner prescribed by the Senate;

(d) two Principals of affiliated colleges;

(e) five Professors including Emeritus Professors;

(f) the Registrar;

(g) | the Controller of Examination; and

(fh) — the Librarian.

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

Provided that as regards the five Professors and the Members representing the departments and the constituent colleges, 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.

(3) Appointment of the persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Director.

(4) Members of the Academic Council shall hold office for a period of three years.

(5) The Academic Council shall meet at least once in each quarter.

(6) | The quorum for the meetings of the Academic Council shall be one half of the total number of members, a fraction being counted as one.

(1) The Academic Council shall be the principal academic body of the Institute and shall, subject to the provisions of this Act and the statutes, have the power to lay down proper standards of instruction,

Academic
Council

Powers and
Functions of
the

research and examinations and to regulate and promote the academic life of the Institute and the colleges.

(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 —

- a) 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, expulsion, punishments, examinations and certification;
- d) approve the policies and procedures assuring quality of teaching and research;
- e) recommend the policies and procedures for affiliation of other educational institutions;
- f) propose to the Syndicate schemes for the constitution and organization of the Faculties, Teaching Departments and Boards of Studies;
- g) appoint paper setters and examiners for all examinations of the Institute after receiving panels of names from the relevant authorities;
- h) — institute programmes for the continued — professional development of institute Teachers at all levels;
- i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the institutes;
- j) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- k) frame regulations for submission to the Senate;
- l) prepare an annual report on the academic performance of the Institute; and
- m) perform such functions as may be prescribed by the regulations.

Academic
Council.

24.

25.

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(1) There shall be separate Representation Committee — for recommending persons for appointment to the Senate, Syndicate and Academic Council under sections 17, 20 and 22 respectively.

(2) The Representation Committee for recommending the persons for appointments to the Senate shall consist of the following:-

a) three members of the Senate who are not Institute Teachers;

b) two person nominated by the Institute Teachers from amongst themselves in the manner prescribed;

c) one person from the academic community, not employed by the Institute, at the level of professor or college principal to be nominated by the Institute 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.

(3) | The Representation Committee for recommending the persons for appointments to the Syndicate and the Academic Council shall consist of the following:-

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

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

(4) | The tenure of the Representation Committees shall be three years:

Provided that no member shall serve for more than two consecutive terms.

(5) The procedures of the Representation Committees shall be as may be prescribed.

(6) | There may also be set up such other Representation Committees by the Senate as are considered appropriate for recommending the persons for appointment to the various Authorities and other bodies of the Institute.

(1) 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 committee persons who are not members of the Authorities appointing

Representati
on
committees

Appointment
of
Committees
by certain

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the Committees.

(2) The constitution, function and power 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

(1) Subject to the provisions of the Act, statutes, to be published in the official Gazette, may be made to regulate or, prescribe all or any of the following matters:-

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g)

h)

the contents of and the manner in which the annual report to be presented by the Director before the Senate;

the Institute fee and other charges;

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

the scales of pay and other terms and condition of service of the officers, teachers and other Institute employees;

the maintenance of the register of registered graduates;

affiliation and disaffiliation of educational institutions and related matters;

admission of educational institutions to the privileges of the Institute and the Withdrawal of such privileges;

the establishment of faculties, departments, institutes, colleges and other academic divisions;

the powers and duties of officers and teachers; conditions under which the Institute 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 of honorary degrees;

efficiency and discipline of Institute employees;

procedure to be _ followed by the Representation Committees in carrying out its functions under this

Authorities

Statutes.

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Ordinance;

- n) the constitution and procedure to be followed by the Search Committee for appointment of the Director;
- o) constitution functions and powers of the Authorities of the Institute; and
- p) all other matters which by this Act are to be or may be prescribed or regulated by the statutes.

(2) 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 cases may be, for reconsideration of the proposed draft:

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

Provided further that the Senate may initiate a statute with respect to any matter in its power or with respect to which a statute may be framed under this Act and approve such statute after seeking the views of the Syndicate.

(1) subject to the provisions of the 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:-

a) the courses of study for degrees; diplomas and certificates of the Institute;

b) the manner in which the teaching referred to in subsection (1) of section 6 shall be organized and conducted;

c) the admission and expulsion of students to and from the Institutes;

d) the conditions under which the students shall be admitted to the courses and the examinations of the Institute and shall become eligible for the award of degrees, diplomas and certificates;

e) the conduct of examinations;

f) conditions under which a person may carry on independent research to entitle him to a degree;

Regulations.

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31.

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g) the institution of fellowships, scholarships, exhibitions, medal 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 may be prescribed by the 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.

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

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

The procedure for adding to amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making statutes and regulations.

The Authorities and the other bodies of the Institute may make rules with the approval of the Syndicate which shall be published in the official Gazette consistent with this Act, statutes and the regulations, to regulate any matter relating to the affairs of the Institute which has not been provided for by the this Act or that is not required to be regulated by the statutes or regulations, including rules to regulate the conduct of business, the time and place of the meetings, and related matters.

CHAPTER VI
INSTITUTE FUND

The Institute shall have a fund to which shall be credited its income from any source including fees, charges, donations, trusts, bequests,

endowments, contributions and grants.

(1) The Accounts of the Institute shall be maintained in such form and in

such manner as may be prescribed.

(2) The teaching departments, constituent colleges, institutes and all

Amendment
and repeat
of Statutes
and
Regulations

Rules

Institute fund

Audits and
Accounts

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other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centres of the Institute with the 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 statutes.

(3) All funds generated by a teaching department, constituent college or other unit of the Institute through consultancy, research or by providing any other service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by statute, to the teaching department, constituent college or other unit for its development: provided that a part of the funds so generated may be shared with the Institute Teachers or Researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by statutes.

(4) No expenditure shall be made from the fund of the Institute, unless a bill for its payments has been issued by the head of the cost centre 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 to the head of the cost centre.

(5) = The provisions for internal audit of the finances of the Institute shall be made in the proscribed manner.

(6) Without prejudice to the requirement of audit by an editor appointed by Government in accordance with the provisions of any other law for the time being in force, the annual audited statement of accounts of the Institute shall be prepared in conformity with the Generally Accepted Accounting principles (GAAP) by a reputed firm of Chartered Accountant appointed by the Syndicate and signed by the Treasurer and 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

Except as otherwise provided in this Act no officer, teacher or other Opportunity employees of the Institute holding a permanent post shall be reduced in to show rank, or removed or compulsorily retired from service for any act or cause

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omission on their part without providing a reasonable opportunity of showing cause against the action proposed to be taken.

Where an order is passed punishing any officer (other than the Director), teacher or other employee of the Institute 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 Institute other than the Director, have the right to appeal to the Syndicate against the order, and where the order is passed by the Director to the Senate.

(1) All persons employed by the Institute in accordance with the terms and conditions of service prescribed by the statutes shall be deemed to be a civil servant for the purpose of filing appeal before the service Tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973.

(2) An officer teacher or other employee of the Institute shall retire from service.

(i) on such date, after he has completed twenty five years of service qualifying for pension or other retirement benefits, as appointing authority may direct; or

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

In this section "appointing 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 officer, teacher or other employee concerned.

Explanation:

(1) The Institute 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 Ordinance, the provisions of the Provident Funds Act, 1925 shall apply to such funds as if it were the Government Provident Fund.

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

(2) Where a member, who remains absent from the Institute for a period of not less than six months shall be deemed to have resigned and vacated his seat.

Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by same

Appeal to
the
Syndicate
and the
Senate

Service of the
Institute

Benefits and
insurance

Commence-
ment of term
of office of
members of
Authority

Filling of
casual

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39.

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person or Authority had appointed the member whose place has become vacant and the person so 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.

Where there is a flaw in the constitution of an Authority, as constituted by this Act, the statutes or the regulations on account of abolition of a specified office under Government or because an organization institution or other body outside the Institute 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.

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 or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.

Notwithstanding anything to the contrary contained in this Act, the Statutes set out in the Schedule shall be deemed to be the statutes framed under section 26 and shall continue to remain in force until they are amended or replaced by new statutes framed under this act.

(1) | Notwithstanding anything contained in this Act-

(a) the Senate, which is nominated by the Chancellor before commencement of this Ordinance shall continue and complete its term; and

(6) any person holding office of the Director immediately before the coming into force of this Act shall continue to hold his office and complete his term of appointment.

(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) If any difficulty arises in giving effect to any of the provisions of this act, the Chancellor may make such order after order after obtaining the views of the senate, not inconsistent with the provisions of this ordinance, 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

vacancies in
Authorities

Flaws in the
constitution
of Authorities

Proceeding's
of Authorities
not
invalidated
by the
vacancies

First statutes
and
Regulations

Transitory
Provisions

Removal of
difficulties

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Senate.

No suit or legal proceedings shall lie against Governments, the institute or any Authority, officer of anything which is done in good faith under this Act.

(1) Notwithstanding anything contained in this Act, the Senate may, on the advice or the Syndicate, allow any post in the institute to be filled by appointment, or such terms as the Senate may specify, an employee of the Government or any other Institute or educational or research institution.

(2) Where any appointment has been made under sub section (1), the terms and conditions of service 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.

THE SCHEDULE
(SEE Section 40)

(1) The institute shall include the following faculties:-

i. Faculty of Business Administration.

ii. Faculty of Science and information Technology.

iii. Faculty of Economics.

iv. Faculty of Agriculture Business.

(2) The Islamic Education and Pakistan Studies shall be compulsory for Muslim student Non-Muslim Students shall in lieu of these subjects have option to take Ethics and Pakistan Studies subject in all faculties.

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

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

Indemnity

Powers allow
 appointment
 of
 employees
 of the
 Government,
 other
 universities or

educational
or research
institutions to
the Institute