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1.

SINDH ACT NO.XIV OF 2015

THE SINDH INSTITUTE OF MANAGEMENT AND TECHNOLOGY ACT, 2015

[18 March, 2015]

An Act to provide for the establishment of an Institute at Karachi and other places in Sindh Province known as the Sindh Institute of Management and Technology.

WHEREAS it is expedient to provide for the establishment of an institute at Karachi and other places in Sindh Province known as the Sindh Institute of Management and Technology and to provide for matters ancillary thereto:

It is hereby enacted as follows:-

(1) This Act may be called the Sindh Institute of Management and Technology Act, 2015.

(2) It shall come into force at once.

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

a) "Academic Council" means the Academic Council

of the institute;

b) "Authority" means any of the Authorities of the

Institute;

c) "Board" means the Board of Governors of the Institute;

d) "Commission" means the Higher Education Commission;

e) "Rector" means the Rector of the Institute;

f) "Dean" means the head of the faculty;

g) "Faculty" means the faculty of the Institute;

h) "Government" means the Government of Sindh;

i) "Head" means head of the Teaching Department;

j) "Institute" means the Sindh Institute of Management and Technology;

k) "Patron" means the Patron of the institute;

l) "Prescribed" means the prescribed by statutes,

regulations and rules;

m) — “Registrar” means the Registrar of the institute;

n) “Statutes, regulations and rules” means the statutes,

Preamble.

Short title and
Commencement.

Definitions.

the regulations and the rules respectively made under this Act;

o) "Teaching Department" means the Teaching Department established and maintained by the Institute; and

p) "Teacher" means Professor, Associate Professor, Assistant Professor and Lecturer, engaged whole time by the institute and such person declared as such under this Act.

od

There shall be established at Karachi and other places in Establishment and Sindh Province an Institute to be known as the Sindh peorporation of Institute of Management and Technology consisting of:

(i) The Chairman, the Rector, the Deans and other members of the Board;

(ii) | The teachers and students of the institute and its constituent units;

(iii) The members of such council, committees and other bodies as the Board may establish; and

(iv) Such other officers and members of the staff as may from time to time be specified by the Board.

(2

The Institute shall be a body corporate by the name of Sindh Institute of Management and Technology having perpetual succession and a common seal, with power amongst others, to acquire, hold and dispose of any property or investments and shall by the said name sue and be sued.

4. (1) The Institute shall be having the following powers- Powers and Functions of the

a)To provide for instructions and training in such Institute.

branches of learning as it may deem fit, and to make

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provision for research, demonstrations, services to the society and for the advancement and dissemination of knowledge in such manner as it may determine;

b) To admit and examine students;

c) To hold examinations and confer or award degrees, diplomas, certificates and other academic distinctions on and to the persons who have passed its examinations under the prescribed conditions;

d) To select and promote faculty;

e) To confer honorary degrees;

f) To prescribe courses of studies in the branches of learning established by the Institute:

g) To pursue research;

h) To provide and support other facilities for education, training and research;

i) To enter into agreements, contracts and arrangements with — universities, | organizations, institutes, bodies and individuals for the purpose of carrying out its functions and activities; and

j) To decide teaching methods and strategies in order to ensure the most effective educational and training programs.

(2) The powers and functions under sub-section (1) shall be

exercised and performed subject to general control and directions of SIMT Educational Society.

The Institute shall be open to persons of either sex of whatever religion, race, creed, colour or domicile who are academically qualified for admission to the courses of study offered by the Institute and no such person shall be denied the privileges of the Institute on the ground of sex, religion, creed, race class, colour or domicile.

(1) The academic programs of the Institute shall be conducted

(2)

in the prescribed manner.

The Institute shall associate external examiners for the conduct of examinations.

(3) No degree shall be granted unless a student has passed an

Institute open to all
Classes, Creeds
etc.

Teaching and
Examinations in
Institute.

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examination in the Islamic studies and Pakistan Studies at the Bachelor's degree level or, in the case of a non-Muslim student, in Ethics and Pakistan Studies at his option.

(4) In prescribing syllabi, courses of studies and instructions for the conduct of studies, the Institute shall abide by the directions given by Board of Governors (BOG) of the Institute.

The following shall be the Authorities of the Institute:

- (a) The Board;
- (b) The Academic Council;
- (c) The Advanced Studies and Research Board;
- (d) The Finance and Planning Committee;
- (e) The Selection Board, and
- (f) Any other Authority constituted by the Board.

8. The following shall be the officers of the Institute:

- (a) The Chairman shall be from (SIMT Educational Society):
- (b) The Rector;
- (c) The Deans;
- (d) The Head of Teaching Department;
- (e) The Registrar;
- (f) Director Finance;
- (g) Examination Controller;
- (h) And such other persons as may be specified by regulations to be the officers.

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

(2) The Patron, when present, shall preside at the convocation of the Institute.

(3) The prior approval of the patron will be required for issuance of the Honorary Degree.

(4)The selection of Chairman will be as per the recommendation of two third majority members of the SIMT Educational Society (Regd# KAR NO.005 of 2013-14).

Authorities of the
Institute.

Officers of the
Institute.

Patron.

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(1) The Patron may cause an inspection or inquiry to be made ___ Visitation.

on his own Motion in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person to inquire into or carry out inspection of-

(i) The Institute, its buildings, laboratories, libraries, and

other facilities;

(ii) Any Institution, department or hostel maintained by the Institute;

(iii) The adequacy of financial and human resources of the Institute;

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

(v) Such other matters as may be specified by him.

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

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

(4) | Where the Board does not within the time specified take action to the satisfaction of the Patron/Chairman they may issue such directions as the deems fit and the Board shall comply with all such directions;

(1) The Chairman shall be the Chairman of the SIMT Educational Society (Regd# KAR No. 005 of 2013-14) on such terms and conditions as prescribed by the SIMT Educational Society.

(2) The Chairman shall in the absence of the Patron preside over the convocation.

(3) If the Chairman is satisfied that the proceedings of any

The Chairman.

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Authority or orders of any officer are not in accordance with the provisions of this Act, the statutes, the regulations or the rules. He may, after calling Upon such Authority or officer to show cause why such proceedings or order, should not be annulled, by order in writing, annul such proceedings or orders.

(4) The Chairman may remove any person from the membership of any Authority if such person-

(i) has become or unsound mind; or

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

(iii) | has been convicted by court of law for an offence involving moral turpitude or has been found indulging in any activity against the interest of the institute.

(5) Should the Chairman be incapacitated from acting as such due to absence or any other cause, the General Secretary of the SIMT Educational Society or nominee of the Chairman shall act as Chairman.

(1) The Rector shall be an educationist or eminent scholar and shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Rector shall be the chief academic and administrative officer of the Institute and shall be responsible for the implementation of the decision of the Board and for the execution of the program of the Institute in accordance with the guidelines and policies formulated by the Board.

(3) The Rector shall have powers to-

(i) submit plans of work and budget estimates of the Institute to the Board for consideration and approval:

(ii) direct the activities connected with the execution of programs for instructions, training, research and services to

The Rector.

community;

(iii) incur expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure and report it to the Board in its next meeting;

(iv) sanction and re-appropriate an amount not exceeding one lac rupees for an unforeseen item not provided for in the budget, and report it to the Board in its meeting:

(v) appoint, on the recommendations of the, Selection Board and with the approval of the Board, teachers, officers and may be necessary in accordance with policies and procedures approved by the Board, in accordance with policies and procedures approved by the Board- so as to ensure the highest intellectual and moral qualities in the persons appointed;

(vi) submit to the Board, in accordance with the rules of procedure, reports on the activities of the Institute and the

execution of the plans of work;

'vii) create temporary posts for a period not exceeding six months; and

viii) undertake any work assigned by the Board.

13. (1) The Board shall consist of the Following- The Board.

(i) = The Chairman;

(ii) |The four persons of outstanding merit nominated by SIMT Educational Society.

(iii) A judge of the High Court nominated by the Chief Justice;

(iv) The Chairman of the Higher Education commission or his nominee;

(v) The Secretary Education or his representative not below the rank of an Additional Secretary;

(vi) A Vice Chancellor of a University in public sector or an eminent scholar nominated by the Chairman;

(vii) A prominent reputed industrialist;

(viii) | A prominent and reputed business professional; and

(ix) | The Rector who shall also act as Secretary.

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

(3) No act or proceedings of the Board shall be invalid by reasons only of the existence of a vacancy in or any defect in the constitution of the Board.

14. (1) The Board shall exercise and perform the following Powers and functions- Functions of the Board.

(i) To hold, control and administer the property, funds and resources of the institute and to raise funds for the purpose of the Institute upon such security as may be required under the regulations;

(ii) To undertake responsibility for the financial viability of the Institute including responsibility for ensuring effectiveness of its operations, their continuity and preservation of the autonomy of the Institute;

(iii) To consider the annual budget estimates;

(iv) To formulate or approve the principles policies and plans governing the activities and operations of the Institute so as to facilitate research, teaching and other academic work;

(v) To make statutes, and approve rules and regulations;

(vi) To prepare and revise from time to time rules and regulations for the efficient and effective operation of the Institute;

(vii) To create a component of the Institute such as faculties and departments, under its jurisdiction and to constitute such standing committees, sub committees, councils and other administrative or academic advisory bodies as it deems necessary, and review their work;

(viii) To call for and consider reports relating to the activities of the Institute and the execution of the plans of work and to direct the Director to furnish information relating to any matter specified by the Board;

(ix) To create such academic or administrative posts as it may deem necessary and to approve appointment to such posts by the Director;

(x) To prescribe the terms and conditions and duties of teachers and the employees;

(xi) To take all such initiatives as it may consider necessary for the efficient and effective management and functioning to the Institute;

(xii) To appoint teachers and other employees in BS 17 and above on the recommendation of the Selection Board; and

(xiii) To delegate any of its power to the Chairman, Authority, officer or a committee subject to such conditions as it may impose.

15. (1) The Board shall meet at least twice a year on the dates Meeting of the to be fixed by the Rector, with approval of the Chairman, Board. provided that, a special meeting may be called at any time by the Chairman on the request by not less than five members

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of the Board to consider any matter of urgent nature.

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

(3) | The quorum for a meeting of the Board shall be one half of its member a fraction being counted as one.

(4) |The decisions of the Board shall be expressed in terms of the views of the majority and voting of the members present and if the members are equally divided the chairman have a casting vote.

(1) The academic and administrative staff of the Institute shall be selected with a view to achieve its stated objectives.

(2) The basic criteria for selection such staff shall be the highest standards of competence, integrity and efficiency: provided that in the case of academic staff, academic qualification and fringe benefit shall not be less than those approved by the commission.

(1) The institute shall have a fund to which shall be credited income from fees, donations, trusts, bequests, endowments, grants contribution and any other source.

(2) No contribution, donation or grant, which shall be directly and indirectly involve any immediate or subsequent financial liability of the institute or which may involve an activity not included in its programs for the time being shall be accepted without the prior approval of the Chairman.

(3) | The accounts of the institute shall be maintained in such form and in such manner as may be prescribed by rules.

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

Academic and
Administrative
Staff.

Institute Fund,
Audit Accounts.

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

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

(1) The Academic Council shall consist of-

- (i) The Rector who shall be the Chairman.
- (ii) All the Deans.
- (iii) All the Heads of the Teaching Departments.
- (iv) A nominee of the Education Secretary not below the rank of Deputy Secretary.
- (v) The Executive District Officer (Education).
- (vi) Two Assistant Professors and two Lecturers to be nominated by the Board; and
- (vii) The Registrar who shall act as its Secretary.

(2) The members appointed by nomination shall unless removed earlier hold office for a period of three years.

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

(1) The Academic council shall be the academic body of the Institute and shall, subject to the provisions of this act and Statutes, have the powers to lay down proper standards of instructions, research, publications, examinations and to regulate and promote the academiic lift of the Institute.

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

- (i) Advise the Board on academic matters.

The Academic
Council.

Powers and Duties
of Academic
Council.

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22.

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(ii) Regulate the conduct of teaching research, publication and examination.

(iii) | Regulate the admission of the students to the courses of studies and examinations in the Institute.

(iv) Regulate the conduct and discipline of the students of the Institute;

(v) | Propose to the Board scheme for the constitution any organization of Faculties and Teaching Departments.

(vi) Consider and formulate proposals for the Planning and Development of teaching and research in the Institute.

(vii) Prepare regulations prescribing the course of studies, the syllabi and the outlines of test for all examinations and submit the same to the Board for approvals.

(viii) Regulate the award of studentships scholarships exhibitions, medals and prizes.

(ix) Appoint or nominate members to the various Authorities in accordance with the provisions of the Act and

(x) | Perform such other functions as may be prescribed by the statutes.

The constitutions, functions and the powers of the authorities for which no specific provision has been made in the Act shall be such as may be prescribed by statutes.

The Board, Academic Council and other Authorities may from time to time appoint such standing special or advisory committee as they may deem fit and may nominate such persons on these committees who are not members of the authorities appointing the committees.

The Authorities and the other bodies of the Institute may with the approval of the Board make rules, consistent with this Act, statutes or regulations, to regulate any matter relating to

the affairs of the Institute.

(1) The Institute shall work with the framework of the Education policy and other law or policy framed by Government from time to time.

Constitution,
Functions and
Powers of other
Authorities.

Appointment of
Committees by
Authorities.

Rules.

General Provision.

24.

25.

26.

2.

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(2) The academic qualification, salaries and fringe benefits of the academic staff shall not be less than those admissible to such staff in private universities in the Province.

(3) Annual monitoring charges as fixed by the Institute from time to time shall be paid by the Institute through a pay order in the name of the Sindh Institute of Management and Technology.

If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Patron whose decision thereon shall be final.

If any difficulty arises in giving effect to any of the provisions of this Act, the Chairman may make such order not inconsistent with the provisions of this Act as may appear to him to be necessary for removing the difficulty.

Notwithstanding anything to the contrary contained in this Act, the First statutes shall be deemed to be the statutes framed under this Act and shall continue to remain in force until amended, repealed or new statutes are framed in accordance with the provisions of this Act.

THE FIRST STATUTES

(See Section 26)

The institute shall include the following faculties and such other faculties as may be prescribed:-

(1) Faculty of Business Administration.

(2) Faculty of Pharmacy.

(3) Faculty of Engineering, Information & Technology.

(4) Faculty of Social Science.

(1) There shall be Board of each Faculty which shall consist of-

Interpretations.

Removal of

Difficulties.

First Statutes.

The Faculties.

Board of Faculty.

(i) |The Dean of the Faculty;

(ii) The Professors and the Heads of the teaching departments;

(iii) One member other than Dean and Head of each teaching department to be nominated by the Head;

(iv) Two teachers nominated by the Academic Council by reason of their specialized knowledge of the subjects which, though not assigned to be faculty, but has in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty;

(v) Two experts in the relative field from outside the institute to be appointed by the Board; and

(vi) One member to be nominated by the Rector.

(2) The members other than ex-officio members shall unless removed earlier, hold office for a period of three years.

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

(1) The Board of each Faculty shall, subject to the general Functions of Board control of the Academic Council and the Board will have the of Faculty. powers to-

(i) Co-ordinate the teaching and research work in the subjects assigned to a Faculty;

(ii) | Scrutinize the recommendations of the Boards of studies comprising the Faculty with regard to the appointment of paper-setters and examiners for graduate and post graduate examinations and to

orward the panels of suitable paper setters and examiners for each examination to the Director.

(iii) © Consider any other academic matter relating to the aculty and report thereon to the Academic Council:

(iv) Prepare a comprehensive annual report regarding he performance of each Department, comprising he faculty for presentation to the Academic Council;

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and

(v) | Perform such other function as may be prescribed by statutes.

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

(2) The Deans shall be appointed by the Board from amongst the three senior most Professors, Associate Professor, no such appointment shall be made and the department shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of the department.

(3) The Dean shall have such powers and perform such duties as may be prescribed by the Board on the recommendations of the Director.

(1) There shall be teaching department for each subject or a group of subjects, as may be prescribed by regulations, and shall be headed by head of Department.

(2) The head of teaching department shall be appointed by the Board on the recommendations of the Director from amongst three senior most professors, Associate Professors or Assistant Professors other than Professor already working as Dean for a period of three years and shall be eligible for re-appointment.

Provided when in a Department, there is no Professor or Associate Professor or Assistant Professor, no such appointment shall be made and the department shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of the department.

(3) |The Head of the Department shall-

(i) Plan, organize and supervision the work of the department and shall be responsible to the dean for the work of his department;

(ii) | Under the general supervision of the Director and the

Teaching
Departments and
Heads of the
Department.

Dean shall exercise all administrative, financial and academic powers and such other duties of powers as may be delegated to him; and

(iii) Prepare a comprehensive annual report on the performance of the department at graduates and postgraduates levels, and faculty research and development and submit it to the Dean of the Faculty for evaluation.

6. (1) The Board of Advanced Studies and Research shall Board of consist of- Advanced Studies and Research.

(i) The Rector as its Chairman;

(ii) All Deans;

(iii) | One professor from each faculty having experience in research in relevant field to be appointed by the Academic Council.

(iv) One professor from each faculty other than Dean to be appointed by the Board;

(v) One member to be nominated by the Director;

(vi) Three members from the relevant field of Research Organizations and Government Departments to be nominated by the Board; and

(vii) | The Registrar who shall act as its Secretary.

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

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

7. The functions of the Board of Advanced Studies and _ Functions of Board Research shall be to- of Advanced Studies and Research.

(a) Advise the Authorities on all matters connected with the promotion of advanced studies, research

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and publications in the Institute;

(b) Consider and report to the Authorities on the Institute of research degrees;

(c) Propose regulations regarding the award of research degrees;

(d) Appoint supervisors for post graduate research students and to approve titles and synopsis of their thesis or dissertations;

(e) Recommend panels of names of examiners for evaluation of their thesis and other, research examinations; and

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

(1) The Selection Board shall consist of-

(i) The Rector who shall be the Chairman;

(ii) The Dean of the concerned Faculty;

(iii) The Head of the concerned teaching Department;

(iv) One member of the Board to be nominated by the Board;

(v) One eminent scholar to be nominated by the Board; and

(vi) One subject expert to be nominated by the Board.

(2) The Registrar shall be Secretary of the Selection Board;

(3) The members other than ex-officio members shall hold office for a period of three years.

(4) The quorum for a meeting of selection Board shall be four.

(5) No member who is a candidate for the post to which appointment is to be made shall take part in the proceedings

of the selection Board.

(6) In selecting candidates for the posts of Professors,

Selection Board.

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Associate Professors or Assistant 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 to be revised from time to time, for each subject approved by the Board on the recommendations of the Selection Board.

(1) The Selection Board, for teaching and other officers shall consider the applications and recommend to the Board the names of suitable candidate for appointment and recommend suitable salary for the person concerned.

(2) The Selection Board shall consider all cases of promotion or selection of officers of the Institute and recommend the names of suitable candidates for such promotion or selection to the Board.

(3) In the event of an unresolved difference of opinion between the Selection Board and Board the decision of the Board shall be final.

(1) The Finance and Planning Committee shall consist of-

- (i) | The Rector who shall be the Chairman;
- (ii) All the Deans;

(iii) One member of the Academic Council to be nominated by the Academic Council;

(iv) The Treasurer of the Society who shall Act as Secretary.

(2) The term of office of the nominated members shall be for a period of three years.

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

Functions of the
Selection Board.

Finance and
Planning
Committee.

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The functions of the Finance and Planning Committee shall

be to-

(i)

(ii)

(iii)

(iv)

Prepare the annual statement of accounts, propose annual budget estimates and advise the Board thereon:

Review periodically the financial position of the Institute;

Advise the Board on all matters relating to finance investments and accounts of the Institute; and
Perform such other functions as may be prescribed under the statutes.

Functions of the
Finance and

Planning
Committee.