

Session 18
Sitting 09

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 21ST APRIL, 2015.**

NO.PAS/Legis-B-19/2015-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

THE INDUS UNIVERSITY OF HEALTH SCIENCES BILL, 2015.

SINDH BILL NO. 19 OF 2015.

**A
BILL**

to provide for the establishment of a University known as the Indus University of Health Sciences at Karachi.

WHEREAS it is expedient to provide for the establishment of a University known as the Indus University of Health Sciences at Karachi, and to provide for matters ancillary thereto;

Preamble.

It is hereby enacted as follows:-

**CHAPTER-I
PRELIMINARY**

1. (1) This Act may be called the Indus University of Health Sciences Act, 2015.

Short title and commencement.

(2) It shall come into force at once.

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

Definitions.

- (i) "Academic Council" means the Academic Council of the University;
- (ii) "affiliated college or institute" means the educational college or institute affiliated to the University but not maintained or administered by it;
- (iii) "Authority" means any of the authorities of the University specified in section 13;
- (iv) "Board" means the Board of Governors of the University;
- (v) "Chairperson" means the Chairperson of a Teaching Department;
- (vi) "Chancellor" means the Chancellor of the University;
- (vii) "college" means a constituent college or affiliated college imparting instructions or practical training in courses of studies relating to health sciences and allied sciences;
- (viii) "Company" means The Indus Hospital a Company registered with Securities Exchange Commission of Pakistan under section 42 of the Companies Ordinance, 1984;

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- (ix) "constituent college or institute" means a college or institute maintained and administered by the University;
- (x) "Commission" means the Sindh Higher Education Commission;
- (xi) "Dean" means the head of a faculty;
- (xii) "Director" means the head of a teaching or administrative division of an institute;
- (xiii) "Faculty" means a Faculty of the University;
- (xiv) "Government" means the Government of Sindh;
- (xv) "Honorary Professor" means a Professor who provides academic service on honorary basis;
- (xvi) "Officer" means any of the officers of the University specified in section 5;
- (xvii) "prescribed" means prescribed by statutes, regulations or rules;
- (xviii) "Principal" means the head of a constituent or affiliated college;
- (xix) "Professor Emeritus" means a retired Professor working in the University;
- (xx) "Provost" means the Provost of the University;
- (xxi) "Registrar" means the Registrar of the University;
- (xxii) "statutes, regulations and rules" means respectively the statutes, regulations and rules made under this Act;
- (xxiii) "Teaching Department" means a Teaching Department established and maintained or recognized by the University;
- (xxiv) "teachers" means teacher engaged as Professor, Associate Professor, Assistant Professor and Lecturer and such other persons as may be declared to be the teachers;
- (xxv) "University" means the Indus University of Health Sciences, Karachi;
- (xxvi) "Vice-Chancellor" means the Vice-Chancellor of the University; and
- (xxvii) "visiting teacher" means a teacher, who is invited for teaching by the University for a short period.

CHAPTER-II
THE UNIVERSITY

3. (1) The Indus University of Health Sciences at Karachi shall be established in accordance with the provisions of this Act.

**Establishment and
Incorporation of the
University.**

(2) The University shall consist of -

- (i) Board of Governors;
- (ii) the Chancellor;
- (iii) the Vice Chancellor, a Provost, Deans, Principals of the constituent colleges, Directors of the constituent institutions, Chairmen of Teaching Departments, Registrar, Director of Finance, Controller of Examination, Chief Accountant, Resident Auditor and such other officers as may be prescribed;
- (iv) the members of the 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 the Indus University of Health Sciences owned, managed and administered by The Indus Hospital and shall have perpetual succession and a common seal and 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 any movable and immovable property which may have become vested in or has been acquired by it.

(5) The University shall be open to all persons of either sex of whatever religion, race, creed, class, colour who are academically qualified for admission to the courses of study offered by the University, and no such person shall be denied the privileges on the grounds only of sex, religion, race, caste, creed, class or colour.

(6) The moral and ethical codes employed on the University campus, affiliated colleges or institutes and the constituent colleges or institutions will be based on and derived from the cardinal principles and the guidance embodied in the Holy Quran and the Sunnah of the Prophet (Peace be upon him).

4. The University shall have powers -

**Powers and
functions of the
University.**

- (a) to provide for instruction in such branch of learning as it may deem fit, and to make provision for advancement and dissemination of the knowledge in health sciences and such other branches of learning as the University may determine;

- CHAPTER II
THE UNIVERSITY
- (b) to prescribe courses of study and curricula;
 - (c) select and examine students;
 - (d) to admit and hold examination and to award and confer degrees, diplomas, certificates, and other academic distinctions to and on the persons who have been admitted to and have passed the examinations under prescribed conditions;
 - (e) to confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
 - (f) to affiliate itself or associate with other institutions, and establish faculties in Pakistan or abroad for better discharge of its functions and responsibilities;
 - (g) to affiliate and disaffiliate educational institutions under prescribed conditions;
 - (h) to establish faculties, teaching departments, research institutes and other learning centres in the ordained branches of learning and to provide and support other facilities for education, professional training and research;
 - (i) to inspect colleges and other educational institutions affiliated or seeking affiliation with it;
 - (j) cooperate with the other Universities and public authorities in such manner and for such purposes as it may determine;
 - (k) to institute Professorship, Associate Professorship, Assistant Professorship and Lectureship, and any other posts and to appoint persons thereto;
 - (l) create posts for research, extension, administration and other related purposes and to appoint persons thereto;
 - (m) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;
 - (n) to control the residence of the students of the University, to institute and maintain halls of residence and to approve or license hostels and lodgings;

- (o) to supervise and control the discipline of the students of the University and the colleges, to promote the extra-curricular and recreational activities of such students and to make arrangement for promoting their health and general welfare;
- (p) to demand and receive such fees and other charges as it may determine;
- (q) to enter into carry out, amend or cancel contracts;
- (r) to receive and manage property transferred and grants, bequests, trusts, gifts, donations, endowments or other contributions made to the University and to invest any funds representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (s) to undertake research as it may determine in any and all branches of learning;
- (t) to provide for the printing and publication of research and other works;
- (u) to decide teaching methods and strategies in order to ensure the most effective educational and other programs;
- (v) to use the financial and other resources allocated to it for the execution of its functions;
- (w) to appoint members of various bodies and committees, as the Board may determine for academic and administrative activities;
- (x) to appoint such officers and staff and prescribe terms and conditions and powers and duties of such officers and staff;
- (y) to establish academic linkages and collaborative activities with other institutions for the betterment of academic standards; and
- (z) do all such acts and things, as may be requisite to further its objectives.

CHAPTER-III OFFICERS OF THE UNIVERSITY

5. The following shall be the officers of the University:-

**Officers of the
University**

- (i) the Chancellor;
- (ii) the Vice Chancellor;

- (iii) the Provost;
- (iv) the Deans;
- (v) the Chairmen of the Teaching Departments;
- (vi) the Registrar;
- (vii) the Director Finance;
- (viii) the Controller of Examination;
- (ix) the Resident Auditor;
- (x) the Director Planning and Development;
- (xi) Librarian; and
- (xii) such other persons as may be prescribed by the regulations to be the officers.

6. (1) The Chancellor shall be a person of eminence, known for his contribution in the field of knowledge of service to society and appreciated for high moral and his intellectual caliber. **Chancellor.**

(2) Subject to sub-section (1), the Chancellor shall be appointed by the Company for a period of three years and shall be eligible for re-appointment.

(3) The Chancellor shall preside at the convocation of the University.

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

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

- (a) has become unsound mind; or
- (b) has been incapacitated to function as member; or
- (c) has been convicted by a court of law in Pakistan of an offence involving moral turpitude.

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

(6) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the Vice Chancellor shall exercise all the powers and perform all the duties and functions of the Chancellor.

(7) The Chancellor may cause a visitation or inquiry to be made in respect of any matter connected with the affairs of the University and appoint such person as may be deemed fit for the purpose.

(8) The Chancellor shall, on receipt of a report under sub-section (7) above, issue such directions as he thinks fit and the Vice Chancellor shall comply with such directions.

7. (1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Board. **Vice Chancellor.**

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

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

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

(4) The Vice-Chancellor shall be appointed for a renewable tenure of four years on terms and conditions prescribed by Statute. The tenure of an incumbent Vice-Chancellor shall be renewed by the Chancellor on receipt of a resolution of the Board in support of such renewal:

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

(5) The Board may, pursuant to a resolution in this behalf passed by three-fourths of its membership, recommend to the Chancellor the removal of the Vice-Chancellor 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 Board stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the

Vice-Chancellor that have come to his notice. After consideration of the reference the Board may, pursuant to a resolution in this behalf passed by two-thirds of its membership, recommend to the Chancellor the removal of the Vice-Chancellor.

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

(7) 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 other causes, the Chancellor shall make such arrangements for the performance of the duties of the Vice Chancellor as he may deem fit.

(8) The Vice Chancellor shall be principal executive officer of the University and shall be responsible for implementation of the provisions of this Bill, the statutes, the regulations and the rules and execution of the policies and the programs of the University.

(9) The Vice Chancellor shall, in the absence of the Chancellor, preside over the meetings of the Authorities of which the Chancellor is the Chairperson; provided that the meetings of the Board shall be presided over by the member elected from amongst the members present in the meeting.

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

(11) In particular and without prejudice to the generality of the foregoing powers, the Vice Chancellor shall also have the powers -

- (i) to create and fill temporary posts for a period not exceeding six months;
- (ii) to sanction all expenditures provided for in the approved budget and to re-appropriate funds within the same major head of expenditure;
- (iii) to sanction or re-appropriate an amount as fixed and revised by the Board from time to time for an unforeseen item not provided for in the budget and report it to the Board at the next meeting;
- (iv) to make such arrangements for the security of papers, grades and results as he may consider necessary;

- (v) to direct teachers, officers and other employees of the University to take such assignments in connection with teaching, research, examination, administration and such other activities in the University as he may consider necessary;
- (vi) to appoint employees of such categories in respect of which powers have been delegated to him by the Board;
- (vii) 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; and
- (viii) to exercise and perform such other powers and functions as may be prescribed.

8. (1) The Provost shall be the Chief Academic Officer of the University with overall responsibility for the academic and research program and shall be appointed by the Board on such terms and conditions as the Board may determine. **Provost.**

(2) The Provost shall, subject to the statutes, regulations and rules have powers to -

- (i) direct the activities connected with the execution of programs for instruction, training, research, demonstration and service; and
- (ii) direct teachers to take such assignment in connection with teaching, research, examination;
- (iii) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant Authorities; and
- (iv) perform such other functions and exercise such other powers as may be prescribed.

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

(2) The Registrar shall be the custodian of the common seal and the academic records of the University; and perform such other duties as may be prescribed.

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

(2) The Director of Finance shall -

- (a) manage the property, finances and the investments of the University;
- (b) prepare the annual budget and revised budget estimates of the University and place such estimates before the Finance and Planning Committee and the Board;
- (c) ensure that the funds of the University are expended for the purposes for which they are provided; and
- (d) perform such other duties as may be prescribed.

11. The Controller of Examination shall be a whole time officer of the University and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed. **Controller of examination.**

12. The Resident Auditor shall be a whole time officer of the University and shall be responsible for internal audit of the Universities. **Resident Auditor.**

CHAPTER- IV AUTHORITIES OF THE UNIVERSITY

13. The following shall be the Authorities of the University - **Authorities.**

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

14. (1) The Board shall consist of -

Board of Governors.

- (i) the Chancellor, who shall be its Chairperson;
- (ii) the Vice-Chancellor;
- (iii) the Chief Justice of the High Court of Sindh or a sitting or retired Judge of High Court nominated by him;
- (iv) Chairperson of the Higher Education Commission or a Member to be nominated by him;
- (v) the Provost;
- (vi) a member of the Pakistan Medical and Dental Council not being below the rank of professor, to be nominated by

- the Council;
- (vii) not more than two members of the Board of Directors of the Indus Hospital;
 - (viii) three persons of eminence representing various disciplines and professions nominated by the Board of Directors of the Indus Hospital;
 - (ix) a person of outstanding merit nominated by the Chancellor in consultation with the Vice Chancellor;
 - (x) the Registrar, who shall act as its Secretary.

(2) A nominated member other than ex-officio shall hold office for a term of three years and shall be eligible for nomination on the expiry of his term.

(2) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or leave of absence or is nomination is changed by the Authority nominated him.

(3) A casual vacancy shall be filled by a person nominated by the Authority which had nominated the member whose vacancy is to be filled.

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

15. (1) The Board shall be the Governing body of the University and shall subject to the provisions of this Act and the statutes, exercise general supervision over the affairs and management of the University.

Powers and duties of the Board.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act and the statutes, the Board shall have the powers –

- (a) to hold, control and administer the property and funds of the University;
- (b) to govern and regulate, with due regard to the advice of the Finance and Planning Committee, the finances, accounts and investments of the University and for that purpose, to appoint such agents as it may think fit;
- (c) to consider annual and revised budget estimates and to advise the Company thereon, and to re-appropriate funds from one major head of expenditure to another;
- (d) to transfer and accept transfer of movable or immovable property on behalf of the University;

- (e) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (f) to cause proper books of accounts to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (g) to receive and manage any property transferred and grants, bequests, donations, endowments and other contributions made to the University;
- (h) to administer any funds placed at the disposal of the University for specified purposes;
- (i) to determine the form, provide for the custody and regulate the use of the common seal of the University;
- (j) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (k) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (l) to institute Professorship, Associate Professorship, Assistant Professorship, Lectureship and other teaching posts or to suspend or abolish such posts;
- (m) to create, suspend or abolish such administrative, teaching, research or other posts as may be necessary;
- (n) to make appointments on the recommendation of the Selection Board to the posts of teachers, officers and such other cadres as may be determined by the Board;
- (o) to appoint Emeritus and Distinguished Professors on such terms and conditions as may be prescribed;
- (p) to confer honorary degrees in the fields of ordained disciplines in accordance with the conditions prescribed;
- (q) to prescribe the duties of officers, teachers and other employees of the University;
- (r) to suspend, impose penalty and remove from service officers (other than the Vice Chancellor), teachers and other employees in the manner prescribed;
- (s) to appoint members of the various Authorities in accordance with the provisions of this Act;
- (t) to propose statutes for submission to the Chancellor;

- (u) to consider and dispose of the regulations made by the Academic Council; provided that the Board may frame the Regulations on its own initiative and approve it after consulting the Academic Council;
- (v) to regulate, determine and administer all other matters concerning the University and, to this end, exercise all other powers not specifically mentioned in this Act and the statutes;
- (w) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee; and
- (x) to perform such other functions as have been assigned to it under this Act, or may be assigned to it by the statutes.

16. (1) The Board shall meet at least four times in a year on the dates to be fixed by the vice Chancellor; provided that a special meeting may be called at any time on the direction of the Chancellor or on a requisition made by not less than four members of the Board to consider a matter of urgent nature. **Meetings of the Board.**

(2) Not less than ten clear days' notice of a special meeting 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 members, a fraction being counted as one.

(4) The decision of the Board shall be expressed in terms of the views of the majority of the members present and if the members are equally divided the Chairperson of the Board shall have and exercise a casting vote.

17. (1) The Academic Council shall consists of - **Academic Council.**

- (a) the Vice Chancellor who shall be the Chairperson;
- (b) the Deans;
- (c) the Directors;
- (d) the University Professors including Emeritus and Distinguished Professors;
- (e) the Chairmen of the Teaching Departments;
- (f) five eminent persons known for their intellectual caliber on international level, service to society or leadership in profession nominated by the Chancellor on the recommendation of the Vice Chancellor;
- (g) the Controller of Examination;
- (h) the Librarian; and
- (i) the Registrar who shall act as its Secretary;

(2) A nominated member shall hold office for a term of three years and shall be eligible for re-nomination on the expiry of his term.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Council without sufficient cause or leave of absence or his nomination is changed by the nominating Authority.

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

18. (1) The Academic Council shall be highest academic body of the University and shall subject to the provisions of this Act and the statutes, have the powers to lay down proper standards of instruction, scholarship, research and examinations and to regulate and promote the academic life of the University. **Powers and duties of the Academic Council.**

(2) In particular and without prejudice to the generality of the foregoing provisions, the Council shall have the powers -

- (a) to advise the Board on academic matters;
- (b) to regulate the admission of students to the courses of studies and examinations;
- (c) to propose to the Board, schemes for the constitution and organization of Faculties, Teaching Department, Institutes and Boards of Studies;
- (d) to consider or formulate proposals for the planning and development of teaching and research in the University;
- (e) to make regulations on the recommendations of the Board of Faculties and the Boards of Studies prescribing the course of Studies and the syllabi for all University examinations; provided that, if the recommendations of the Board of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination;
- (f) to recognize the examinations of other University or examining bodies as equivalent to the corresponding examinations of the University;
- (g) to frame regulations for submission to the Board;
- (h) to appoint members to the various Authorities in accordance with the provisions of this Act; and

- (i) to perform such other functions as may be prescribed by the statutes.

CHAPTER - V
STATUTES, REGULATIONS AND RULES

19. (1) Subject to the provisions of this Act, Chancellor may make and promulgate statutes to regulate or prescribe all or any of the following matters, namely:- **Statutes.**

- (a) terms and conditions of service of employees of the University including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (b) terms and conditions of contractual appointment of teachers, researchers and officers;
- (c) establishment of Faculties, Teaching Departments and other academic units and divisions;
- (d) powers and duties of Officers and teachers;
- (e) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;
- (f) conditions of appointment of Professor Emeritus and Distinguished Professor.
- (g) award of honorary degrees;
- (h) standard of evaluation of efficiency and exercising disciplinary measures over the employees of the University;
- (i) acquisition and administration of properties and investments of the University; and
- (j) all other matters which under this Act are required to be or may be prescribed or regulated by the statutes.

(2) The draft of statutes shall be proposed by the Board for the approval of the Chancellor who may refer them back to the Board for reconsideration.

(3) The Chancellor shall have the powers to assent to the statutes submitted to him for approval.

(4) No statute shall be valid until it has been approved by the Chancellor.

20. (1) Subject to the provisions of this Act and the statutes, **Regulations.** regulations may be made for all or any of the following matters:-

- (a) the courses of study for degrees, diplomas and certificates of the University;
- (b) the admission of students to the University;
- (c) the conditions under which students shall be admitted and shall become eligible for the award of degrees, diplomas and certificates;
- (d) the conduct of examinations;
- (e) fees and other charges to be paid by students for admission to the courses of study and examinations of the University;
- (f) the conduct and discipline of students of the University;
- (g) conditions of residence of the students of the University or the colleges, including the levy of fees for residence in the halls of residence and hostels;
- (h) the approval and licensing of hostels and lodgings;
- (i) conditions under which a person should carry on independent research to entitle him to a degree;
- (j) the institution of fellowships, scholarships, exhibitions, medals and prizes;
- (k) the institution of stipends and free and half-free studentships;
- (l) the academic costumes;
- (m) the use of Library;
- (n) the formation of Teaching Departments and Boards of Studies; and
- (o) all other matters which by this Act and the statutes are to be or may be prescribed by regulations.

(2) The Regulations shall be prepared by the Academic Council and shall be submitted to the Board which may approve them or withhold approval or refer them back to the Academic Council for reconsideration.

(3) A Regulation prepared by the Academic Council shall not be valid, unless it receives the approval of the Board.

21. 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 the statutes and regulations.

**Amendment and
repeal of Statutes
and Regulations.**

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

Rules.

Provided that the board may direct the amendment or the annulment of any rules, made by another Authority or body under this section:

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

CHAPTER - VI UNIVERSITY FUND

23. (1) The University shall have a fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, contributions, grants and all other sources.

**University fund,
Audit and Accounts.**

(2) Capital and recurrent expenditure of the University shall be made from the contributions made by the Trust including any other trust, Universities, associations, Societies or individuals and from the income derived from any other source.

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

(4) The accounts of the University shall be maintained in such form and in such manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by a Chartered Accountant by the Board.

(5) The accounts, together with the report of the Auditor thereon, shall be submitted to the Board for approval.

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

**CHAPTER - VII
GENERAL PROVISIONS**

24. (1) An employee of the University shall retire from service -

**Retirement from
service.**

- (a) 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

- (b) where no direction is given under clause (a), on the completion of sixty years of his age.

(2) Except as otherwise provided, no officer, teacher or other employee of the University holding a permanent post, shall be reduced in rank, or removed or compulsorily retired from service, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

(3) Where an order is passed punishing an employee (other than the Vice Chancellor) 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 of the University, have the right to appeal to the Board against the order and where the order is made by the Board, have the right to apply to the Board for review.

(4) The appeal or application for review shall be submitted to the Vice Chancellor who shall lay it before the Board with his views and record of the case.

(5) 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.

25. (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.

**Pension, insurance,
gratuity, provident
and benevolent fund**

(2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925, shall apply to such funds.

26.(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 date as may be prescribed.

Commencement of term of members of authorities.

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

27. (1) Any casual vacancy among the elected, appointed or nominated members of any Authority shall be filled, as soon as conveniently may be, by the person or persons or 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.

Filling of casual vacancies in authorities

Provided that where a vacancy to the membership of an Authority, other than the Board, cannot be filled for the reason that the member was ex-officio, and the office has ceased to exist, or the organization, Institution or other body, other than the University has ceased to exist or has ceased to function, or for any other circumstances which make it impracticable to fill the vacancy, the vacancy shall be filled in such manner as the Chancellor may direct on the recommendation of the Board.

(2) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Authority without sufficient cause or leave of absence, or his nomination is changed by the nominating Authority.

28.(1) Notwithstanding anything contained in this Act, a person nominated or appointed to any Authority shall cease to be a member of such Authority as soon as he has ceased to hold the position by virtue of which he was nominated or appointed.

Disputes about membership of Authorities.

(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, the judge of the High Court of Sindh, who is the member of the Board and a nominee of the Chancellor and the decision of the committee shall be final and binding.

29. The constitution, functions and powers of other Authorities for which no specific revision or insufficient provision has been made in this Act shall be such as may be prescribed by the statutes.

Constitution, Functions and Powers of other Authorities.

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| <p>30. The Board, the Academic Council or other Authorities may appoint such Standing, Special or Advisory Committees, as they may consider advantageous in the performance of their functions.</p> | <p>Appointment of Committee by the Authority</p> |
| <p>31. Notwithstanding anything contained in this Act, the statutes set out in the Schedule, shall be deemed to be the statutes framed under section 22 and shall remain in force until they are amended or replaced by new statutes framed in accordance with this Act.</p> | <p>First Statutes.</p> |
| <p>32. 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.</p> | <p>Removal of difficulties.</p> |
| <p>33. 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.</p> | <p>Proceedings of Authorities not invalidated by vacancies.</p> |
| <p>34. 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.</p> | <p>Bar of jurisdiction</p> |
| <p>35. No suit or legal proceedings shall lie against Government, the University or any Authority, or an employee of 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.</p> | <p>Indemnity.</p> |

SCHEDULE
FIRST STATUTES
(See section 31)

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

- (a) School of Medicine;
- (b) School of Nursing and Midwifery;
- (c) School of health informatics;
- (d) School of Dentistry;
- (e) School of Pharmacy;
- (f) School of Paramedical Training;
- (g) School of Health Management Sciences;;
- (h) any other faculty as may be prescribed by the statutes.

(2) Each Faculty shall include such Institutes, Teaching Departments, Centers or other teaching or research unit as may be prescribed by statutes.

2. (1) There shall be a Board of each Faculty consisting of -

Board of Faculties.

- (a) the Deans;
- (b) the Professors, Associate Professors and Chairmen 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 subjects assigned to the Faculty.

(2) The members, mentioned in clauses (c) and (d) of sub-section (1) shall hold office for three years.

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

(4) 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 degrees examiners), to the Vice Chancellor; and
- (d) to perform such other functions as may be prescribed.

3. (1) There shall be a Dean for each Faculty who shall be the Chairperson of the Board of Faculty and shall be nominated by the Chancellor from amongst the three senior most Professors in the Faculty, on the recommendations of the Vice-Chancellor. **Deans.**

(2) The Dean shall hold office for three years.

(3) The Dean shall present candidates for admission to degrees, except honorary 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.

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

(2) The Chairperson of a Teaching Department shall be appointed by the Board from amongst the senior teachers of the Department.

(3) The Chairperson 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.

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

(2) Each Board of Studies shall consist of -

- (a) the Chairperson of the Teaching Department concerned;
- (b) all Professors and Associate Professors in the Teaching Department concerned;
- (c) such University teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;
- (d) three experts, other than University Teachers, to be appointed by the Vice Chancellor.

(3) The term of office of member of the Board of the 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 functions of the Board of Studies shall be -

- (a) to advise the Authorities on all academic matters connected with instructions, research and examinations in the subjects 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 subjects concerned; and

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

6. (1) There shall be a Board of Advanced Studies and Research consisting of -

Board of Advanced Studies and Research.

(a) the Vice-Chancellor who shall be the Chairperson;

(b) the Deans;

(c) three University Professors other than Deans to be appointed by the Board of Governors;

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

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

(b) to propose Regulations regarding the award of research degrees

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

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

(e) to perform such other functions as may be prescribed by statutes;

7. (1) There shall be a Selection Board consisting of -

Selection Board.

- (a) the Provost who shall be the Chairperson;
- (b) one member of the Board and two persons of eminence to be nominated by the Board; provided that none of them is an employee of the University;
- (c) the Dean of the Faculty concerned;
- (d) the Chairperson of the Teaching Department concerned;
- (e) ;

(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 five 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 as revised from time to time.

(6) The functions of the Selection Board shall be -

- (a) to consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of suitable candidates for appointment to such posts;
- (b) to recommend to the Board the grant of higher initial pay in a suitable case for reasons to be recorded in writing;
- (c) to recommend to the Board the appointment of an eminently qualified person to a position in the University on the terms and conditions as may be prescribed;
- (d) to consider all cases of promotion of officers of the University and recommend to the Board the names of suitable candidates for such promotions; and

- (e) that in the event of an unresolved difference of opinion between the Selection Board and the Board, 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 -

Finance and Planning Committee.

- (a) the Vice-Chancellor, who shall be the Chairperson;
- (b) Provost;
- (c) two nominees of the Board;
- (d) three experts in the field of finance and planning to be nominated by the Board;
- (e) one Dean to be nominated by the Chancellor on the recommendations of the Vice Chancellor; and
- (f) the Director Finance of the University who shall be the Member/Secretary.

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

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

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

9. (1) The Discipline Committee shall consist of -

Discipline Committee and its functions.

- (a) the Vice-Chancellor or his nominee;
- (b) Provost;
- (c) two Professors to be nominated by the Academic Council;
- (d) one member to be nominated by the Board; and
- (e) the teacher or officer Incharge of Students Affairs by whatever name called who shall act as Member Secretary.

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

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

(4) The functions of the Discipline Committee shall be -

(a) to propose regulations to the Academic Council for the conduct of University students, maintenance of discipline and for dealing with cases of discipline; and

(b) to perform such other functions as may be assigned to it by the statutes or regulations;

10. (1) There shall be an Affiliation Committee consisting of -

**Affiliation
Committee.**

(a) the Vice Chancellor who shall be the Chairperson;

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

(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.

STATEMENT OF OBJECTS AND REASONS

With a view to enhance the educational facilities and encourage the participation of private sector in education, it is expedient to establish the Indus University of Health Sciences at Karachi and to enact a law in the matter.

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH