

Quaid-e-Awam University of Engineering, Science and Technology, Nawabshah Act, 1996.

ACT XIX OF 1996

QUAID-E-AWAM UNIVERSITY OF ENGINEERING, SCIENCE
AND
TECHNOLOGY, NAWABSHAH ACT, 1996

An Act to establish Quaid-e-Awam University of Engineering, Science and Technology,
Nawabshah

[Gazette of Sindh, Extraordinary, Part IV, 29th October, 1996]

No.PAS/Legis-B-14/96, dated 29-10-1996.—

The Quaid-e-Awam University of Engineering Science and
Technology, Nawabshah Bill, 1996 having been passed by the Provincial Assembly of
Sindh on 25th August, 1996 and assented to by the Governor of Sindh on 7th October,
1996 is hereby published as an Act of the Legislature of Sindh.

Preamble.—Whereas it is expedient to establish Quaid-e-Awam University of Engineering,
Science and Technology, Nawabshah:

It is hereby enacted as follows:-

CHAPTER—1 PRELIMINARY

1.Short title and commencement.—

(1) This Act may be called the Quaid-e-Awam University of Engineering, Science and
Technology, Nawabshah Act, 1996.

(2) It shall come into force at once.

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

(a) "Academic Council" means the Academic Council of the University;

(b) "affiliated College" means a College affiliated to the University;

(c) "Authority" means any of the Authorities of the University specified in section 12;

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

(e) "college" means a college and includes an institution, in which arrangements exist for
imparting instructions or practical training, in courses of studies relating to engineering,
technology and such other allied subjects as may be prescribed;

- (f) "Dean" means the Head of a Faculty;
- (g) "Faculty" means a Faculty of the University;
- (h) "Government" means the Government of Sindh;
- (i) "Officer" means any of the Officers of the University specified in section 26;
- (j) "Prescribed" means prescribed by Statutes, Regulations or Rules;
- (k) "Principal" means the Head of a college;
- (l) "Pro-Chancellor" means the "pro-Chancellor of the University;
- (m) "registered graduate" means a graduate of the University whose name has been entered in the register maintained for this purpose and includes a graduate of any recognized University in any of the subjects prescribed by or under this Act and residing within the Province of Sindh excluding the Division of Karachi, and whose name has been entered in the said register;
- (n) "Regulations" means the Regulations made or deemed to have been made under this Act;
- (o) "Rules" means the Rules made or deemed to have been made under this Act;
- (p) "Senate" means the Senate of the University;
- (q) "Statutes" means the Statutes made or deemed to have been made under this Act;
- (r) "Syndicate" means the Syndicate of the University;
- (s) "teacher" means a person engaged for imparting instructions in the University or a college on any prescribed course or courses and includes a person declared as such by Regulations;
- (t) "Teaching Department" means a Teaching Department established and maintained, or recognized by the University;
- (u) "University" means the Quaid-e-Awam University of Engineering, Science and Technology, Nawabshah;
- (v) "Vice-Chancellor" means the Vice-Chancellor of the University;

CHAPTER—II THE UNIVERSITY

3: Incorporation.—

- (1) There shall be University to be called the Quaid-e-Awam University of Engineering, Science and Technology Nawabshah.

(2) The University shall consist of the Chancellor, the Pro-Chancellor, all Officers, all University teachers and other members of the Authority.

(3) The University shall be a body corporate having perpetual succession and a common seal and may, by the aforesaid name sue and be sued.

(4) The University shall conduct classes and confer degrees in subjects relating to Engineering, Science and Technology.

(5) The University shall be competent to acquire and hold property, both movable and immovable, or sell or otherwise transfer any property vested in it or enter into contract for the purpose of this Act.

(6) All properties, owned or possessed and all rights and interests held or enjoyed, by, and all liabilities subsisting against the Mehran University of Engineering and Technology in respect of the former College of Engineering and Technology, Nawabshah of the said University, immediately before coming into force of this Act shall stand transferred to the University.

(7) All employees including teachers and Officers of the University of Sindh serving at the aforesaid college, immediately before coming into force of this Act shall stand transferred for service under the University on such terms and conditions as the University may determine:

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

(8) The Principal seat of the University shall be at Nawabshah.

CHAPTER—II THE UNIVERSITY

4. Powers of the University.—The University shall have the powers—

(a) to provide for instructions and research in and advancement and dissemination of knowledge of, engineering, science and technology including textile and automobile engineering and sugar and agro-based food processing technology and such other allied subjects as may be prescribed;

(b) to prescribe courses of studies to be taught in the University and colleges;

(c) to hold examinations and confer degrees; diplomas, certificates and other academic distinction on person who have, under the prescribed conditions been admitted to and passed its examinations;

(d) to confer, in the prescribed manner, honorary degrees or other academic distinctions on such person as the Chancellor may approve;

(e) to confer degrees on persons who have done independent research under prescribed conditions;

(f) to provide for teaching specified courses or training for persons not being the students of the University and grant certificates and diplomas to such persons;

(g) to affiliate or disaffiliate colleges in the prescribed manner;

(h) to admit colleges to its privileges or withdraw such privileges from them in the prescribed manner;

(i) to inspect colleges affiliated or seeking affiliation;

(j) to accept the examinations passed or the periods of study spent at other universities or places of learning, as equivalent to examinations or periods of study in the University or withdraw such acceptance;

(k) to cooperate with other universities or public authorities in such manner and for such purposes as it may determine;

(l) to create posts in connection with teaching, research, extension, administration, training and for any other purposes related thereto and appoint persons there against;

(m) to recognize any teacher of an affiliated college or such other person as University teacher;

(n) to institute and award fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;

(o) to establish Teaching Department, colleges, faculties, institutes, centres of excellence, museums and other centres of learning for the development of teaching and research and make such arrangements for their maintenance, management and administration, as it may determine;

(p) to control the residence of the students of the University and the colleges, institute and maintain halls of residence and approve any place as hostel or lodging of students;

(q) to supervise and control the discipline of the students of the University and colleges and promote the extra-curricular and recreational activities of such students and made arrangements for promoting their health and general welfare;

(r) to take disciplinary action against, and impose penalty on students in the prescribed manner;

(s) to charge and receive such fees and other payments as it may determine;

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

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

(v) to do such other acts or things, whether incidental to the power aforesaid or not, as may be necessary to further the objects of the University as a place of education, learning and research, and as teaching, affiliating and examining body.

5. Jurisdiction of the University.–

(1) Notwithstanding anything contained in any law, the University shall have jurisdiction within the Province of Sindh over such areas as may be specified by Government: Provided that Government may, in consultation with the University, by general or special order, modify the jurisdiction.

(2) On coming into force of this Act, the provisions of all other laws corresponding to the provisions of this Act for the time being applicable within the jurisdiction of the University, shall cease to apply.

(3) No college situating within the jurisdiction of the University shall, save with the permission of Government seek affiliation or remain stand' affiliated with the university.

(4) Subject to subsection

(5), all colleges within the jurisdiction of the University shall, on coming into force of this Act and affiliated with the University.

6. University open to all classes, creeds etc.–The University shall be open to all persons irrespective of sex, religion, race, creed, class or colour and no person shall be denied the privilege of the University on any such ground:

Provided that nothing in this section shall be deemed to prevent religious instruction being given to the students in their own religious faiths in such manner as may be prescribed.

7. Teaching in the University.–

(1) All teaching in various courses in the University or Colleges shall be conducted in the prescribed manner, and it may include lectures, tutorials, discussions, seminars, demonstrations, practical work in laboratories and workshop and other methods of instruction.

(2) The teaching in any prescribed course in the University or colleges shall be organized by such Authority as may be prescribed.

(3) The courses and the curricular for teaching in the University or colleges shall be such as may be prescribed.

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

8. University Students Union.—

(1) There shall, in the prescribed manner, be constituted a Union of the students of the University hereinafter called the Union.

(2) The functions and privileges of and other matters relating to the ' Union shall, be such as may be prescribed.

CHAPTER – III CHANCELLOR AND PRO-CHANCELLOR

9. Chancellor.—

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

10. Visitation.—

(1) The Chancellor may cause an inspection or enquiry to be made in respect of any affairs or matter directly or indirectly concerned with the university and appoint one or more persons to conduct such inspection or enquiry.

(2) The Syndicate shall be given a notice of an inspection or enquiry under subsection (1) and shall be entitled to be represented at inspection or enquiry.

(3) After the inspection or enquiry is completed, the Chancellor shall cause his views as to result thereof to be communicated to the Syndicate, and after ascertaining the reaction of the Syndicate, the Chancellor may advise the Syndicate, to take such action or refrain from doing such thing within such time as he may specify in this behalf.

(4) Where the Syndicate fails to carry out the advice of the Chancellor given subsection (3) within the specified time, the Chancellor may, after considering the explanation or representation if any made by the Syndicate, issue such, directions as he deems fit, and it shall be the duty of the Vice-Chancellor to ensure due compliance of such directions.

11. Pro-Chancellor.—

(1) The Minister for Education shall be the Pro-Chancellor of the University:

Provided that when there are more than one Education Minister the Minister for Higher and Technical Education shall become the Pro-Chancellor.

(2) When the Chancellor is absent or is otherwise unable' to act as such the Pro-Chancellor shall exercise the powers and perform the functions' of the Chancellor.

CHAPTER – IV AUTHORITIES OF THE UNIVERSITY

12. Authorities.—

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

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

13 Senate.—

(1) The Senate shall consist of:-

- (i) The Chancellor;
- (ii) The Pro-Chancellor;
- (iii) All Officers;
- (iv) All Members of the Syndicate;
- (v) All Professors of the University including Emeritus Professors;
- (vi) Four University teachers other than Professors, having at least three years' service to be elected by all University teachers;
- (vii) All Principals of affiliated colleges;
- (viii) Two representatives of students unions, namely, the President of the students' unions of the University and one of the Presidents of the students' unions of the Affiliated Colleges to be elected by such Presidents;

- (ix) The Chairman of the Board of Intermediate and Secondary Education, Hyderabad;'
 - (x) One registered graduate to be elected by all such graduates from amongst themselves; and
 - (xi) Two persons from amongst the eminent engineers and experts in engineering and technology to be nominated by the Chancellor;
- (2) The Chancellor or in his absence, the Pro-Chancellor, or in the absence of both, the Vice-Chancellor shall be the Chairman of the Senate.
- (3) Members of the Senate, other than ex-officio members, shall hold office for three years and if the office of any such member becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with subsection (1) and the member appointed to such vacancy shall hold office for the unexpired portion of the term.
- (4) The Senate shall at least meet twice a year on the dates to be fixed by the Vice-Chancellor with the consent of the Chancellor.
- (5) The quorum for a meeting of the Senate shall be one-third of the total number of members a fraction being counted as one.

14. Powers and duties of the Senate.—

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

- (a) to consider and pass Statutes;
- (b) to consider and approve the annual report, the annual statement of accounts and the annual and revised budget estimates;
- (c) to appoint members to the Authorities in accordance with the provisions of this Act;
- (d) to delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee; and
- (e) to perform such other functions as may be prescribed by statutes;

15. The Syndicate.—

(1) The Syndicate shall consist of—

- (i) The Vice-Chancellor, who shall be its Chairman;
- (ii) The Pro-Vice-Chancellor;
- (iii) One member of the Provincial Assembly, if any, to be nominated by the Speaker of the Assembly;

- (iv) Two members of the Senate, to be selected by the Senate;
- (v) The Chief Justice of the High Court of Sindh or a Judge of the High Court nominated by him;
- (vi) Secretary to the Government of Sindh, Education Department;
- (vii) One nominee of the University Grants Commission;
- (viii) One Dean to be nominated by the Chancellor on the recommendation of the Vice-Chancellor;
- (a) One Professor to be elected by the Professors of the University from amongst themselves;
- (b) One Associate Professor to be elected by the Associate Professors of the University from amongst themselves;
- (c) One Assistant Professor to be elected by Assistant Professors of the University from amongst themselves;
- (d) One lecturer with minimum service of two years to be elected by lecturers of the University from amongst themselves;
- (f) To enter into contracts on behalf of the University;
- (g) To provide buildings and other premises, libraries, furniture apparatus, equipments and such other things required for the University;
- (h) To establish and maintain halls of residence or hostels for students and approve any place as hostel or lodging of students;
- (i) To affiliate and disaffiliate college;
- (j) To admit colleges to the privileges of the University and withdraw such privileges;
- (k) To cause inspections to be made of college and the Teaching Departments;
- (l) To create posts in connection with teaching, research, extension, administration, training and for any other purpose related thereto;
- (m) To appoint, on the recommendation of the Selection Board University Teachers and employees to posts in BPS-17 and above;
- (n) To appoint Emeritus Professor on such terms and conditions as may be prescribed;

- (o) To suspend, punish and remove from service, Officer (other than the Vice-Chancellor), teachers, and other employees in the prescribed manner; .
- (p) To appoint members to the Authorities in accordance with the provisions of this Act;
- (q) To confer, subject to the approval of the Chancellor, Honorary Degrees in accordance with the conditions as may be prescribed;
- (r) To propose drafts of Statutes for submission to the Senate;
- (s) To consider and approve the Regulations proposed by the Academic Council or frame Regulations after calling for the advice of the Academic Council;
- (t) To cause to be prepared annual report as regards the affairs of the University for submission to and approval of the Senate;
- (u) To furnish report on any matter called for by the Senate;
- (x) Three persons of eminence to be nominated by the Chancellor;
- (xi) One Principal of an affiliated college, if any, and one Principal of constituent college, if any, to be nominated by the Chancellor;
- (xii) The President of the Union; and 1
- (xiii) One Alim and, one woman not serving in nay educational institution to be nominated by the Chancellor.

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

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

16. Power and duties of the Syndicate.-

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

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Syndicate shall have the powers-

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

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

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

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

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

(f) To deal with the matters concerning the University not provided for, in this Act in any manner it may deem fit; and

(g) To delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee,

17. Academic Council.—

(1) The Academic Council shall consist of—

(i) The Vice-Chancellor (Chairman);

(ii) The Pro-Vice-Chancellor;

(iii) The Deans; .

(iv) The Professors of the University including Emeritus Professors;

(v) The Chairmen of the Teaching Departments;

(vi) All Principals of affiliated colleges;

(vii) Two persons from amongst the eminent engineers and experts engineering and technology to be nominated by the Chancellor;

(viii) The Secretary to Government of Sindh, Education Department;

(ix) The Registrar;

(x) The Librarian; and

(xi) The Controller of Examinations.

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

(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.

18. Powers and duties of the Academic Council.–

(1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act the statutes and the Regulations, have the powers to lay down proper standards of instructions, research, and examinations and to regulate and promote the academic life of the University and the colleges.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act the Statutes and the Regulations, the Academic Council shall have the powers–

(a) To advise the Syndicate on academic matters;

(b) To regulate the teaching research and examinations;

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

(d) To regulate the award of studentships, scholarships, medals and prize;

(e) To regulate the conduct and discipline of the student of the University;

(f) To propose to the Syndicate schemes for the constitution and organization of Faculties, Teaching Department and Boards of Studies;

(g) To initiate Regulation for consideration and approval of the Syndicate;

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

(i) To recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;

(j) To appoint members to the Authorities in accordance with the provisions of this Act; and

(k) To perform such other functions as may be prescribed by Statutes.

19. Constitution functions and power of other Authorities.–

(1) The constitution, functions and powers of the Authorities for which no specific provisions has been de shall be such as may be prescribed by Statutes.

20. Appointment of Committee by certain Authorities.–

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

21. Commencement of term of office of members of Authorities.–

(1) Where a member has been elected, appointed or nominated, to any, Authority or body for any fixed term under this Act such terms shall, unless the date of its commencement has been prescribed be reckoned from the date of the election appointment or nomination, as the case may be.

(2) Where a member who has been nominated or elected to any Authority or body fails to attend three meetings of the Authority or body consecutively, he shall cease to be the member.

(3) Where a membf has accepted any assignment or for any such other reason remains absent the University for a period not less than six months he shall be deemed a resigned and vacated his seat.

22. Dispute about membership of Authorities.–

(1) When a dispute arises if any person is eligible to become or continue as member of any Authority, it shall be referred to a committee consisting of the Vice-Chancellor the most Senior Dean and the Chief Justice of the High Court of Sindh. or a Judge of the High Court nominated by him, and the decision of such committee shall be final.

23. Voids in the Constitution of Authorities.–

(1) Where the office of a member of an Authority or body has become vacant owing to the abolition of any office under Government or dissolution of an organisation, institution or other body competent to elect, appoint or nominate such member or such organization, institution or body has ceased to function, or for some other reason, it has become difficult to fill the vacancy,
such vacancy shall be filled in such manner and subject to such conditions as the Chancellor may direct.

24. Validity of proceedings of Authorities.–

(1) No act or proceeding of any Authority or body of the University shall be in merely by reason of vacancy in such Authority or body or defect in its constitution.

25. Annulment of proceedings of Authorities.–

(1) Where 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 why such proceedings should not be annulled, by order in writing annul such proceedings.

(2) Where a member of any Authority has been convicted of an offence involving moral turpitude, or has become of unsound mind or has otherwise been incapacitated from performing his functions as member of such Authority such person, shall be removed from membership of the Authority by the Chancellor.

CHAPTER – V OFFICERS OF THE UNIVERSITY

26. Officers of the University.–

(1) The following shall be the Officers of the University—

(i) The Vice-Chancellor,

(iii) The Deans;

(iv) The Chairmen of the Teaching Departments

(vi) The Director of Finance;

(vii) The Controller of Examinations

(viii) The Resident Auditor;

(ix) The Librarian; and

(x) Such other persons prescribed by the Regulations.

27. Vice-Chancellor.–

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

(2) When the office of the Vice-Chancellor is vacant, or he is absent or is unable to perform the functions of his office due to illness or some other cause the Chancellor shall make such arrangements as he may deem fit.

(3) The Vice-Chancellor shall be the principal executive and academic officer of the University.

28. Powers and duties of the Vice-Chancellor.–

(1) The Vice-Chancellor shall have powers

- (ii) To preside in the absence of both the Chancellor and Pro-Chancellor, at a Convocation of the University and the meetings of the Senate;
- (iii) To attend and preside at the meetings of the Authorities or other bodies of the University of which he may or may not be the Chairman;
- (iv) To take such action, in an emergency which he considers necessary and report, as soon thereafter as possible, the action so taken to the Officer, Authority or other body which in the ordinary course, would have taken that action;
- (vii) To sanction expenditure within the approved budget and if necessary re-appropriate funds within the same major head of expenditure;
- (viii) To sanction by re-appropriation, an amount not exceeding five thousand rupees, for an unforeseen expenditure not provided for in the budget and report it to the Syndicate at its next meeting;
- (ix) To appoint paper setters and examiners for all examinations of the University, after considering panels of names received from the relevant Authority;
- (x) To make arrangements for the scrutiny of papers; compilation of marks sheets and preparation of examination results;
- (xi) To assign to teachers, officers and other employees of the University such duties of teaching research, examination, administration or other activities of the University as he deems fit;
- (xii) To delegate, subject to such conditions, as may be prescribed, any of his powers under this Act to any Officer or employee of the University; and
- (xiii) To exercise such powers and perform such functions as may be prescribed.

29. Pro-Vice-ChancellorB–

- (1) The Chancellor may in consultation with the Vice-Chancellor appoint a Pro-Vice-Chancellor for the main campuses and for additional campuses, if any or for both campuses, jointly or separately on such terms and conditions and for such period, not exceeding four years at a time as the Chancellor may determine;
- (2) Where a Pro-Vice-Chancellor is appointed under subsection (1), he shall, notwithstanding anything contained in this Act exercise such powers and perform such functions, of the Vice-Chancellor or such other powers and functions, in respect of the campus for which he is appointed as the Chancellor may delegate to him.

30. Registrar.–

(1) The Registrar, shall be a whole-time Officer of the University, and shall be appointed by the Syndicate; provided that the first Registrar immediately after coming into force of this Act shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor.

(2) The Registrar, shall be appointed on such terms and conditions as may be determined by the Chancellor and, shall hold office for three years and, shall be eligible for re-appointment.

(3) The Registrar shall—

(a) Be the custodian of the common seal and the academic records of the University;

(b) Maintain a register of registered graduates in the prescribed manners;

(c) Conduct elections of members to the Authorities in the prescribed manner; and

(d) Perform such other duties as may be prescribed.

31. Director of Finance.—

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

(2) The Director of Finance shall—

(a) Manage the property, finances and investments of the University;

(b) Prepare the annual and revised budget estimates of the University and place such estimates before the Finance and Planning Committee, the Syndicate and the Senate;

(c) Ensure that the Funds of the University are expended for the purposes they are provided; and

(d) Perform such other duties as may be prescribed.

32. Controller of Examinations.—

(1) The Controller of Examinations, shall be a whole-time Officer of the University and shall be appointed by the Syndicate on such terms and conditions as it may determine; provided that the first Controller of Examinations immediately, after the coming into force of this Act shall be appointed by the Chancellor on the recommendations of the Vice-Chancellor.

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

33. Resident Auditor.—

(1) The Resident Auditor, shall be a wholetime Officer of the University and shall be appointed by the Provincial Audit Department on such terms and conditions as it may determine.

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

34. Other Officers.—

(1) The terms and conditions of service and powers and duties of the Officers not provided for herein before shall be such as may be prescribed.

CHAPTER—VI OFFICERS, TEACHERS AND EMPLOYEES OF THE UNIVERSITY

35. Power to require officers, teachers or employees to service under any Government or Organization.—

(1) Notwithstanding anything contained herein before—

(a) Any officer, teacher or other employee of the University shall, as the Chancellor may in the public interest direct, serve in any post under Government or any other University or any Education or Research Institution: Provided that in the case of a teacher the Syndicate shall be consulted before issuing the direction;

(b) The Chancellor may, in the public interest, direct any post in the University to be filled by appointing an employee of Government or any other University or an Educational or Research institution: Provided that in the case .of a teacher the Selection. Board shall be consulted before filling in the post.

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

36. Opportunity to show cause.—

(1) 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 such action:

Provided that nothing in this section shall apply to a case where any such Officer, teacher or other employee is convicted of an offence involving moral turpitude or where in the opinion of the competent authority it is not reasonably practicable to give him such an opportunity of showing cause.

37. Appeals to and review by the Syndicate.—

(1) Where any Officer (other than the Vice-Chancellor), teacher or other employee of the University has been punished or any of the terms and conditions of his service has been. varied

to his disadvantage by an order passed by the Vice-Chancellor or any other competent authority, the appeal against such order shall lie to the Syndicate provided that where the order has been made by the Syndicate, the aggrieved person may instead of filing appeal apply to the Syndicate for review of that order.

(2) The appeal or application for review under subsection (1) shall be routed through the Vice-Chancellor who shall place it before the Syndicate alongwith his views and such appeal – or application shall be disposed by the Syndicate as it deems fit.

38. Age of Superannuation. –

(1) An Officer, teacher or other employee of the University 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 the competent authority may direct; or

(ii) Where no direction is given under clause (i) on the completion of sixty years of age.

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

39. Pension Insurance Gratuity Provident Fund and Benevolent Fund.—

(1) The University may, in such manner and subject to such condition as may be prescribed institute pension, insurance, gratuity provident fund and benevolent fund for the benefit of its officers, teachers and other employees:

Provided that if any provident fund is instituted under this section, the provisions of the Provident Funds Act. 1925 (Act XIX of 1925) shall apply to such fund as it were the Government provident fund.

CHAPTER—VII UNIVERSITY FUND

40 University Fund.—

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

41. Audit and Accounts.—

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

(2) The accounts of the University shall, in the prescribed manner, be audited once a year by the auditor appointed by Government in this behalf.

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

(4) The accounts of the University together with audit objections if any, and the observations of the auditor appointed by Government and the Director of Finance shall in the prescribed manner; be presented to the Syndicate.

42. Affiliation.–

(1) A college seeking affiliation to the University shall make an application satisfying the University that–

(a) The college is under the management of Government or. a regularly constituted governing body;

(b) The financial resources of the college are sufficient to ensure its continued maintenance and efficient working;

(c) The strength, qualification and the terms and conditions of service of the teaching and other staff of the college are satisfactory for the purpose of teaching of prescribed courses of studies and training in the college;

(d) The college has proper rules governing the conduct and discipline of its employees; ,

(e) The building of the college is suitable and commodious for its requirements;

(f) The college has, or can make a provisions, in the prescribed manner, for the residence of students not residing with their parents or guardians and their supervision and physical and general welfare; `

(g) The college has provision for a library and adequate library services;

(h) The college has a properly equipped laboratory, museum and other places of practical work required for courses of studies taught in the college;

(i) The college has, or can make provision for the residence of its Principal and other members of the teaching staff in the college building or near such building or the residence of students; and

(j) The affiliation of the college will not be injurious to the provisions made by another college or educational institution in the neighbourhood for the interest of education or discipline of its students.

(2) The application shall further contain an under-taking by the college that after the affiliation any changes, in the management or the teaching staff, shall forthwith be reported to the University and that the teaching staff shall possess such qualifications as may be prescribed.

(3) The Syndicate shall after considering the recommendation of the Affiliation Committee, dispose the application for affiliation in accordance with such procedure as may be prescribed and may grant' or refuse affiliation: Provided that the affiliation.

shall not be refused, unless the college has been given an 'opportunity of making a representation against the proposed decision.

CHAPTER—VIII AFFILIATION OF COLLEGES TO THE UNIVERSITY

43. Addition of Courses.—

(1) Where an affiliated college desires to add to the courses of studies in respect of which it has been granted affiliation, the application for permission of the University for such addition shall as far as may be made and disposed in the same manner as if it were an application for affiliation.

44. Reports from affiliated educational institution.—

(1) Every affiliated college shall furnish such reports, returns and other information as the University may require to enable it to judge the efficiency of the college.

(2) The University may call upon any affiliated college to take such action in respect of any matters mentioned in subsection

(1) of section 42 and within such period as it may deem fit.

45. Withdrawal of affiliation.—

(1) Where any affiliated college has failed to fulfil any requirement of this Act or has failed to observe any of the conditions of the affiliation or its affairs are conducted in a manner prejudicial to the interest of education, the Syndicate may, in the prescribed manner on the recommendation of the Affiliation Committee, and after considering the representation as the college may wish to make, modify or withdraw all or any of the privileges conferred on the college by the affiliation.

46. Appeal against refusal or withdrawal of Affiliation.—

(1) Where any college, has been refused affiliation under section 42 or all or any of the privileges conferred on any college by the affiliation have been modified or withdrawn under section 45, an appeal shall lie within the prescribed period to the Senate against such refusal or, as the case may be, modification or withdrawal, and be disposed in such manner may be prescribed:

Provided that no order in appeal shall be passed unless the appellant has been given an opportunity of being heard.

CHAPTER—IX STATUTES, REGULATIONS AND RULES

47. Statutes.—

(1) Statutes may be made to provide for and regulate all or any of the following matters:—

(a) The scales of pay and other terms and conditions of service of Officers, teachers and other employees of the University and institution of the pension insurance gratuity, provident fund and benevolent fund for such officer, teachers and employees;

(b) The conduct and discipline of the employees of the University including Officers and teachers;

(c) The constitution, powers and duties of the Authorities and conduct of elections to such Authorities and matter related thereto;

(d) The maintenance of the register of registered graduate;

(e) The affiliation and disaffiliation of college and matters related thereto;

(f) The admission of educational institutions to the privileges of the University and the withdrawal of such privileges;

(g) The establishment of Faculties, institutes, colleges and academic divisions;

(h) The powers and duties of Officers, teachers and other employees of the University;

(i) The condition for appointment of Emeritus Professors;

(j) The condition on which the University may enter into arrangements with public bodies or other organizations for purposes of research and advisory services;

(k) The general scheme of studies including the duration of courses and the number of subjects and papers for examinations;

(l) The award of honorary degrees; and

(m) The other matters which ought or, are required to be prescribed by statutes.

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

Provided that the Statutes affecting the constitution or powers of any Authority shall not be proposed until such Authority has been given an opportunity of expressing its opinion in writing on the proposal:

48. Regulation.–

(1) Subject to the Statutes, the Regulations may be made in respect of all or any of the following matters:–

(a) The courses of studies for degrees, diplomas and certificates of the University;

(b) The manner and method of teaching conducted in the University and colleges:

(c) The admission of studies to the University and conditions under which they are allowed to take courses and the examinations of the University and become eligible for the award of degrees, diplomas and certificates;

(d) The conduct of examinations;

(e) The fees and other charges to be paid by students for admission to the courses of studies and the examinations of the University;

(f) The conduct and discipline of students of the University;

(g) The residence of the students of the University or the colleges, and fees for residence in halls of residence and hostels and approval of hostels and lodgings for students;

(h) Conditions for carrying out independent research for acquiring a degree;

(i) The institution of fellowships, scholarship; medals and prizes

(j) The institution of stipends and free and half free studentships;

(k) The academic costume;

(l) The use of the Library;

(m) The formation of Teaching Departments and Boards of Studies; and

(n) The other matters which under this Act or Statutes, are to be or may be prescribed by Regulations.

(2) The Academic Council shall prepare and submit the Regulations to the Syndicate, which may approve them with or without modification or refer them back to the academic council for reconsideration or reject them.

49. Rules.–

(1) Any Authority or body of the University may make Rules consistent with this Act, Statutes and Regulations, to regulate the conduct of the business and the time and place of its meetings and other matters related thereto.

(2) The Syndicate may direct for amendment or repeal of any rules made by any Authority or body other than the Senate;

Provided that if any such Authority or body is dissatisfied with such direction given by the Syndicate, it may appeal to the Senate whose decision shall be final.

CHAPTER—X GENERAL PROVISION

50. Bar of Jurisdiction.—

(1) No Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done purported to have been done or intended to be done under this Act,

51. Indemnity.—

(1) No suit or legal proceedings shall lie against Government or the University or any person, in respect of anything which is done or purported to have been done or intended to be, or has been, done under this Act.

52. Repeal of difficulties.—

(1) Where any difficulty arises within twelve months of the coming into force of this Act, as to implementation of any of the provisions of this Act, the Chancellor may, on the recommendation of the Vice-Chancellor, give appropriate directions for removal of such difficulty.

53. Repeal.—

(1) The Quaid-e-Awam University of Engineering Science and Technology, Nawabshah Ordinance. 1996 is hereby repealed.