

Chapter - 6
OTHER STATUTES AND ENACTMENTS

This chapter contains regulation on the -

East Pakistan Intermediate and Secondary Education Ordinance, 1961.
The Karachi University Ordinance, 1962

INTERMEDIATE AND SECONDARY EDUCATION ORDINANCE, 1961

East Pakistan Ordinance No. XXXIII of 1961

[21st September 1961]

An Ordinance to re-organize Intermediate and Secondary Education in East Pakistan.

WHEREAS it has become necessary and expedient to re-organize Intermediate and Secondary Education in East Pakistan in the manner hereinafter appearing;

Now, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958,

and having received the -previous instructions from the president, the Governor, in exercise of all powers enabling him in that behalf, is pleased to make and promulgate the following Ordinance, namely:-

CHAPTER - I Preliminary

1. (1) This Ordinance may be called the East Pakistan Intermediate and Secondary Education Ordinance, 1961.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

2. In this Ordinance, unless there is in the subject or context-

(a) "Board" means the Board of Intermediate and Secondary Education, Dacca, established under sub-section (1) of section 3 and shall include a board established under subsection (1) of section 3A;

(b) "College" means an institution recognized for Intermediate standard and includes a college. Having Intermediate and Degree classes and, affiliated to the University of Dacca or Rajshahi for Degree classes and recognized by the Board in respect of the Intermediate sections;

(c) "Controlling Authority" means the Controlling Authority of the Board;

(d) "Chairman" means the chairman of the board;

(e) "Regulations" means regulations made by the Board under this Ordinance;

(f) "notification" means a notification published in the *Official Gazette*;

(g) "Intermediate Education" means education pertaining to classes XI and XII and includes -

(i) Arts;

(ii) Science;

(iii) Technology;

(iv) Commerce;

(v) Islamic Studies.

(vi) Humanities;

(vii) Home Economics;

(viii) Agriculture;

(ix) Industry;

(x) Military Science;

(xi) Nursing; and

(xii) Such other type of vocational and special education as may be determined by the board, subject to the approval of the Controlling Authority;

Provided that the Controlling Authority may, by notification, declare any of the types of education referred to above not to be intermediate Education for the purpose of the Ordinance;

(h) "Secondary Education" means education pertaining to classes IX and X and includes-

(i) general education;

(ii) education in Science subjects;

(iii) technical education;

(iv) industrial education;

(v) agricultural education;

- (vi) commercial education;
- (vii) health education;
- (viii) education in home economics;
- (ix) education for the physically handicapped;
- (x) education for the mentally retarded and defectives;
- (xi) such other types of vocational and special education as may be determined by the Board subject to the approval of the Controlling Authority:

Provided that the controlling Authority may, by notification declare any of the types of education referred to in sub-clauses (iv) to (x) not to be secondary Education for the purposes of this Ordinance;

(i) "Intermediate College" means an institution with classes XI and XII and includes intermediate sections of Degree College which at the time of promulgation of the Ordinance were affiliated to the Dacca and Rajshahi Universities or maintained as separate entities as colleges within the jurisdiction of Dacca and Rajshahi Universities and recognized by the Board in respect of Intermediate sections;

(j) "Secondary School" means an institution comprising classes IX and X in which Secondary Education is imparted;

(k) "Principal" means the head of the teaching staff of ' an intermediate or Degree College by whatever style he may be designated; and

(l) "Headmaster" when used with reference to a Secondary School means the head of the teaching staff; by whatever style he may be designated.

CHAPTER-II

The Board

3. (1) Under this Ordinance, a Board shall be established for the organization, regulation, supervision, control and development of Intermediate and Secondary education in accordance with the provisions of the Ordinance.

(2) The Board shall, by the name of the Board of intermediate and Secondary Education, 1[Dacca], be a body corporate with Perpetual succession and a common sell and shall have, subject to regulations, power to acquire and hold movable and immovable property, to transfer such property when held by it, to contract, and to do all other things necessary for carrying out the purposes of this Ordinance, and shall by the said name sue and be sued.

(3) The powers of regulation, supervision, control and development of Intermediate and Secondary Education shall vest in the '[Board of Intermediate and Secondary Education, Dacca]: Provided that the Universities of Dacca and Rajshahi shall have authority to conduct Intermediate Examinations to be held in 1961 and 1962 and to frame courses of studies thereof;

(4) The entire funds, all properties, movable and immovable, all assets and liabilities and all records of the 2[Dacca] Secondary Education Board established at Dacca by the East Bengal Secondary Education Act, 1955, shall stand vested in the Board of intermediate and Secondary Education 2[Dacca].

3[3A. (1) Notwithstanding anything contained in section 3, the Provincial Government, if it thinks fit may establish, by notification in the *official Gazette*, one or more other Board or Boards in respect of such area or areas as may be specified in the notification, for the organization, regulation, supervision, control and development of intermediate and Secondary education in such specified area or areas in accordance with the provisions of this Ordinance.

(2) A Board established under sub-section (1) may be called by such name as the Provincial Government may assign to it and shall be a body corporate with perpetual succession and a common sea, and shall have, subject to regulations, power to acquire and hold movable and immovable property, to transfer such property when held by it, to contract and to do other things necessary for the purposes of this Ordinance, and may, by the said name, sue or be sued.

(3) On the establishment of a separate Board, under sub-section (1), the Board of Intermediate and Secondary Education, Dacca, shall cease to have jurisdiction over any educational institution lying within the area specified in No. XXXIII of 1961.

The notification under sub-section (1); and the powers of regulation, supervision, control and development of intermediate and secondary education in such area shall vest in such separate Board.

(4) Such funds, properties-movable and immovable, assets and liabilities and records of the Board of Intermediate and Secondary Education, Dacca, as the Provincial Government may, by notification in the *Official Gazette*, specify, shall vest in the Board established under subsection (1)].

4. The Board shall be constituted as follows -

(i) Chairman to be appointed by the Controlling Authority;

(ii) the Vice-Chancellor, Dacca University, or a University Professor to be nominated by him;

(iii) the Vice-Chancellor Rajshahi University, or a University Professor to be nominated by him;

(iv) the Director of Public Instruction, East Pakistan, or an officer, not below the rank of an Assistant Director of Public Instruction, to be nominated by him;

(v) the Director of Technical Education, East Pakistan, or an officer, not below the rank of an Assistant Director of Technical Education, to be nominated by him;]

(vi) one person to be nominated by the Controlling Authority from among the Principals of the Intermediate Colleges for boys and girls;

(vii) one person to be nominated by the Controlling Authority from among the Headmasters of Secondary Schools for boys;

(viii) one person to be nominated by the Controlling Authority from among the Headmistresses of Secondary Schools for girls;

(ix) one Principal of a Degree College nominated by the Controlling Authority;

(x-xi) two persons devoted to the cause of education to be appointed by the Controlling Authority;

(xii) one Inspecting-Officer to be nominated by the Provincial Government.

5. The name of every person nominated or appointed as. A member of the Board shall be published by notification as soon as possible, after his nomination or appointment, as the case may be.

6. (1) Subject to the provisions of this Ordinance, a nominated or appointed member of the Board, other than the Chairman shall hold office for a term of three years from the date on which his name is published by notification under section 5, and may, on the expiration of such term, be eligible for re-nomination or reappointment.

(2) The Principal, Headmaster or Headmistress nominated by the Controlling Authority under clause (vi) or clause (vii) or clause (viii) or clause (ix) of section 4, or a University Professor, if nominated by the Vice-Chancellor of the University concerned under clause (ii) or clause (iii) of section 4, shall cease to be a member as soon as he ceases to be Principal, Headmaster, Headmistress or University Professor as the case may be.

(3) Any member of the Board may resign his membership by a letter addressed to the Chairman

Provided that the resignation shall not take effect until the Controlling Authority accepts it.

7. (1) A person shall not be eligible for nomination or appointment as a member of the Board, if he -

a) has been adjudged by a competent court to be of unsound mind;

b) is an undischarged insolvent;

c) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part; or

d) has been convicted by a court of an offence involving moral turpitude, unless an offence of which he was convicted has been pardoned or unless five years have elapsed since the date of his conviction.

(2) The nomination or appointment of a person who is, on the date of his nomination or appointment subject to any of the disqualification specified in sub-section (1) shall be invalid.

(3) If a nominated or appointed member of the Board becomes after his nomination or appointment, subject to any of the disqualifications specified in sub-section (1), his membership shall thereupon cease.

8. (1) When the office of a nominated or appointed member of the Board becomes vacant by resignation, death or otherwise, a new member shall be nominated or appointed in his place in the manner provided in the appropriate clause of section 4 and such nominated or appointed member shall hold office so long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred.

(2) Notwithstanding the expiration of the term of three years specified in sub-section (1) of section 6, a nominated or appointed member of the Board, other than the Chairman shall continue to hold office until the vacancy caused by the expiration of the said term has been filled in accordance with the pro-visions of this Ordinance.

9. The following shall be the officers of the Board -

(1) the Controlling Authority;

(2) the Chairman;

(3) the Secretary;

(4) the Controller of Examinations; and

(5) such other officers as may be appointed by the Board.

10. (1) The Governor of East Pakistan shall be the controlling Authority of the Board. The status of the controlling Authority in relation to the board shall be similar to that of the chancellor in relation to the University.

(2) The controlling Authority shall appoint the chairman of the Board.

(3) The Controlling Authority shall have power to cause an inspection to be made by such person or persons as he may direct, or the offices, activities and funds and examinations conducted by the Board and cause an enquiry to be made in like manner in respect of any matter concerning the Board. He will communicate to the Board the result of such inspection or enquiry and may advise the Board as to the action to be taken within a specified time. The Board shall report to the controlling Authority the action it proposes to take or has taken on such communication; where the Board does not within a reasonable time take action to the satisfaction of the Controlling Authority, the controlling Authority may, after considering any explanation given by the board, issue directions as he thinks fit, and the Chairman shall comply with such directions.

(4) Without prejudice to the foregoing provisions of this section, the Controlling Authority may, by order in writing, annul any proceeding of the Board or any of the Committees if the controlling Authority is satisfied that such proceeding is not in conformity with this Ordinance

Provided that before making any such order the Controlling, Authority shall, through the Chairman, call upon the Board or Committee concerned to show cause why such an order should not be made.

11. (1) The Chairman shall be a whole time officer of the Board and shall be appointed by the by the Controlling Authority on such terms and conditions as the Controlling Authority may determine.

(2) The Chairman shall hold office for a term of three years from the date of notification of his appointment and on expiry of the term of his shall be eligible for reappointment.

(3) When the office of the Chairman falls vacant temporarily or otherwise, by reason of leave, illness or other cause for, a period not exceeding one year, the Controlling, Authority shall, not with standing anything contained in sub-sections (1) and (2), make such arrangements for carrying on the duties of the office of the Chairman as he may think fit.

(4) The Chairman shall be the Principal Executive and Academic Officer of the Board and shall, when present, preside at the meeting of-

- (i) the Board;
- (ii) the Academic Committee;
- (iii) the Selection Committee;
- (iv) the Finance Committee; and
- (v) such other Committees of the Board at which he is present.

(5) It shall be the duty of the Chairman to ensure that the provisions of this Ordinance and the regulations are faithfully observed and carried out and he shall exercise all powers necessary for this purpose.

(6) In any emergency arising out of the administrative business of the Board and requiring, in the opinion of the Chairman, immediate action, the Chairman may take such action as he may deem necessary and shall report the action so taken to the Board at its next meeting for approval.

(7) The Chairman shall exercise such other power, as may be delegated by the Controlling Authority, or prescribed by regulations.

12. (1) Officers of the Board, other than the Chairman shall be appointed by the Board in the manner prescribed by regulations.

(2) All other employees of the Board shall be appointed by the Chairman in the manner prescribed by regulations.

13. The status terms and conditions of service including rules for disciplinary action, for grant of leave and for retirement of the officers and the staff of the Board shall be such as may be prescribed by regulations.

14. Temporary or casual vacancies in the posts of the officers other than the Chairman of the Board shall be filled up in the manner prescribed by regulations.

15. The Chairman, or in the absence of the Chairman one member elected from among those present at a meeting of the Board, shall preside at every meeting of the Board, and shall be entitled to vote on any matter and shall have and exercise a second or casting vote in every case of equality of votes.

16. (1) No member of the Board shall vote on any matter coming before the Board in respect of which (otherwise than in the general application thereof to all Intermediate Colleges and Secondary Schools) he, or any Intermediate College or Secondary School of which he is a teacher, has any interest.

(2) The Chairman or the presiding member, as the case may be, shall decide any question under sub-section (1) arising in a meeting and his decision shall be final.

17. The Board shall be its own executive.

18. (1) Subject to the provisions of this Ordinance, the Board shall have power to organize, regulate, super-visit, and control and develop Intermediate and Secondary Education within its jurisdiction.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the Board shall have the powers-

- (i) to prescribe courses of instruction for its examination;
- (ii) to grant recognition to or to withhold or withdraw recognition from Intermediate Colleges and Secondary Schools after considering inspection reports from the East Pakistan Education Directorate in the case of Secondary Schools and in the case of Intermediate Colleges after considering inspection reports from its own Inspection officer or officers deputed in that behalf by the Board;
- (iii) to prescribe conditions governing admission of students to and transfer of students from and to Intermediate Colleges and Secondary Schools;

- (iv) to prescribe the manner and mode of inspection of Intermediate Colleges and Secondary Schools;
 - (v) to cause inspection, if necessary, of any institution under its control by the officers or the Board or by any other person or persons it considers suitable;
 - (vi) to hold, conduct and regulate examination at the end of the Intermediate and Secondary stage or any other stage thereof;
 - (vii) to publish the results of examinations held by the Board;
 - (viii) to grant certificates to persons who have passed examinations held by the Board and to withdraw certificates from them ;
 - (ix) to arbitrate or arrange for arbitration in disputes between teachers and Governing Bodies or Managing Committees of Intermediate Colleges or Secondary Schools;
 - (x) to submit to the Controlling Authority its views on any matter with which it is concerned;
 - (xi) to determine the number, designation and pay and allowances of the officers and staff of the Board, and to appoint such experts and consultants as it may consider necessary for the purposes of carrying out the provisions of this Ordinance;
 - (xii) to regulate and decide all administrative matters including the creation and abolition of posts: Provided that the Chairman shall, have the power to create temporary posts for a period not exceeding six months
 - (xiii) to fix, demand and receive such fees as may be prescribed by regulations;
 - (xiv) to hold and manage endowments and to institute and award scholarships, medals and prizes ;
 - (xv) to enter into and carry out contracts in exercise of powers and performance of duties assigned to it by this Ordinance and the regulations;
 - (xvi) to make provisions for buildings, premises, furniture, apparatus, books and other means needed for carrying on its work; and
 - (xvii) to do such other acts and things as it may consider necessary for the purposes of organization, regulation, supervision, control and development of Intermediate and Secondary Education.
- (3) The Board may delegate any of its powers to the Chairman or any other officer of the Board or to a Committee or Sub-committee constituted under this Ordinance as it may deem fit and withdraw any such delegation: Provided that no power to make any regulation shall be delegated under this sub-section.

19. (1) The Board shall appoint the following Committees -

- (i) Finance Committee;
 - (ii) Selection Committee;
 - (iii) Regulation Committee;
 - (iv) Appeal and Arbitration Committee;
 - (v) Academic Committee;
 - (vi) Curricula Committee and Committee of Courses of Studies;
 - (vii) Science Education Committee;
 - (viii) Technical Education Committee;
 - (ix) Industrial Education Committee;
 - (x) Agricultural Education Committee;
 - (xi) Commercial Education Committee;
 - (xii) Physical Education Committee;
 - (xiii) Girls' Education Committee;
 - (xiv) Education in Home Economics Committee;
 - (xv) Examination Committee;
 - (xvi) Age Correction Committees;
 - (xvii) Recognition Committee or Committees; and
 - (xviii) such other Committee or Committees as the Board may consider necessary for the purposes of carrying out the provisions of this Ordinance.
- (2) The composition, powers and duties of the Committees under sub-section (1) shall be prescribed by regulations.

20. (1) The budget meeting of the Board shall be held on or before the 31st March every year. No business be transacted at any meeting of the Board unless a quorum of five members is present: Provided that no quorum shall be necessary for a meeting adjourned for want of quorum.

CHAPTER - III Finance

21. (1) The Secretary shall present to the budget meeting of the Board a report on the work of the Board during the last preceding financial year, together with a budget estimate showing in the form prescribed by regulations, the anticipated income and expenditure of the board during next succeeding financial year.

(2) The budget estimate shall, when confirmed by the Board and within such period as may, be prescribed by regulations, be forwarded to the Controlling Authority for approval. Thereupon the Controlling Authority will approve the budget estimate as submitted by the Board or he will make such modifications in it, as he considers necessary after consulting the Chairman.

22. (1) There shall be constituted 1[a fund for the board of Intermediate and Secondary Education, Dacca, constituted under subsection (1) of section 3 to be called the Intermediate and Secondary Education Fund of the Board of Intermediate and Secondary Education, Dacca] to which shall be credited -

(a) all moneys inherited under sub-section (4) of section 3 from the East Pakistan Secondary Education Board established under the East Bengal Secondary Education Act, 1955;

(b) all fees realized under any of the provisions of this Ordinance;

(c) all sums representing income from endowments or from property owned or managed by the Board for the purposes of this ordinance; and

(d) all other sums received by the Board from Government or any other source for any purpose provided for in this Ordinance.

[(1 a) There shall be constituted a separate fund for each Board constituted under subsection (1) section 3, to be called the Intermediate and Secondary Education Fund of that Board to which shall credited ;

(a) all fees realized by such Board under any of the provisions of this Ordinance;

(b) all sums representing income from endowments or from property owned or managed by such Board for the purpose of this Ordinance and

(c) all other sums received by such Board from Government or any other source for a purpose provided for in this Ordinance]

(2) The Intermediate and Secondary Education Fund 2[of a Board) shall vest in the Board, shall be held by it in trust for the purposes of this Ordinance and shall be administered by it.

(3) All moneys payable to the credit of the Intermediate and Secondary Education Fund shall forthwith be paid into a bank approved by the Board, or into Government treasuries.

23. (1) No expenditure shall be incurred from Intermediate' and Secondary, 'Education Fund except the purposes of this Ordinance and - unless such expenditure is provided for in a budget approved by the Control Authority- under section 21- -or is provided for reappropriation by the Board.

(2) Subject to the provisions of sub-section (1), the Intermediate and Secondary Education Fund shall- be applied to-

a) payment of the cost of audit;

b) payment of salaries and allowances to the Chairman and other officers and employees of the Board;

c) payment of all expenses connected with printing of papers, forms, documents, etc., required for carrying out the purposes of the Ordinance;

d) payment of allowances to members of the Board and committees hereunder;

- e) payment of remuneration to such persons as may be appointed by the Board in connection with the work of holding and conducting the Boards examinations and of publication of the results therefore;
- f) payment of contingent and capital expenditure; and
- g) payment of any other expenditure incurred by the board in accordance with and for the purpose of giving effect to, the provisions of this Ordinance.

24. The Board shall keep accounts of all its receipts and expenditure in the manner and form prescribed by regulations.

25. (1) The accounts of the board shall be submitted to the Provincial Government once every and examined and attituded by an auditor appointed by the Provincial Government.

(2) It shall be the duty of the Board, and of every member, officer and servant thereof, to afford to the auditor every facility for the examination and audit of the accounts of the Board, and to comply with a requisition made by the auditor.

26. (1) The auditor shall submit to the Provincial Government a report on the audit of accounts and send a copy of such report to the Board and thereupon the Board shall, within a period prescribed in this behalf by regulations, forward a copy of the report together with its observation thereon to the Provincial Government.

(2) Subject to provisions of section, 28, the Provincial Government shall take such action on the audit reports as it thinks fit.

27. The auditor shall -

- a) disallow any payment which is in contravention of any law for the time being in force, and charge it against the persons making or authorizing it;
- b) charge the amount of any deficiency or loss against the person by whose default or negligence such deficiency or loss resulted;
- c) charge any sum which could have been, but has not been brought into account against the person failing to account for it.
- d) in every case of disallowance and charge under this section, certify in writing the amount due from the person against whom the charge is made; and
- e) send a copy of such certificate to the Board and to the person concerned within 14 days from the date on which the report referred to in sub-section (1) of section 26 is submitted to the Board.

28. (1) Any person from whom an auditor has certified, any sum to be due under section 27 may, within one month from the receipt by him of a copy of the certificate, appeal against such order to the Controlling Authority.

(2) The Controlling Authority shall, on such appeal, make such order, as he thinks fit, after giving the person making the appeal an opportunity of being heard and the decision of the controlling Authority on such appeal shall be final.

29. (1) Every sum certified to be due under section 27 from any person shall, within one month from the receipt by such person of a copy of the certificate, and unless within that period he makes an appeal under section 28, be paid by him into the Intermediate and Secondary Education Fund.

(2) The Board may direct that any sum not paid in accordance with the provisions of sub-section (1) or, if an appeal has been made under section 28, such sum as the Controlling Authority may order to be due, shall be recovered-

- (a) in the case of a servant of the provincial Government or an officer or other employee of the Board, by deduction from his salary in accordance with such conditions as may be prescribed by regulations, or as a public demand; and
- (b) in any other case as a public demand.

(3) The '[Deputy Commissioner of Dacca or such other Officer as the Provincial Government may specify] shall, for the purpose of section 4 of the Bengal Public Demands Recovery Act,

1913, be deemed to be the person to whom such demand is payable and he shall pay to the Board any sum recovered by him in respect of any such demand.

CHAPTER - IV
Miscellaneous

30. (1) An employee of a recognized Intermediate College or Secondary School shall be bound by the following general conditions of service, namely -

- a) he shall not take part in, or subscribe in aid of, or assist in any way, any political movement, or any activities tending directly or indirectly to excite disaffection against the Government as by law established or to promote feelings of hatred or enmity between different classes of Pakistan citizens, or to disturb the public peace;
- b) he shall not canvass or interfere or use his influence or stand as a candidate in any election to a local body or a legislative body in Pakistan.

(2) Any person, who contravenes any of the conditions of service as stated in sub-section (1) shall be liable to disciplinary action including removal from his post by an order of the authority which appointed such person on proceeding initiated against him.

(3) Any person aggrieved by an order of the authority referred to in sub-section (2) may appeal to the Chairman who may pass such order on appeal as he thinks fit and such order shall be final.

31. Every member of the Board and of every Committee constituted under this Ordinance, and every person appointed for carrying out the purposes of this Ordinance shall be Deemed to be a public servant within the meaning of section 21 of the Pakistan penal Code.

32. No suit, prosecution, or other legal proceedings shall lie against any person for anything in good faith done or intended to be done under this Ordinance.

33. No act for proceedings taken under this Ordinance shall be invalid on the ground merely of -

- (a) the existence of any vacancy in, or defect in the constitution of, the Board or any Committee constituted under this Ordinance;
- (b) any member of the Board having voted on any matter in contravention of the provisions of section 16; or
- (c) any defect or irregularity not affecting the merits of the cases.

34. (1) The Board shall establish for the benefit of its officers and other employees either Pension and Provident Funds or Contributory Provident Fund only, as it may deem fit in such manner, and subject to such conditions, as may be prescribed by regulations. When a Provident Fund is established, the Provincial Government may, by notification, declare that the provisions of the Provident Funds Act, 1925 shall apply to such Funds.

(2) In case the Board establishes a Contributory Provident Fund under sub-section (1) all employees of the Board shall subscribe to that Fund a sum equal to 81 per cent of his salary every month. The Board shall contribute an equal amount in respect of each subscriber every month.

(3) The terms and conditions of deposit of subscriptions and contributions to the Fund and withdrawals and advances from it shall be such as may be prescribed by regulations.

35. A permanent employee of the Board shall retire in the afternoon of the day on which he completes the sixtieth year of his age.

36. (1) The Board shall provide for the members of the staff meeting with untimely death or disabled by accident or illness during service, a gratuity equivalent to one month's pay for each completed year of his service under the employment of the Board.

(2) The terms and conditions of gratuity under sub. Section (1) shall be such as may be prescribed by regulations,

37. No member; of the Board shall draw any fee or other remuneration in. any capacity whatever from the. Funds of the Board or enter into any contract with the Board directly or through any other person in connection with the affairs of the Board: Provided that the provisions of this section shall not debar the Chairman of the Board from receiving his emoluments in accordance with the terms and conditions of his appointment.

38. No person who has any financial interest in any book prescribed by the Board as a course of study for any examination conducted by the Board or has a financial interest as a partner or otherwise in any firm which publishes, procures or supplies any such book, shall be eligible to become a member of the Board or a Committee constituted under this ordinance and continue as such after having acquired any such interest.

39. (1) The Board shall have the power to make regulations for the purpose of carrying into effects the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the Board may make regulations providing for all or any of following matters, namely -

- (i) the powers and duties of the officers of the Board other than the Controlling Authority;
- (ii) the conduct of the meetings of the Board and of the Committees;
- (iii) the grant and withholding of certificates;
- (iv) the curricula and the courses of study to be formed and prescribed for such certificates;
- (v) for granting or withholding recognition to Intermediate Collages and Secondary Schools and for withdrawal of such recognition;
- (vi) the constitution, powers and duties of the Governing Bodies of non-government Intermediate Collage and Managing Committees of non- Government Secondary Schools;
- (vii) the terms and conditions of services of the teachers of non-Government Secondary Schools;
- (viii) the conditions under which candidates shall be admitted to the Examinations of the Board and shall be eligible for certificates;
- (ix) the manner and mode of inspection;
- (x) the fixing and receiving fees for admission to the examinations of the Board and for other purposes;
- (xi) the holding and conduct of all examinations of the Board;
- (xii) acquisition, possession and transfer of property by the Board, the conditions of such acquisition, possession and transfer or any other act referred to in sub-section(2) of section 3;
- (xiii) manner of appointment of the officers of the Board, other than the chairman by the board;
- (xiv) manner of appointment of employees of the board other than officers by the chairman;
- (xv) status, terms and conditions of service including rules for disciplinary action, for grant of leave and for retirement of the officers and staff of the board;
- (xvi) Manner of filling up temporary and casual vacancies in the posts of the officers of the Board under section 14.
- (xvii) form for showing anticipated income and expenditure of the Board and the period within which the budget estimate shall be forwarding accounts of receipts and expenditure of the board.
- (xviii) the farming of an accounts Manual or the prescription of the manner and form of keeping accounts of receipts and expenditure of the board;
- (xix) period within which the copy or the audit report together with the observation of the Board shall be forwarded to the Controlling Authority;
- (xx) manner and conditions of benefit from pension and provident fund or Contributory Provident Fund only;
- (xxi) terms and conditions of gratuity;
- (xxii) traveling allowance and daily allowance of the members for attending meeting of the Board and Committees;

(xxiii) reports, returns and statements to be furnished to the controlling Authority under section 10;

(xxiv) all other matter which are to be or may be prescribed by regulations.

(3) The regulations shall be submitted to the Controlling Authority for his approval; the Controlling Authority may, before approval, add to or vary such regulation or return it to the Board for reconsideration.

(4) If nothing is heard from the Controlling Authority within three months from the date of submission of the regulations to him, such regulations will be presumed to have been approved.

(5) Regulations made under this Ordinance shall ordinarily be published in the *Official Gazette*.

40. The regulations set out in the Schedule appended to this Ordinance, shall on the commencement of this Ordinance be the First Regulations of the Board and shall be deemed to have been framed by the Board under section 39.

41. The Committees appointed by the Board may, subject to the approval of the Board, make rules consistent with this Ordinance and the regulations-

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum ; and

(b) providing for all matters solely concerning such Committees and not provided for by this Ordinance and the regulations.

42. (1) From the date of commencement of this Ordinance and till such time as the nominated and appointed members other than the Chairman are not nominated or appointed, the Chairman and the *ex-officio* members shall exercise all the Powers and perform all the duties of the Board and its -Committees constituted under this Ordinance.

(2) On the nomination and appointment of all the members, the Board shall exercise all the powers and perform all duties of the Committees constituted under this Ordinance up to the time the Committees. Are constituted.

43. If any difficulty arises with respect to the establishment of the Board or in connection with the first meeting of the members of the Board or otherwise giving first effect to the provisions of this Ordinance, the Controlling Authority may at any time before the first meeting of the Board, make any order consistent with the provisions of this Ordinance, which appears to him to be necessary or expedient for the purpose of removing the difficulty.

44. [Repealed, by E. P. Ord. XIII of 1966].

45. No act done. Order passed or Proceedings taken by the Controlling Authority or the Board or by the Chairman or any other officer of the Board or by any Committee under this ordinance, shall be called in question in any court by a suit or otherwise.

THE SCHEDULE

The First Regulations of the Board

1. (1) the Chairman may forward any, resolution or order of the board, or any Committee constituted under this Ordinance to the controlling Authority with his recommendations thereon for such order as the Controlling Authority may deem fit and, pending the receipt of the order of the controlling Authority on such resolution or order, the chairman may withhold the execution of any such resolution or order.

(2) The Chairman shall be the chief academic and administrative officer of the Board and shall do all acts to ensure that the Office and staff of the Board properly perform the duties entrusted to them and in particular he shall-

(i) write confidential reports on the conduct, character and efficiency of the officers of the Board

(ii) recommend to the Board any disciplinary action that he considers necessary against the officers of the Board ; and

(iii) take such disciplinary action as he considers necessary against other employees of the Board subject to the right of appeal to the Board.

(3) The Chairman shall countersign traveling allowance bills of the officers of the Board (including his own) and members of the Committees constituted under this Ordinance.

(4) For the purpose of carrying out the provisions of this ordinance, the Chairman shall have the power to inspect, or to cause an inspection to be made by an officer of the board or such person or persons as he may consider suitable, into the affair of any institutions under the jurisdiction of the board and to cause an inquiry to be made in like manner, in respect of any matter concerning the Board or any institution recognized by, or seeking recognition of the board.

(5) the Chairman shall appoint Paper-setters, Mode raptors Translators, Head Examiners, Assistant Head Examiners, Scrutinizers and Tabulators in connection with the examinations of the Board after considering the recommendations of the Examination Committee.

(6) The Chairman May delegate in writing to the officers of the Board such of his powers as he considers necessary provided it is not inconsistent with the provisions of the Ordinance or the regulations made there under and may also withdraw in writing any, or all, of such delegations without assigning any reasons.

2. (1) The Secretary shall, subject to the control of the Chairman, be in charge of the academic and administrative sector of the Board's office and shall cause the orders and decisions of the Board and the Chairman to be carried out.

(i) He shall take all possible steps to ensure that the funds of the Board are spent on the purpose -for, which they are provided.

(ii) He shall cause to be prepared and submit to the Board for approval the annual statement of accounts and budget estimates.

(iii) He shall convene all meetings of the Board and its Committees under the direction of the Chairman. While preparing the agenda for a meeting of the Board or a Committee, he shall carry out the directions of the Chairman given in this respect and no item shall be placed on such an agenda or be considered in the meeting without previous permission of the Chairman.

(iv) He shall conduct the official correspondence of the Board under the authority of the Chairman except the correspondence relating to the conduct of examinations and shall record the minutes and maintain the records of the proceedings of the Board and its Committees.

(v) All fees and dues payable to the Board, and all sums received by the secretary, shall be credited without delay to the account of the Board in a Bank or Treasury approved by the Board.

(vi) He shall be the Disbursing officer for the employee of the Board. He shall be responsible for proper deduction and recoveries and see that such amounts are credited to the appropriate authorities or funds.

(vii) He shall be the Drawing officer jointly with the Chairman. The Secretary jointly with the chairman shall sign all chouse above Rs. 250 and all cheques of Rs. 250 and below shall be signed by the Secretary alone.

(viii) The- Secretary shall be the custodian of imports cash, of the Board and shall incur normal expenditure not exceeding- Rs. 250 for item at a time. For any unusual expenditure and any normal expenditure, exceeding Rs. 250 prior approval of the Chairman shall have to be obtained by him before it is incurred.

(ix) Subject to the conditions laid down in clause (viii), the Secretary shall draw and disburse all contingent and other bills.

(x) He shall be the Controlling Officer for the purpose of traveling allowance in respect of classes III and IV employees of the Board.

(xi) He shall perform such other duties as may be assigned to him by the Chairman.

(3) Notwithstanding anything to the contrary in this regulation, the Board may assign to any other officer or officers such duties of the Secretary as it may, from time to time, deem necessary.

3. (1) The Controller of Examinations shall, subject to the control of Chairman, be in-charged of the examination sector of the Board and make all necessary arrangements for the holding and conduct of examinations of the Board.

(2) In particular and without prejudice to the generality of the foregoing provision, the Controller of Examinations shall exercise and perform the following powers and duties -

(i) He shall receive and deal with the applications for admission to the examinations of the Board and carry of all correspondence connected with such examinations and issue necessary documents as admissible under the regulations;

(ii) He shall be responsible for getting the question papers set in time, translated, moderated and printed and their life custody and secrecy of the contents at all stages;

(iii) He shall be responsible for-

a) paper distribution of question papers and examination materials to all examination centers in time,

b) collection of all answer scripts, surplus examination materials and reports and other documents from all centers,

c) holding of the examiners' meetings, distribution of answer scripts to them and collection of the marked answer scripts together with mark sheets from all examiners,

d) distribution of the marked answer scripts to the Head Examiners, collection 'of marks from them and distribution of marks to the respective tabulators,

e) collection of tabulated results from the tabulators,

f) publication of results of the examinations in time, and

g) issue of certificates to the successful candidate in time;

(iv) He shall be responsible for ensuring and maintaining strict secrecy of all information regarding the examinations of the Board;

(v) It shall be the duty of the Controller of Examinations to make recommendations to the Chairman on-

(a) the selection of centers of examinations including opening of new and closing of old centers of examinations where necessary, and

(b) such other matters as he may deem necessary and as may be required of him by the Chairman

(vi) He shall perform such other duties as may be assigned to him by: the Chairman;

(vii) He shall bring to the notice of the Chairman all cases of infringement of rules of examination with full report for disposal;

(viii) The Controller of Examinations' shall attend all meetings in which matters relating to the examination of the Board are included in the agenda

4. (1) The Academic Committee shall consist of-

(i) the Chairman (ex-officio)

(ii) a University Professor to be nominated by the Vice-Chancellor, Dacca University;

(iii) a University Professor to be nominated by the Vice-Chancellor, Rajshahi University,

(iv) the Director of Public Instruction, East Pakistan or his nominee under clause (IV) of section 4;

(v) the President, East Pakistan School Test Book Board or an officer of the East Pakistan School Text Book Board to be nominated by him;

(vi) the Director, of Technical Education or his nominee under clause (V) of section 41;

(vii) one Inspector of Schools to be nominated by the Controlling Authority ;

(viii) one Inspectors of Schools to be nominated by the Controlling Authority ;

(ix) two persons to be nominated by the Controlling Authority from among the Principals of Degree Colleges maintained by the Provincial Government, one of them being a woman ;

(x) two persons to be nominated by the Chairman from among the Principals of Degree Colleges other than those maintained by the Provincial Government;

(xi) two persons to be nominated by the Controlling Authority from among the Principals of Intermediate Colleges maintained by the Provincial Government, one of them being a woman

- (xii) two persons to be nominated by the Chairman from among the Principals of Intermediate Colleges, other than those maintained by the Provincial Government;
 - (xiii) two persons to be nominated by the Controlling Authority from among the Headmasters\ Mistresses of Secondary Schools maintained by the, Provincial Government, one of them being a woman;
 - (xiv) four persons to be nominated by the Chairman from among the Headmasters\ mistresses of Secondary Schools other than those maintained by the Provincial Government; and
 - (xv) two specialist to be nominated by the Controlling Authority including specialist in training of teachers.
- (2) secretary of the Board shall be the Sectary of the Academic Committee.

5. The members of the Academic Committee other than ex-officio members shall hold office for two years.

6. The quorum for the Academic Committee is seven.

- 7.** (1) The Academic Committee shall have the power of general regulation and supervision of, and the responsibility for, maintenance of the standards of teaching and examination.
- 2) without prejudice to the generality of the foregoing provision and to such conditions as may be prescribed by rogations ,the Academic Committee shall exercise and performed the falling powers and duties-
- (a) to be responsible for the maintenance of standards of teaching and examinations ;
 - (b) to determine the subject or subjects which shall be assigned to each Curricula Committee and Committee of Courses;
 - (c) to advise the Chairman on the qualifications of the teachers and examiners; and
 - (d) to advise the Board on all academic matters including the general scheme of studies for an examination, the number of subjects to be included in an examination, the value of each subject in respect of marks to be assigned to it, conditions r to be fulfilled for passing an examination and for being placed in a particular division,

8. (1) There shall be a Curricula Committee and Committee of Courses for each subject or a group of allied subjects included in the courses studies organized by the Board, Each such Committee shall consist of the following -

- (i) the Chairman (ex-officio);
- (ii) two teachers of the subject at the intermediate stage nominated by the Academic Committee;
- (iii) two teacher of the subject at the Secondary stage nominated by the Academic Committee;
- (iv) two persons having experience of intermediate and Secondary education nominated by the Board;
- (v) one expert in the subject nominated by the Chairman; and
- (vi) the secretary of the Board (ex-officio):

Provided that if in a subject the required number of teachers is not available,, the Chairman may decide the number of members of the Curricula Committee and Committee of Courses for the subject concerned which may be less than nine and may permit the nomination of suitable persons, who are not-teachers, as members of the particular Curricula Committee and Committee of Courses.

(2) The term of appointment of members of each Curricula Committee and Committee of Courses shall be two years.

(3) Each Curricula Committee and Committee of Courses shall consider academic matters relating to the subject or subjects with which it is concerned and shall recommend to the Academic Committee the courses of study and text-books to be prescribed as well as the conditions to be fulfilled for passing the relevant examination in the subject or subjects,

(4) Three members shall form the quorum of a meeting of the Curricula Committee and Committee of Courses.

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

(i) the Chairman (*ex-officio*)

(ii) the Director of Public Instruction, East Pakistan, or an Assistant Director of Public Instruction nominated by him;

(iii) two nominees of the Controlling Authority;

(iv) the Secretary of the Board (*ex-officio*).

(2) Three members shall form the quorum for a meeting of the Finance Committee.

(3) The Finance Committee shall have the power-

(a) to prepare the budget estimates of the Board and to revise it when necessary;

(b) to recommend transfer of budget provision from one head to another by reappropriation during the year as and when necessary;

(c) to recommend sanction of any special item of expenditure not provided for in the budget or special rate of traveling allowance to distinguished visitors or experts;

(d) to review the financial position of the Board periodically and make recommendations to the Board for improving its finances;

(e) to supervise the accounts of the Board from time to time and recommend appointment of internal auditors when necessary ;

(f) to prescribe the manner in which the budget of the Board shall be prepared and the accounts of the Board shall be kept in accordance with the regulations framed under the Ordinance ;

(g) to recommend changes in, and addition to, the regulation connected with financial matters ;

(h) to consider audit reports and to recommendation thereon ; and

(i) to consider any matter referred to it by Chairman and recommend action thereon.

(4) Members of the Finance Committee, other than the *ex-officio* members shall hold office for two years.

10. (1) The Selection Committee shall consist of -

(i) the Chairman (*ex-officio*) ;

(ii) the Vice-Chancellor, Dacca University, or his nominee under clause (ii) of section 4;

(iii) the Vice-chancellor, Rajshahi University, or his nominee under clause (iii) of section 4;

(iv) the Director of Public Instruction or his nominee under clause (iv) of section 4;

(v) two nominees of the Controlling Authority .

(2) The Selection Committee shall recommend the appointment and scale of Pay of officers and employees of the Board whose scale of pay carry initial salary of Rs. 250 or more.

(3) The quorum for a meeting of the committee shall be three.

(4) The members of the Selection Committee other than the *ex-officio* members shall hold office for two years.

11. When a person ceases to be a member of a committee, he shall cease to be member of any sub-committee of which he is a member by virtue of his membership of that committee.

12. (1) The Board shall accord recognition to the Intermediate Colleges in East Pakistan and permit introduction of standards and subjects of study in them for the Intermediate or Higher Secondary Examination of the Board, if it is satisfied, on receipt of reports of inspection, that the conditions prescribed for such recognition or permission were satisfactorily fulfilled. The Board may, if it considers necessary, arrange a special inspection of an Intermediate College by its Inspection Committee, or any officer appointed by the Chairman in that behalf.

(2) The recognition of any Intermediate College or of any standard or subject of study in it may be cancelled by the Board, if, on receipt of reports of inspection it is satisfied that conditions of recognition ceased to be fulfilled by the College.

(3) All Intermediate Colleges, whether they formed parts of the Degree Colleges or had separate entities as Intermediate Colleges affiliated to the Universities Of Dacca and Rajshahi, immediately before the coming into force of this Ordinance, shall seek recognition as, Intermediate Colleges to the Board of Intermediate and Secondary Education, East Pakistan, within one year of the coming into force of this Ordinance.

(4) The Board shall accord recognition to Secondary schools in East Pakistan if it is satisfied, on the basis of the inspection reports that conditions prescribed for recognition were satisfactorily fulfilled. The Board may, if it considers necessary, arrange a special inspection of a Secondary school by an officer or an expert or jointly by both.

(5) The recognition of any Secondary School may be cancelled by the Board, if, on the basis of a report received from the district Education Officer or other Inspecting Officer or from an officer of the Board deputed for inspection, it is satisfied that conditions of recognition have subsequently ceased to be fulfilled by the School. The report of the District Education Officer or other Inspecting Officer shall be submitted through the Director of Public Instruction, East Pakistan.

THE UNIVERSITY OF KARACHI ORDINANCE, 1962

Ordinance No. V of 1962
[3rd February, 1962]

An Ordinance to re-constitute and re-organize the University of Karachi.

Whereas it is expedient to re-constitute and re-organize the University of Karachi for the purposes of improving the teaching and research provided thereby and the administration thereof.

Now, therefore, in pursuance of the proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President of Pakistan is pleased to make and promulgate the following ordinance.

**CHAPTER I
PRELIMINARY**

1. (1) This Ordinance may be called the University of Karachi Ordinance, ¹[1962].

(2) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires, the following expression shall have the meanings hereby respectively assigned to them, that is to say-

- a) "Academic Council" means Academic Council of the University;
 - b) "Affiliated College" means a degree of college affiliated to the University;
 - c) "Authority" means any of the Authorities of the University specified in section 15;
 - d) "College" means an affiliated college or constituent College;
 - e) "Constituent College" means a degree college maintained by the University;
 - f) "Government" means the government of West Pakistan;
 - g) "Prescribed" means prescribed by statutes, University Ordinance, Regulations or Rules;
 - h) "Principal" means Head of a College;
 - i) "Professional College" means a college in which instruction is provided only for courses of study leading to any degree of the University in any professional subject and which is recognized as a professional college under this ordinance;
- Explanation - In this Ordinance "Professional subject" means any of the following subjects, namely, Agriculture, Animal Husbandry, Commerce, Dentistry, Education, Engineering, Law, Medicine, Home Economics or any other subjects Prescribed by statutes in this behalf.
- j) "Registered graduate" means a graduate of the University whose name is entered in a register maintained by the university for this purpose;
 - k) "Statutes", "University Ordinance", "Regulations" and "Rules" means the Statutes, University Ordinance, Regulations and Rules made under this Ordinance and for the time being in force;
 - l) "Syndicate" means the Syndicate of the University;

- m) "Teacher" means Professor, Reader, Lecturer or any other person imparting instruction in any College or Teaching Department;
- n) "Teaching department" means Teaching department established and maintained or recognized by the University;
- o) "University" means the University of Karachi;
- p) "University Teacher" means a teacher appointed or recognized as such by the university.

CHAPTER II THE UNIVERSITY

3. (1) The University of Karachi shall be reconstituted at Karachi in accordance with the provisions of the Ordinance.

(2) The University shall consist of -

the chancellor, the vice-chancellor and members of the syndicate and of the academic council, who shall be called the fellows of the University.

(3) The University shall be a body corporate by the name of the University of Karachi, 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, to lease, sell or otherwise transfer any movable and immovable property which may have become vested in, or been acquired by, it and to contract and to do all other things necessary for the purposes of this Ordinance.

4. All properties, rights and interests of whatever kind used, enjoyed, possessed, owned by, or vested in, held in trust by, or for the University of Karachi as constituted under the University of Karachi Act of 1950, and all liabilities legally subsisting against the said University, shall pass to the University reconstituted under the ordinance.

5. The University shall have the power-

(i) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and advancement and dissemination of knowledge;

(ii) to hold examinations and confer-degrees, diplomas, certificates, licences, titles and marks of honour on persons who-

(a) have pursued a course of study in the University or in the college and have passed the examination of the University under prescribed conditions; or

(b) are admitted under prescribed conditions to the examinations of the University and have passed such examinations;

(iii) to confer degrees and other academic distinctions on persons who have carried on independent research under prescribed conditions;

(iv) to confer honorary degrees and other academic distinctions on persons in the prescribed manner;

(v) to admit Colleges to the privileges of the University under prescribed conditions;

(vi) to inspect Colleges;

(vii) to co-operate with other Universities and authorities in such manner and for such purpose as the University may determine;

(viii) to institute professorship, readership, lectureships and any other teaching and administrative posts required by the University and to appoint persons to such posts;

(ix) to recognize persons as teachers of the University and Colleges;

(x) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and other awards in accordance with prescribed conditions;

(xi) to establish Teaching Departments, College, Institutes and Halls, and to make such arrangements for their maintenance, management and administration as it may determine;

(xii) to demand and to receive such fees and other charges as may be prescribed;

(xiii) to supervise and control the ¹[residence, extra-curricular activities and] discipline of students of the University and affiliated colleges and to make arrangements for promoting their health and general welfare;

(xiv) ²[to ensure that understandable persons do not take advantage of, or otherwise exploit, any association of students whether in respect of extra-curricular activities or in respect of any other activities;

(xv) to frame rules for disciplinary action in relation to the students of the University and its affiliated Colleges and for imposing the penalties including the penalty of rustication and expulsion;]

(xvi) ³[to receive grants, bequests, trusts, gifts, donations, endowments and other contributions, made of the University for specific purposes; and

(xvii) ³[to do such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to—

(a) further the object of the University as an examining, teaching and research body especially regarding dissemination and advancement of knowledge; and

(b) Cultivate and promote Arts, Science and other branches of learning.

6. (1) The University shall exercise the power confined on it by or under this Ordinance within the territorial limits and in respect of the institutions over which the University of Karachi was exercising the powers under the Karachi University Act, 1952, immediately before the promulgation of this Ordinance;

Provided that government may by general or special order modify the extent and the scope of the aforesaid powers of the University with regard to such territorial limits and institutions.

(2) No educational institutions situated within the territorial limits of the University, shall, save with the consent of the University and the sanction of Government, be associated in any way with, or seek admission to any privileges of any other University established by law.

(3) Any educational institution situated outside the territorial limits of the University, may, with the sanction of Government, apply to the University for being admitted to the privileges of the University, and such institutions may, subject to such condition and restriction as the University and Government think fit to impose, be admitted to the privileges the University.

7. No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study on the sole ground of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious belief or profession in order to entitle him to be admitted thereto as a teacher or student, or to hold any office therein or to graduate thereat, or to enjoy or exercise any privileges thereof, except where in respect of any particular benefaction accepted by the University such test is made a condition thereof.

CHAPTER III OFFICERS OF THE UNIVERSITY

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

(i) the Patron

(ii) the Chancellor

(iii) the vice- Chancellor

(iv) the Register

(v) the Treasurer

(vi) the Controller of Examinations; and

(vii) such other persons as may be prescribed.

9. (1) The President of Pakistan shall be the Patron of the University .

(2) The patron shall, when present, preside at the Convocation of the University.

(3) Every proposal to confer honorary degrees shall be subject to the conformation by the Patron.

10. (1) The governor of West Pakistan shall be the Chancellor of the University.

(2) The Chancellor shall, in the absence of Patron, preside at the Convocation of the University.

(3) The Chancellor may remove any person from the membership of any authority, if such person -

(i) has become of unsound mind; or

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

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

The chancellor may withdraw the Degree or Diploma conferred on or granted to any person by the University if such person has been convicted by a court of law of an offence involving moral turpitude.

11. (1) The Chancellor may cause an inspection or inquiry to be made in respect of any matter connected with the University, and shall, from time to time, appoint such person or persons as he may deem fit, for the purposes of carrying out inspections of -

(i) the University, its buildings, laboratories, libraries, museums, workshops and equipment;

(ii) any institution, college or hostel, maintain or recognized by, or affiliated to the University;

(iii) the teaching and other work conducted by the University; and

(2) The Chancellor shall in every such case give notice to the syndicate of this intention to cause an inspection or inquiry to be made, and the syndicate shall be entitled to be represented thereat.

(3) The syndicate shall communicate to the Chancellor such action, if any, as has been taken or may be proposed to be taken upon the results of the inspection or inquiry. Such communication shall be submitted to the Chancellor within such time as may be specified by the Chancellor.

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

(5) If the Chancellor is satisfied that any proceeding of any Authority is not in conformity with this Ordinance, the statutes of the University Ordinances, he may, without prejudice to the foregoing provisions of this section, by order in writing annual such proceedings;

Provided that before making any order he shall, through the Vice-Chancellor, call upon the said authority to show cause, why such an order should not be made.

(6) The Chancellor shall have the power to assent to the University Ordinances submitted by the Syndicate or to withhold assent or refer them back to the Syndicate for reconsideration.

12. (1) The Vice-Chancellor shall be appointed by the Chancellor on such terms and conditions as may be determined by the Chancellor.

(2) The Vice-Chancellor shall hold office for four years from the date of the notification of his appointment and on the expiry of his term of office shall be eligible for re-appointment.

(3) When the office of the Vice-Chancellor is vacant temporarily or otherwise by reason of leave, illness or other causes, the Chancellor shall make such arrangements for carrying on the duties of the office of the Vice-Chancellor as he may think fit.

13. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall, if present, preside at the meeting of the Syndicate, Academic Council, Selection Board, Committee for Advanced Studies and Research and the Planning and Development Committee. In the absence of the Vice-Chancellor, a member of the Authority concerned, chosen by majority of the members present from amongst themselves will preside. In the absence of the Patron and the Chancellor, the Vice-Chancellor shall preside at the convocation of the University. He shall be entitled to attend and preside at any meeting of any Authority or other body or committee of the University.

(2) The Vice-Chancellor shall ensure that the provisions of this Ordinance and Statutes and University Ordinances are faithfully observed and carried out, and shall exercise all powers necessary for this purpose.

(3) In an emergency arising out of the business of the University and requiring, in the opinion of the Vice- Chancellor, immediate action, the Vice- Chancellor may take such action as he may deem necessary, and shall report the action so taken to the Authority concerned as early as possible.

(4) The Vice-Chancellor shall have the right to visit Colleges and other institutions affiliated to the University.

(5) The Vice- Chancellor shall-

(i) have the power to appoint, punish or dismiss the employees of the University in accordance with the Statutes and the University Ordinances;

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

(iii) exercise such other powers as may be Prescribed.

(6) The Vice- Chancellor may, subject to such conditions as may be prescribed, delegate any of his power to such officers and employees of the University as he may deem fit.

14. Subject to the provisions of this Ordinance, the powers and duties of other officers of the University shall be such as may be prescribed.

¹ Subs by the University of Karachi (amdt.) Ordinance, 1962 (27 of 1962), s.2, for "1961"

1. Subs by the University of Karachi (Amdt.) Ordinance 1962 (27 of 1962), s.3, for "residence and"

CHAPTER IV AUTHORITIES OF THE UNIVERSITY

15. The following shall be the Authorities of the University:-

- (i) the Syndicate,
- (ii) the Academic Council,
- (iii) the Faculties,
- (iv) the Board of Studies,
- (v) the Selection Board,
- (vi) the Committee for Advanced Studies and Research,
- (vii) the Finance Committee,
- (viii) the Planning and Development Committee, and
- (ix) such other Authorities as may be provided for in the Statutes.

16. The Syndicate shall consist of the following members namely:-

- (i) the Vice-Chancellor (*Chairman*);
- (ii) the Director of Education, Karachi;
- (iii) the Chairman, Board of Intermediate and Secondary Education, Karachi;
- (iv) one University Professor to be appointed by the Chancellor;
- (v) one Principal of a College, other than a professional College, to be appointed by the Chancellor;
- (vi) one Principal of a professional College to be appointed by the Chancellor;
- (vii) one member from among the registered graduates of the University to be appointed by the Chancellor; and
- (viii) four persons to be appointed by the Chancellor.

17. (1) Subject to the other provisions of this Ordinance, and the powers confined on the Chancellor and the Vice-Chancellor, the Syndicate shall have the general management of, and superintendence over, the affairs, concerns and property of the University, and shall exercise that superintendence in accordance with this Ordinance, the Statutes and the University Ordinances.

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

- (i) prescribe the form of common seal of the University, the authority in whose custody it shall be kept and the manner in which it shall be used;
- (ii) hold, control and administer the property and funds of the University including the funds for specific purposes, and make contracts on behalf of the University;

- (iii) have powers, subject to the Statutes, to transfer and accept transfer of any movable or immovable property on behalf of the University;
- (iv) manage and regulates the finances, accounts and investments of the University;
- (v) have the power to invest any moneys belonging to the University, including any any unapplied income in any of the securities described in section 20 of the Trust Act, 1882, or in the purchase of immovable property in Pakistan with the like power of varying such investments, or to place in fixed deposit in any approved Bank any portion of such moneys not required for immediate expenditure;
- (vi) consider and pass the budget of the University;
- (vii) subject to the provisions of this Ordinance and under conditions which may be prescribed by the Statutes, admit Colleges to the privileges of the University;
- (viii) arrange for and direct the inspection of Colleges and Teaching Departments;
- (ix) have the power to institute such teaching or administrative post as it may consider necessary;
- (x) have the power to abolish or suspend any existing teaching or administrative post of the University;
- (xi) subject to the other provisions of this Ordinance, the Statutes and University Ordinance made thereunder, appoint-
 - (a) the officer, other than teachers, on the recommendation of the Vice-Chancellor, and
 - (b) University Teachers on the recommendation of the selection boards concerned, and shall determine their duties and conditions of appointment;
- (xii) prepare the Statutes for submission to Government for assent;
- (xiii) frame University Ordinances for submission to the Chancellor for assent;
- (xiv) pass Regulations;
- (xv) have the power to confer and grant degrees and diplomas;
- (xvi) subject to the other provisions of this Ordinance, regulates, determine and administer all the matters concerning the University, and to this end exercise all other powers not specifically mentioned in this Ordinance, or the Statutes or the University Ordinances; and
- (xvii) have the to delegate any of its powers on an officer or Authority or Committee or sub-Committee of the University appointed for specific purpose.

18. The term of office of members of the Syndicate other than *ex-officio* members and the quorum for meeting of the Syndicate shall be prescribed by the statutes.

19. The Academic Council shall consist of the following namely:-

- (i) the Vice-Chancellor (*Chairman*) ;
- (ii) Educational Adviser to the Government of Pakistan;
- (iii) the Director of Education, Karachi;
- (iv) the Chairman of the Board of Intermediate and Secondary Education, Karachi;
- (v) the University Professors;
- (vi) the Heads of the University Teaching Departments;
- (vii) the Principals of constituent Colleges;
- (viii) five Principals of affiliated colleges nominated by the Chancellor; and
- (ix) five persons to be nominated by the Chancellor.

20. (1) The Academic Council shall, subject to the other provisions of this Ordinance and the Statutes, have power to make Regulations preserving the courses of study and curricula and laying down proper standards of instructions, research and examinations.

(2) Without prejudice to the generality of the foregoing powers the Academic Council shall have the powers -

- (i) To advise the Syndicate on all academic matters;
- (ii) To make Regulation for the proper conduct of teaching, research and examination, and for promoting academic life in the University and the Colleges;

- (iii) To lay down condition under which student may be given admission to the University courses and University examinations;
- (iv) To propose to Syndicate schemes for the construction of University Departments and Boards of Studies;
- (v) To deal with University teaching and to make proposals for the planning and development of teaching and research in the University;
- (vi) To prescribe, subject to the approval of the Syndicate, and upon the recommendations of the Boards of Studies the courses of reading, the Syllabi and the outlines of texts for all the examinations:

Provided that in the absence of the recommendations by a Board of Studies by the first week of April the Academic Council may, subject to the approval of the Syndicate, continue for the next year the courses of studies already prescribed for an examination;

- (vii) to recognize the examinations of other University or Board as equivalent to the corresponding examination of the University;
- (viii) to propose Regulations to the Syndicate for the award of Studentships, Scholarships, Exhibitions, Melads and Prizes.

2. Cis. (xiv) and (xv) ins. *Ibid*

3. The original clauses (xiv) and (xv) re-numbered as cls, (xvi) and (xvii), *ibid*.

21. The term of office of the members of the Academic Council other than *ex-officio* members and the quorum for the meetings of the Academic Council shall be as prescribed by the Statutes.

22. Subject to the provisions of this Ordinance, the constitution, powers and duties of the faculties, Boards of Studies, Selection Board, Committee, Planning and Development Committee and other Authorities shall be such as may be prescribed by the Statutes.

CHAPTER V STATUTES AND UNIVERSITY ORDINANCE

23. Subject to the provisions of this Ordinance the Statutes may provide for all or any of the following matters, namely:

- (a) Constitutions, powers and duties of the Authorities;
- (b) conditions and procedure for the affiliation or disaffiliation of Colleges;
- (c) the constitution of pension and provident fund for the benefit of the employees of the University;
- (d) general schemes of studies including the duration of courses and total number of subjects for the examinations, but not the detail syllabi therefore;
- (e) the medium of instruction and examination;
- (f) audit of the account of the University; and
- (g) such other matters as may be prescribed by the Statutes.

24. Statutes may be made in the following manner:-

- (a) The Syndicate may frame Statutes on any subject mentioned in section 23.
- (b) When such Statute has been passed by the Syndicate it shall be submitted to the Government for assent.
- (c) Government may assent to such Statutes or withhold assent or refer it back to the Syndicate for reconsideration.
- (d) The Statutes passed by the Syndicate shall not be valid until it has received the assent of the Government.
- (e) The procedure for amending and replacing the Statutes shall be the same as given above.

25. Subject to the other provisions of this Ordinance and the Statutes, University Ordinances may provide for all or any of the following matters, namely:-

- (a) powers and duties of the officers and teachers of the University;

- (b) management of the institutions run by the University;
- (c) conditions of services and scales of pay of employees of the University;
- (d) mode of appointment of teachers and officers of the University;
- (e) recognition of the teachers of affiliated colleges as University Teachers;
- (f) fees to be charged by the University;
- (g) creation and abolition of posts;
- (h) establishment of Teaching Departments and constituent colleges;
- (i) the form and manner in which the accounts of the University should be maintained; and
- (j) all other matters which under the Statutes are required to be provided for by the University Ordinance.

26. The University Ordinances shall be made in the following manner:-

(a) The Syndicate may frame a University Ordinance on any subject mentioned in section 24. If the University Ordinance relates to any subject mentioned below, it shall be referred to the Academic Council for expression of opinion before it is taken up by the Syndicate for final consideration:

1. Duties of the teachers of the University
2. Mode of appointment of teachers of the University.
3. Recognition of teachers of affiliated colleges as University Teachers.
4. Creation and abolition of posts of teachers of University.
5. Establishment of teaching departments and constituent colleges.

(b) When such University Ordinance has been passed by the Syndicate, it shall be submitted to the Chancellor.

(c) The Chancellor may assent to such University Ordinance or withhold assent or refer it back to the Syndicate for reconsideration.

(d) The University Ordinance passed by the Syndicate shall not be valid until it has received the assent of the Chancellor.

(e) The procedure for amending or replacing the University Ordinance shall be the same as given above.

27. Subject to the other provisions of this Ordinance, the Statutes and the University Ordinances, the Regulations may provide for all or any of the following matters, namely:-

- (i) registration and admission of the students in the University;
- (ii) equivalence of the examinations conducted by the other Universities and institutions;
- (iii) conditions of residence of students;
- (iv) framing of detailed syllabi for the examinations held by the University.
- (v) conditions of admission to Colleges and Teaching Departments;
- (vi) conditions of admission to the examinations held by the University and to the Degrees, Diplomas and Certificates conferred by the University;
- (vii) conduct of examinations;
- (viii) institution of scholarships, medals and prizes; and
- (ix) all matters which under the Statutes are required to be provided for by the Regulations.

28. The Regulations shall be made in the following manner:-

(a) A Regulation shall be initiated by the Academic Council and the draft shall be submitted to the Syndicate. The Syndicate may allow it, disallow it or refer it back to the Academic Council for reconsideration:

Provided that the Syndicate on its own motion may also frame Regulations after first referring them to the Academic Council for expression of opinion.

(b) The procedure for amending or replacing Regulation shall be the same as given above.

29. (1) The Authorities may make rules consistent with this Ordinance, Statutes, University Ordinances and Regulations providing for -

- (a) the procedure to be followed at their meetings;

(b) all matters which by this Ordinance, Statutes and University Ordinances, or Regulations are to be provided for by Rules;

(c) all matters solely concerning such Authorities and not provided by this ordinance, the Statutes, University Ordinance or Regulations.

(2) Every Authority shall make Rules providing for the giving of notice to the members of such Authority of the dates of the meetings, and of the business to be transacted at the meetings and the keeping of a record of the proceedings of the meetings.

(3) The Syndicate may amend or cancel any rules made under this section.

CHAPTER VI AFFILIATION AND ADMISSION OF COLLEGES TO THE PRIVILEGES OF THE UNIVERSITY

30. No person shall, except as otherwise provided for by the Statutes, University Ordinances and Regulations, be admitted as a candidate to a University Examination, unless he produces a certificate to the effect that he has completed the prescribed courses of instruction as a regular student of a college or a Teaching Department.

31. (1) A College applying for affiliation to the University shall make an application to the University and shall satisfy the University:

(a) that the College is to be under the management of a regularly constituted governing body;

(b) that the financial resources of the College are such as may enable it to make due provision for its continued maintenance and efficient working;

(c) that the strength and qualifications of the teaching and other staff and the terms and conditions of their service make due provision for the courses of instruction, teaching or training to be undertaken by the Colleges;

¹[(cc)that the College has framed efficiency and Discipline Rules for its staff and employees as approved by the University and is maintaining efficiency and discipline in accordance with such rules;]

(d) that the building in which the College is to be located is suitable, and that provision will be made, in conformity with the Statutes and University Ordinances, for the residence in the College hostel or in lodgings approved by the College, of students not residing with their parents or guardians, and for the supervision and physical and general welfare of students;

(e) that provision has been made for a library and adequate library services;

(f) that where affiliation is sought in any branch of experimental science, due arrangements have been made, for imparting instructions in that branch of science in a properly equipped laboratory or museum;

(g) that due provision will, so far as circumstances may permit, be made for the residence of the Principal and members of teaching staff in or near the College or the place provided for the residence of students; and

(h) that the affiliation of the College, having regard to the provision made for students by other colleges in the neighborhood of the College will not be injurious to the interests of education or discipline.

The application shall further contain an undertaking that after the College is affiliated, any transference of and changes in the management and in the teaching staff shall forthwith be reported to the University, and that the teaching staff shall possess such qualification as are and may be prescribed.

No College shall be granted affiliation or shall be admitted to the privileges of the University, except with the approval of the Syndicate and Government.

The procedure to be followed in dealing with the affiliation of a College shall be such as may be prescribed.

32. Where a College desires to add to the courses of instruction in respect of which it is affiliated, the procedure prescribed by section 31 and the Statute shall, so far as may be, be followed.

33. (1) Every College affiliated to the University shall furnish such reports, returns and other information as the University may require to enable it to judge the efficiency of the College. The University shall cause every such College to be inspected from time to time by one or more competent persons authorized by it in this behalf.

The University may call upon any college so inspected to take, within a specified period, such action as may appear to the v to be necessary in respect of any of the matters referred to in sub-section (1) of section 31.

34. (1) If a College fails to continue to satisfy the requirements mentioned in sub-section (1) of section 31 or if the College has failed to observe any of the conditions of its affiliation or the College is conducted in a manner which is prejudicial to the interests of education, the rights conferred on the College by affiliation may, with the approval of the Syndicate and sanction of Government, be withdrawn in whole or in part or modified.

(2) The procedure to be followed for withdrawal or affiliation shall be such as may be prescribed by the Statutes.

CHAPTER VII UNIVERSITY FUND

35. The University shall have a fund to which shall be credited:-

(a) its income from fees, donations, trusts, bequests, endowments, grants and other sources;

(b) any contribution or grants by any Government.

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

The statement of the accounts of the University shall be submitted to Government once a year.

The accounts of the University shall be audited in such manner as may be prescribed by the Statutes.

CHAPTER VII GENERAL PROVISIONS

37. If any question arises regarding the interpretation of any provision of this Ordinance or of any Statute, University Ordinance, Regulation or rule or as to whether any person has been duly elected or appointed as, or is entitled to be, member of any Authority, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

38. All casual vacancies among the members other than *ex-officio* members of any Authority shall be filled, as soon as conveniently, may be, by the person or Authority who appointed, nominated or co-opted the member whose place has become vacant, and the person appointed, nominated or co-opted to a casual 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.

39. No act or proceeding of any Authority shall be invalid by reason only of any vacancy in the Authority doing or passing it or by reason of any want of qualification by or invalidity in the appointment of any *defacto* member of the Authority whether present or absent.

40. (1) The University shall constitute for the benefit of its officers, teachers and other employees, such pensions or provident fund or both, subject to such conditions as may be prescribed by Statutes.

(2) Where such Provident Fund has been so constituted, Government may declare that the provisions of the provident fund Act, 1925, shall apply to such Funds as if the University was the Government and the said Fund were the Government Provident Fund.

41. All acts done, orders passed or proceedings taken by the University shall be final and shall not be called in question in any Court by a suit or otherwise.

42. No suit for damages or other legal proceeding shall be instituted against Government, the University, or any Authority, officer or employee of the University in respect of anything done or purported to have been done in good faith in pursuance of this Ordinance and the statutes, University Ordinances and Regulations made thereunder.

SCHEDULE I
THE FIRST STATUTES OF THE UNIVERSITY OF KARACHI
 (See section 45)

1. Definitions

In these Statutes, unless the context other wise requires, the following expressions shall have the meaning hereby respectively given to them, that is to say:

- (a) "Ordinance" means the University of Karachi Ordinance, 1961, and
- (b) "Officers", "professors", "Readers", "Lecturers", "teachers" and "registered graduates" mean respectively, the officers, Professors, Readers, Lecturer teachers and registered graduates of the University.

2. The Syndicate

- (1) The term of office of members of the Syndicate other than *ex-officio* members shall be two years.
- (2) The quorum for the meetings of the Syndicate shall be half the total number of members, a fraction being counted as one.

3. The Academic Council

- (1) The term of office of members of the Academic Council other than *ex-officio* members shall be two years.
- (2) The quorum for the meetings of the Academic Council shall be one-third of the total number of members, 'a fraction being counted as one.

4. The Faculties

- (1) There shall be the following Faculties in the University, namely:
 the Faculty of Arts,
 the Faculty of Commerce,
 the Faculty of Education,
 the Faculty of Engineering,
 the Faculty of Law,
 the Faculty of Medicine,
 the Faculty of Science, and
 such other Faculties as may be prescribed by Statutes.
- (2) The subjects comprised in each Faculty shall be prescribed by Ordinances.
- (3) Each Faculty shall consist of-
 (i) the Professors, Readers and other Heads of Departments comprised in the Faculty ;
 (ii) three other teachers dealing with the subjects concerned, nominated by the Academic Council ;
 (iii) two other experts nominated by the Syndicate.
- (4) The Vice-Chancellor shall be *ex-officio* member of each faculty and shall, if present, preside over the meetings of the Faculty.
- (5) The term of office of nominated members shall be two years.
- (6) The quorum for the meeting of a Faculty shall be one-third the number of members; fractions being counted as one.
- (7) The following shall be the functions of each Faculty, that is to say,
 (i) to co-ordinate the work of the Boards of Studies comprised within the Faculty
 (ii) to scrutinize the courses of studies and syllabi prepared by the Boards of Studies and forward them to the Academic Council for approval or refer them back to the Board concerned for re-consideration; (iii) to consider the report on any other matter referred

to it by the Syndicate, the Academic Council or the Vice-Chancellor.

5. The Boards of Studies

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

(2) Each Board of Studies shall consist of the following:

(i) the Head of the University Teaching Department;

(ii) all Professors and Readers in the University Teaching Department;

(iii) one University teacher, other than a Professor or a Reader, to be appointed by the Academic Council;

(iv) two teachers, other than University teachers, to be appointed by the Syndicate;

(v) one expert to be appointed by the Vice-Chancellor:

Provided that where in respect of any subject there is no University Teaching Department or University Teachers the Board of Studies shall consist of persons mentioned under categories (iv) and (v) above.

(3) The term of office of members of the Board of Studios other than *ex-officio* members shall be two years.

(4) The quorum for meetings of the Board of studies shall be half the number of members, a fraction being counted as one.

(5) The Head of the University Teaching Department con-Corned shall be the Chairman and Governor of the Board of Studies.

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

(6) The powers and duties of each Board of Studies shall be as follows:

(a) to advise the Authorities on all academic matters connected with instruction and examination in the subject or subjects concerned;

(b) to prepare curricula and syllabi for the Bachelors' and Masters' Degree courses in the subject or subjects concerned

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

(d) to do such other things as are assigned or referred to it by the Vice-Chancellor, the Syndicate or the Academic Council.

6. The Committee for Advanced Studies and Research

(1) The Committee for Advanced Studies and Research shall consist of the following, namely:

(i) the Vice-Chancellor (Chairman)

(ii) five professors to be appointed by the Syndicate

(iii) two teachers having research qualifications and experience to be appointed by the Academic Council and

(iv) two experts to be appointed by the Vice-Chancellor.

(2) The term of office of members of the Committee for Advanced Studies and Research other than *ex-officio* members ¹[be] two years.

(3) The quorum for the meeting of the Committee for Advanced Studies and Research shall be four.

(4) The functions of the Committee for Advanced Studies and Research shall be as follows :-

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

(b) to consider and report to the Authorities on the institution of research degrees in the University in a particular subject or subjects ;

(c) to prepare the University Ordinances and Regulations regarding the award of research degrees ;

(d) to consider the applications of students for admission to research courses, and to

¹ Sic. Should read "shall be"

determine the subjects of their theses ;

(e) to appoint supervisors for research students

(f) to recommend a panel of names for research examinations ; and

(g) to do such other things as may be assigned or referred to it by the Vice-Chancellor, the Syndicate or the Academic Council.

7. Selection Board for the appointment of Professors, Readers and other Teachers

(1) The Selection Board for- the appointment of Professors, Readers and other Teachers (in this paragraph referred to as the Selection Board) shall consist of the following, namely:

(i) the Vice-Chancellor (Chairman) ;

(ii) two members other than the employees of the University to be appointed by the Syndicate ;

(iii) two members other than the employees of the University to be appointed by the Chancellor.

In making appointments to the posts of Professors and Readers, the Selection Board shall, with the prior approval of the Chancellor, co-opt or consult the experts in the subject.

For the appointment of Teachers other than Professors and Readers, the Selection Board shall co-opt or consult the head of the Department concerned and two other experts.

(2) The terms of office of the members of the Selection Board, other than *ex-officio* members, shall be one year.

(3) The quorum for the meetings of the, Selection Board shall be three members.

(4) The functions of the Selection Board shall be as follows:

(i) to suggest the terms and conditions on which the Professors, Readers, and other Teachers in the University may be appointed;

(ii) to consider the applications of candidates for the posts of Professors, Readers and other Teachers in the University ;

(iii) to recommend to the Syndicate the names of the suitable candidates for appointment to the posts of Professors, Readers and other Teachers.

(5) The Selection Board may, in a special case, recommend to the Syndicate that a highly distinguished scholar may be invited to occupy the chair of a Professor on such terms and conditions as the Syndicate may decide to offer.

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

8. The Finance Committee

(1) The Finance Committee shall consist of the following, namely:

(i) the Vice-Chancellor (Chairman);

(ii) the Director of Education, Karachi;

(iii) one member to be appointed by the Syndicate;

(iv) one member of the Academic Council to be appointed by the Chancellor;

(v) one member to be appointed by the Chancellor.

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

(3) The quorum for the meetings of the Finance Committee shall be three members of whom one shall be Vice-Chancellor.

(4) The functions of the Finance Committee shall be as follows:

(i) to consider the annual budget, and to advise the Syndicate thereon;

(ii) to make recommendations to the Syndicate on all matters relating to the Finances of the University, and to review its financial position periodically;

(iii) to examine and report on the financial implications of any new development project;

(iv) to do such other things as are referred to it by the Vice-Chancellor, Syndicate or the Academic Council.

9. The Planning and Development Committee

- (1) The Planning and Development Committee shall consist of the following, namely:
- (i) the Vice-Chancellor (*Chairman*);
 - (ii) two members to be appointed by the Syndicate;
 - (iii) two members to be appointed by the Academic Council; and
 - (iv) two members to be appointed by the Chancellor
- (2) The term of office of the members of the Planning Development Committee other than *ex-officio* members, shall be two years.
- (3) The quorum for the meetings of the Planning and Development Committee shall be four members of whom one shall be the Vice-Chancellor.
- (4) The functions of the Planning and Development Committee shall be as follows:
- (i) to examine all development projects and schemes in the University and to advise the Syndicate thereon;
 - (ii) to do such other things as may be assigned or referred to it by the Vice-Chancellor, the Syndicate or the Academic Council.

10. The Vice-Chancellor

The powers and duties of the Vice-Chancellor in addition to those assigned to him under section 13 of the Ordinance, shall be as follows:

- (i) to appoint, grant all kinds of leave, to punish and dismiss those employees of the University whose initial salary is less than Rs. 300 per month;
- (ii) to sanction all expenditure provided in the budget of the University;
- (iii) to initiate and recommend to the Syndicate disciplinary action against employees drawing initial salary of Rs. 300 or more;
- (iv) to re-appropriate funds within the same major Head of expenditure;
- (v) to sanction any amount up to rupees one thousand for an item not provided for in the budget of the University by reappropriation and report it to the Syndicate as early as possible;
- (vi) to appoint paper-setters and examiners for all examinations of the-University, after receiving panels of names from the Boards of Studies;
- (vii) to sanction such arrangements for the scrutiny and moderation of papers, and the checking of marks and of results as he may consider necessary; and
- (viii) to direct teachers, officers and other employees of the university to take up such assignments in connection with teaching, research, examination, administration, extra-curricular activities in the University and to do such things as he may consider necessary for the purpose of the University.

11. The Registrar

- (1) The Registrar shall be a time officer of the University, and shall be appointed by the Syndicate on such terms and conditions as may be determined by it.
- (2) The Registrar shall work under the control of the Chancellor, and shall be incharge of the Academic sections of the University office. He shall be responsible to the Vice-Chancellor for the proper and efficient functioning of those sections of the office. He shall be Secretary to the Syndicate, the Academic Council and the Planning and Development Committee, and shall perform such other functions and duties as are to him by the Vice-Chancellor.

12. The Treasurer

- (1) The Treasurer shall be an officer of the University, and shall be appointed by the Chancellor on such terms and conditions as may be determined by the chancellor.
- (2) The Treasurer shall work under the control of the Vice-Chancellor, and shall be incharge of the Accounts, purchase and stores section of the University office. He shall be responsible to the Vice-Chancellor for the proper and efficient functioning of those sections of office. He shall be Secretary to the Finance Committee and shall perform such other functions and duties as are assigned to him by the Vice-Chancellor.

13. The 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 may be determined by it.

(2) The Controller of Examinations shall work under the control of the Vice-Chancellor, and shall be in charge of the Examination section of the University office. He shall be responsible to the Vice-Chancellor for the proper and efficient functioning of that section of the office. He shall make all arrangements for the conduct of the University Examinations and shall perform such other functions and duties as are assigned to him by the Vice-Chancellor.

14. Audit

(1) The Syndicate shall appoint a whole-time officer as Auditor for the purpose of auditing the bills to be paid out of the funds of the University. No expenditure shall be made from the funds of the University unless a bill for its payment has been audited by the Auditor in conformity with the Statutes, University Ordinances, and Regulations.

(2) The statement of the accounts of the University, signed- -by the Treasurer and the Auditor, shall be submitted to Government within six months of the closing of the financial year.

(3) The accounts of the University shall be audited once a year in conformity with the Statutes, University Ordinances and Regulations by Auditor appointed by Government for this purpose.

15. Duties of University teachers

(1) In addition to the like provisions for the time being in force, the duties of the University teachers shall be as follows:

(i) to teach the students by means of lectures, tutorials, discussions, seminars, demonstrations and the like;

(ii) to conduct, guide and supervise research;

(iii) to maintain personal contact with the students, give them individual guidance and supervise their extracurricular activities;

(iv) to assist the Authorities in preparing courses and syllabus, in conducting the examinations, in organizing the libraries, laboratories and other curricular and extra-curricular activities of the University and its Departments, Colleges and other institutions; and

(v) to perform such other functions and duties as may be assigned to them by the Vice-Chancellor.

(2) The total work-load of the teachers and the distribution of work-schedule for the various duties mentioned in clause (1) during an academic year of thirty-six weeks, shall normally be in accordance, with the Tables given below this paragraph.

(3) The Vice-Chancellor shall have the power to vary the distribution of an individual teacher's work-schedule so as to make it possible for his special talent, equipment and aptitude to be put to the maximum use.

(4) Every teacher shall give frequent assignments and periodic tests to his students, and shall maintain a regular record of their performance at such assignments and tests.

Tables

(a) For arts, Humanities and social studies

	Lecturers	Tutorials	Students Guidance	Seminar and Research Guidance	Personal studies and research	Administration and other activities
Professors	300	100	300	300	300	400
Readers	400	100	100	200	400	300
Lecturers	500	200	100	100	400	200

(b) For science subjects

	Lecture rs	Tutori als	Practic al	Students Guidance	Seminar and Research Guidance	Personal studies and research	Administration and other activities
Professo rs	300	100		300	300	300	400
Reader s	400	100		100	200	400	300
Lecture rs	500	200		100	100	400	200

STATUTES REGARDING THE ESTABLISHMENT OF THE INSTITUTE OF BUSINESS ADMINISTRATION AT KARACHI

16. Establishment of an Institute of Business Administration

The University of Karachi shall establish an Institute of Business Administration (hereinafter called the institute)-as a constituent institution, with a separate Board of Governors.

17. Functions of the Institute

The functions of the Institute shall be as follows:

- (a) to provide and promote facilities for advanced study and research in Business Administration;
- (b) to provide teaching, training and guidance in order to prepare candidates for the degree of Master of Arts and Doctor of Philosophy in Business Administration to be awarded by the University;
- (c) to promote courses of further study and In-service training for those already engaged in Business Administration work;
- (d) to furnish consultation services for those concerned with Business administration in the Central or Pro-vincial Governments or in Trade or Industry or other organizations.

BOARD OF GOVERNORS

18. Constitution and composition of the Board of Governors

(1) The administration and management of the institute shall be vested in a Board of Governors consisting of the following:

- (i) The Vice-Chancellor (*Chairman*).
- (ii) The Educational Adviser, Government of Pakistan.
- (iii) Treasurer of the University.
- (iv) One member of the Syndicate, nominated by the Chancellor.
- (v) Three persons to be appointed by the Chancellor.
- (vi) The Director of the Institute, who shall also act as Secretary to the Board of

Governors.

(2) The term of office of members of the Board of Governors other than *ex-officio* members shall be three years.

(3) The quorum for the meetings of the Board of Governors shall be four.

19. Power and duties of the Board of Governors

The Syndicate shall delegate to the Board of Governors such administrative and financial powers in respect of the Institute as may be necessary for its proper and efficient functioning including in Particular the following, namely:

- (i) to consider the annual program and budget prepared by the Director of Institute and to approve, reject or refer it back to the Director of such modifications as it may suggest;
- (ii) to appoint the teachers and other officers and staff of the Institute, and to determine the terms and conditions of their service;
- (iii) to frame such rules and regulations as are necessary for the proper organization and administration of the Institute.

20. Academic matters.

The courses and syllabi as well as the examinations and degree requirements of the Institute shall be prescribed by the Academic Council of the University which shall take into consideration such recommendations and proposals as may be submitted by the Board of Governors or by the Committee of Advanced Studies in Business Administration constituted under paragraph 21.

21. Committee of Advanced Studies in Business Administration.

(1) There shall be a Committee of Advanced Studies in Business Administration (hereinafter referred to as the Committee), consisting of the following, namely: -

- (i) the Director of the Institute (*Chairman*);
- (ii) one member of the Academic Council nominated by the Vice-Chancellor;
- (iii) the Professors of the Institute;
- (iv) two teachers of the Institute other than professors to be appointed by the Board of Governors; and
- (v) two experts to be appointed by the Chancellor.

(2) The term of office of the members of the Committee other than *ex-officio* members shall be three years.

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

22. Functions of the Committee

The functions of the Committee shall be to prepare courses and syllabi for post-graduate examinations in Business Administration, and to advise the Academic Council and the Board of Governors on all matters connected with the objects of the Institute.

23. Selection Board

(1) There shall be a Selection Board, for the appointment of teachers of the Institute, which shall consist of the following:

- (i) the Vice-Chancellor (*Chairman*);
- (ii) the Director of the Institute;
- (iii) two persons, not employees of the Institute to be appointed by the Board of Governors; and
- (iv) three experts, of whom one shall be external expert, to be appointed by the Chancellor.

(2) The term of the office of the members of the Selection Board other than, *ex-officio* members, shall be one year.

(3) The quorum for the meetings of the Selection Board shall be four.

24. Difference between the Board of Governors and Selection Board

In case of an unresolved difference of opinion between the Board of Governors and the Selection Board, the matter shall be referred to the Chancellor, whose decision shall be final.

SCHEDULE II

THE FIRST UNIVERSITY ORDINANCES OF THE UNIVERSITY OF KARACHI.

(See section 45)

1. Short title and application

(1) These University Ordinances may be called the University of Karachi Employees (Efficiency and Discipline) University ²[Ordinances, 1962].

(2) These University Ordinances shall apply to every person in the employment of the University of Karachi.

2. Definitions

In these University Ordinances, unless there is anything repugnant in the subject or

² Subs. by the University of Karachi (Amdt.) Ordinance, 1962 (27 of 1962), s. 5, for "Ordinance, 1961"

context:

- (1) "authority" means the officer or Authority, specified in the Appendix, competent to appoint and take disciplinary action against a University employee and includes an officer of the University authorized by such authority to act on its behalf;
- (2) "misconduct" means conduct prejudicial to good order of service, discipline or unbecoming a University employee and a gentleman;
- (3) "penalty" means a penalty which may be imposed under the^ee University Ordinances.

3. Grounds for penalty

Where a University employee, in the opinion of the Authority ³[or, in respect of clause (e), of the Chancellor]

- (a) is inefficient, or has ceased to be efficient, whether by reason of infirmity of mind or body, or otherwise, and is not likely to recover his efficiency; or
 - (b) is indifferent to his duties of teaching and research; or
 - (c) is guilty of misconduct; or
 - (d) is corrupt, or may reasonably be considered corrupt because -
 - (i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which lie cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or
 - (ii) lie has assumed a style of living beyond his ostensible means; or
 - ⁴[(e) is engaged, or is reasonably suspected of being engaged, in subversive activities or activities detrimental to the interest of the University or national security, or is reasonably suspected of being associated with others in such activities, and whose retention in service is considered prejudicial to the interest of the University or national security ;] or
 - (f) becomes a member of or is associated in any capacity with an association of any kind other than an association organized by or under the aegis of the University, without obtaining prior permission of the Vice-Chancellor in writing; or
 - (g) is engaged directly or indirectly in any trade, business or occupation (on his own account) which may in .the opinion of the appointing authority interfere with the due performance by him of the duties of his office, without the prior permission of the appointing authority in writing; or
 - (h) absents himself front or overstays sanctioned leave without sufficient cause acceptable to the appointing authority; or
 - (i) exercises unwholesome influence or is reasonably suspected of exercising unwholesome influence oil the academic, moral and corporate life of the University;
- the authority ⁵[or the Chancellor, as the case may be.] may impo6Q on him one or more penalties.

4. Penalties

- (1) The following penalties may be imposed under -- these University Ordinances upon. a University Employee
 - (a) censure,
 - (b) the withholding of increment or promotion, including stoppage at an efficiency bar for a specified period;
 - (c) recovery from pay of the whole or part of any pecuniary loss caused to the University by negligence or breach of orders;
 - (d) reduction to a lower post or time-scale or to a lower stage in a time-scale;
 - (e) compulsory retirement;
 - (f) removal from service; and
 - (g) dismissal from service.

³ Ins., ibid

⁴ Subs. by the University of Karachi (Amdt.) ordinance, 1962 (27 of 1962), for the orginal cl. (e).

⁵ Ins. Ibid., s. 5.

(2) Penalties specified in clauses (a) and (b) of paragraph (1) shall be deemed, for the purposes of these University Ordinances, to be minor penalties and those specified in clauses (c) to (g) of that paragraph to be major penalties.

(3) Removal does not, but dismissal does, disqualify from future employment under the University.

(4) For misconduct any penalty in paragraph (1) may be imposed, but we penalties to be ordinarily imposed for inefficiency, indifference to teaching and research work, becoming a member of an association without permission, engaging directly or indirectly in trade without permission or absenting himself from duty or overstaying sanctioned leave shall be those set out in clause (b), (c), (d) or (e) of that paragraph and for corruption, exercise of unwholesome influence or subversion, those set Out in clause (e), (f) or (g) thereof.

(5) No authority subordinate to that by which a University employee was appointed shall be competent to impose upon him by penalty set out in clause (d), (e), (f) or (g) of paragraph (1).

Explanation. -The discharge-

(a) of a person appointed on probation, during the period of probation.

(b) of a person appointed otherwise than under-contract to hold a temporary appointment, on the expiration Of the period of the appointment,

(c) of a person engaged under contract, in accordance with the terms of his contract,

Does not amount to removal or dismissal within the meaning of this university Ordinance.

5. Inquiry procedure in case of subversion

(1) When a University employee is to be proceeded against under clause (e) of University Ordinance 3, the ⁶[Chancellor]-

(a) may, by order in writing, require the University employee concerned to proceed on such leave as be admissible to him, and from such date as may be specified in the order;

(b) shall, by order in writing, inform him of the action proposed to be taken in regard to him and the grounds of that action; and

(c) shall give him reasonable opportunity of showing cause against that action before an Inquiry Committee to be constituted under paragraph (2) to inquire into the charge: Provided that no such opportunity shall be given where the Chancellor is satisfied that, in the interest of the security of Pakistan, it is not expedient to give such opportunity.

(2) For the purposes of clause (c) of paragraph (1), an Inquiry Committee consisting of three persons shall be constituted by the Chancellor.

(3) The Inquiry Committee shall inquire into the charged and submit its findings to the Chancellor.

(4) The Chancellor shall not be required to consult the authority or the Selection Board before passing such orders on the findings of the Inquiry Committee as he may think fit.

6. Inquiry procedure in other cases

(1) When a University employee is to be proceeded against under clause (a). (c), (d), (f), (g), (h), or (i) of University Ordinance 3, the following procedure shall be observed.

(2) The authority may, if it thinks fit, appoint an Inquiry Officer to examine and report on the allegations against the University employee (hereinafter called the accused) to enable the authority to decide whether a formal inquiry should be held, and the Inquiry Officer may also informally examine the accused.

(3) If the authority decides that a formal inquiry should be held it shall decide further whether the allegations, if established, would call for a minor or a major penalty.

(4) (a) In cases calling for a minor penalty, the authority or such officer as may be appointed by it in that behalf, shall frame a charge, communicate it to the accused and call upon him to answer it within a specified time, which shall not be less than seven days

⁶ Subs. by the university of Karachi (Amdt.) Ordinance, 1962 (27 of 1962), s. 5, for "authority"

nor more than fourteen days from the day the charge is communicated to him, and to state, together with his answer, whether he desires to be heard in person or to lead evidence.

(b) On receiving the answer, the authority, or the said officer, shall, if satisfied that there is a *prima facie* case, and if the accused has so desired, give him the opportunity to be heard in person and to lead evidence in defense.

(c) If the accused fails to answer within the specified time, or having answered, fails to appear or absents himself from the proceedings, the authority or the said officer may proceed with the inquiry and record a finding.

(d) The authority shall take into consideration the explanation of the accused and the evidence, if any, led by him in his defense before passing final orders.

(5) (a) In cases calling for a major penalty, the authority having power to impose the penalty shall frame a charge and communicate it to the accused together with a statement of the allegations on which it is based and of any other circumstances which the authority proposes to take into consideration when passing orders on the case.

(b) The authority shall require the accused, within a reasonable time, which shall not be, less than seven days nor more than fourteen days, from the day the charge has been communicated to him, to put in a written defense, stating at the same time whether he desires to be heard in person.

(c) If the accused so desires, or if the authority so directs, an Inquiry Officer to be appointed under University Ordinance 8 shall hold an oral inquiry at which oral evidence shall be heard as to such of the allegations as are not admitted, and the accused shall be entitled to cross-examine the witnesses against him, to give evidence in person and to have such witnesses called for the defense as he may wish:

Provided that the Inquiry Officer may, for reasons to be recorded in writing, refuse to call a particular witness or to summon or admit any particular evidence.

(d) The proceedings shall contain a sufficient record of the evidence, led at the enquiry and the Inquiry Officer's report of his findings and the grounds thereof.

(6) Nothing in paragraph (5) shall apply-

(i) where the accused is dismissed or removed from service, or vice or reduced in rank on the ground of conduct which has led to a sentence of fine or of imprisonment; or

(ii) where the authority competent to dismiss or remove a person or to reduce him in rank is satisfied that, for reasons to be recorded by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

7. Power to order medical examination as to mental or bodily infirmity

(1) Where it is proposed to proceed against a University employee on the ground of inefficiency by reason of infirmity of mind or body, the authority may at any stage, whether or not an officer has been appointed in pursuance of paragraph (1) of University Ordinance 6 to examine and report, require the University employee to undergo a medical examination by a Medical Board or a Civil Surgeon, as the authority may direct, and the report of the Board or the Civil Surgeon shall form part of the proceedings.

(2) If a University employee refuses to undergo such examination, his refusal may, subject to the consideration of any grounds he may give in support of it, be taken into consideration against him as showing that he had reason to believe that the result of the examination would prove unfavorable to him.

8. Appointment and procedure of Inquiry Officer

(1) Where a University employee is proceeded against under clause (a), (b), (c), (d), (f), (g), (h) or (i) of University Ordinance 3, and the authority has decided that the case calls for a major penalty, the authority shall appoint an Inquiry Officer to conduct the proceedings.

(2) The Inquiry Officer shall hear the case from day to day, and no adjournment shall be given except for reasons to be recorded in writing. Every adjournment, with reasons

therefore, shall be reported forthwith to the authority. No adjournment shall be given for more than a week.

(3) If the Inquiry Officer is satisfied that the University employee proceeded against is hampering or attempting to hamper the progress of the inquiry, he shall administer a warning, and if thereafter he is satisfied that the accused is acting in disregard of the warning, he shall record a finding to that effect and proceed to complete the inquiry in such manner as he thinks best fitted to do substantial justice.

(4) The Inquiry Officer shall, within ten days of the conclusion of the proceedings, or such longer period as maybe allowed by the authority, submit his findings and the grounds thereof to the authority.

9. Notice of proposed penalty to be given to the accused

(1) The authority shall consider the report of the Inquiry Officer and if upon such consideration it is of the opinion that a penalty should be imposed upon the accused it shall provisionally determine the penalty to be imposed and shall so inform the accused and supply him with a copy of the report and call upon him to show cause within a reasonable time, which shall not be less than seven days nor more than fourteen days, why the penalty should not be imposed.

(2) The authority shall take into consideration any cause shown by the accused before passing final orders.

10. Reference to the Selection Board

(1) Subject to the provisions of paragraph (4) of University Ordinance 5, all proceedings under these University Ordinances in which any penalty is proposed to be imposed on a University employee shall, in the case of employees whose scales of pay carry an initial salary of three hundred rupees or more, be forwarded to the Selection Board with a statement of the grounds and the penalty proposed.

(2) The Selection Board shall tender its advice within twenty days or such longer period as may be allowed by the Syndicate and the authority shall take the advice into consideration before passing final orders.

11. Suspension

⁷[(1)] A University employee against whom Won is proposed to be taken under clause (b), (c), (d), ⁸[*] (f), (g), (h) or (i) of University Ordinance 3 may be placed under suspension if, in the opinion of the authority, suspension is necessary expedient.

⁹[(2) A University employee against who m action is to be taken under-clause (e) of University Ordinance 3 may be placed under suspension if, in the opinion of the Chancellor, suspension is necessary or expedient.]

12. Provident Fund, Gratuity, etc., of University employees compulsorily retired,- removed or dismissed

(1) Subject to any order of the authority ¹⁰[or the Chancellor, as the case may be,] as to the-amount of provident fund or gratuity to he paid, a University employee compulsorily retired shall, except as hereinafter provided, be entitled to such provident fund or gratuity benefits as would have ordinarily been admissible to him on the date of his retirement under the University Ordinances applicable to his service or post if he had been discharged from service on account of the abolition of his post without alternative suitable employment being provided.

⁷ University Ordinance 11 re-numbered as cl. (1) of that section by the University of Karachi (Amdt.), Ordinance, 1962 (27 of 1962), s. 5.

⁸ The brackets, letter and comma omitted, *ibid*

⁹ Clause (2) *ins.*, *ibid*.

¹⁰ *Ins.* by the University of Karachi (Amdt.) Ordinance, 1962 (27 of 1962, s. 5)

(2) Subject to any order of the authority [or the Chancellor, as the case may be,] made on compassionate grounds, a University employee who is removed or dismissed shall not be entitled to any provident fund or gratuity benefits accruing from University contributions to his provident fund account.

13. Reinstatement

(1) if a University employee proceeding on leave in pursuance of an order under clause (a) of paragraph (1) of Ordinance 5 is not dismissed, removed, reduced in rank or compulsorily retired, he shall be reinstated service, or as the case may be, restored to his rank or given an equivalent rank, and the period of such leave shall be treated as duty on full pay.

(2) Reinstatement after suspension shall be governed by the relevant University Ordinances.

14. Appeal

A University employee on whom a penalty is imposed shall have the right to prefer an appeal, within fifteen days of the receipt by him of the order imposing the penalty, to the appropriate appellate authority specified in column 5 of the Appendix:

Provided that where the penalty is imposed by order of the Chancellor there shall be no appeal but the person concerned may apply for a review of the order.

15. Power of Syndicate to issue instructions

For the purposes of these University Ordinances, the Syndicate may, from time to time, issue instructions for the maintenance of appropriate standards of efficiency, good conduct, discipline and integrity.
