

EXTRAORDINARY

Registered No. M 324



The Sindh Government Gazette

Published by Authority

KARACHI TUESDAY JULY 31, 2001.

PART I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi, the 31st JULY, 2001.

No. S.LEGIS:1(26)/2001:—The following Ordinance made by the Governor of Sindh is hereby publish for general information:—

THE PRESTON INSTITUTE OF MANAGEMENT,
SCIENCE AND TECHNOLOGY ORDINANCE, 2001.

SINDH ORDINANCE No. XXVI OF 2001.

AN ORDINANCE

to provide for the establishment of an Institute at Karachi known as the Preston Institute of Management, Science and Technology.

WHEREAS it is expedient to provide for the establishment of an Institute at Karachi known as the Preston Institute of Management,

Preamble.

L(iv) 23-EXT-I-556

(2674)

Price RS. :00.

Science and Technology and to provide for matters ancillary thereto;

AND WHEREAS the Provincial Assembly stands dissolved in pursuance of the Proclamation of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999;

AND WHEREAS the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the aforesaid Proclamation and Provisional Constitution Order read with Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance: -

Short title and commencement.

1. (1) This Ordinance may be called the Preston Institute of Management, Science and Technology Ordinance, 2001.

(2) It shall come into force at once.

Definitions.

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

- (a) "Academic Council" means the Academic Council of the Institute;
- (b) "Authority" means any of the Authorities of the Institute specified in this Ordinance;
- (c) "Board" means the Board of Governors of the Institute;
- (d) "Chairman" means the Chairman of the Board;
- (e) "Dean" means the Chairman of the Board of Faculty;
- (f) "Director" means administrative head of a campus;
- (g) "Government" means the Government of Sindh;
- (h) "Institute" means the Preston Institute of Management, Science and Technology;
- (i) "Patron" means the Patron of the Institute;
- (j) "prescribed" means prescribed by rules or regulations;
- (k) "Professor Emeritus" means a retired Professor working in the Institute in honorary capacity;
- (l) "Rector" means the Rector of the Institute;
- (m) "regulations" means regulations made under this Ordinance;
- (n) "rules" means rules made under this Ordinance; and
- (o) "Society" means "the Management Educational Society", registered under the Societies Registration Act, 1860.

3. (1) There shall be established an Institute to be known as the Preston Institute of Management, Science and Technology at Karachi consisting of the Patron, the Chairman, the Rector, the Deans, the Chairmen of the Teaching Departments, the members of the Board, the members of the Academic Council and such other officers as may be prescribed.

Establishment of the Institute.

(2) The Institute shall be a body corporate by the name of the Preston Institute of Management, Science and Technology, owned, managed and administered by the Society having perpetual succession and a common seal and shall sue and be sued by the said name.

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

(4) The moral and ethical codes applied to the Institute and its constituent institutions will be based on and derived from the cardinal principles and the guidance embodied in the Holy Quran and the Sunnah of the Prophet (peace be upon him).

4. Subject to the instructions prescribed by Government or the University Grants Commission, the Institute shall have the powers:-

Powers and functions of the Institute.

- (i) to provide for instruction and training in management, computer sciences and technology, and other allied disciplines in such manner as it considers appropriate;
- (ii) to admit and hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions on and to the persons who have been admitted to and have passed its examinations under the prescribed conditions;

- (iii) to confer honorary degrees or other distinctions on approved persons in the prescribed manner;
- (iv) to establish faculties, teaching departments, research institutes and other learning centers in the ordained branches of learning and to provide and support other facilities for education, professional training and research;
- (v) to acquire and hold property, both movable and immovable, to lease, sell or otherwise transfer any movable or immovable property vesting in it;
- (vi) to co-operate with other institutes and universities public authorities in such manner and for such purposes as may be prescribed;
- (vii) to institute Professorship, Associate Professorship, Assistant Professorship and Lectureship;
- (viii) to create posts for research, administration and other related purposes;
- (ix) to institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under the prescribed conditions;
- (x) to supervise and control the discipline of the students of the Institute, and to promote the extra-curricular and recreational activities of such students, and to make arrangement for promoting their health and general welfare;
- (xi) to demand and receive such fees and other charges as it may determine; provided that ten percent seats will be reserved for meritorious, poor candidates on free ship or scholarship basis;
- (xii) to enter into, carry out, vary or cancel contracts;
- (xiii) to receive and manage properties, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the Institute and obtain loans or aids and to invest any funds representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xiv) to undertake such research as it may determine in the ordained branches of learning;
- (xv) to provide for the printing and publication of research and other works;
- (xvi) to appoint members of various bodies and committees, as the Board may determine, for academic and administrative activities;
- (xvii) to prescribe terms and conditions, and powers and duties of officers including teachers and staff;

- (xviii) to establish academic linkages and collaborative activities with other institutions for the betterment of academic standards; and
- (xix) to do all such other acts and things as may be required to further its objectives and perform its functions.

5. The following shall be the Officers of the Institute:-

Officers of the Institute.

- 1. the Chairman;
- 2. the Rector;
- 3. the Directors;
- 4. the Deans;
- 5. the Chairmen of the Teaching Departments;
- 6. the Registrar;
- 7. the Director of Finance;
- 8. the Controller of Examinations; and
- 9. such other persons as may be prescribed to be the officers of the Institute.

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

The Patron.

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

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

7. (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the Institute and shall, from time to time, direct any person or persons to inquire into or carry out inspection of-

Visitation.

- (i) the Institute, its buildings, libraries, and other facilities;
- (ii) any institution or department maintained by the Institute;
- (iii) the adequacy of financial and human resources;
- (iv) the teaching, research, curriculum, examination and other matters of the Institute; and
- (v) such other matters as may be specified by him.

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

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

(4) Where the Board does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he deems fit and the Board shall comply with all such directions.

(5) The Patron shall have full powers to take any action as he may deem fit against the institution, including its closure, if found indulging in any subversive or unlawful activity.

The Chairman.

8. (1) The Chairman shall be a person of eminence, known for his contributions in the field of education, service to society and appreciated for his high moral and intellectual caliber.

(2) Subject to subsection (1), the Chairman shall be appointed by the Patron on the recommendations of the Society.

(3) The Chairman shall in the absence of the Patron, preside over the convocation of the Institute.

(4) Should the Chairman be incapacitated from acting as such due to absence or any other cause, the Rector shall exercise all powers and perform all functions of the Chairman.

Rector.

9. (1) The Rector who is an eminent scholar of national or international repute and an educationist of distinction, shall be appointed by the Chairman for a period of four years on such terms and conditions as the Chairman may determine.

(2) At any time when the office of the Rector is vacant, or the Rector is absent or is unable to perform the functions of his office due to illness or any other cause, the Chairman shall make such arrangements for the performance of the duties of the Rector as he may deem fit.

Powers and duties of the Rector.

10. (1) The Rector shall be the chief academic and administrative officer of the Institute and shall be responsible for the implementation of the decisions of the Board and the execution of the programmes of the Institute in accordance with the guidelines and policies formulated by the Board.

(2) The Rector shall -

(i) submit plans of work and budget estimates of the Institute for the consideration of the Board;

- (ii) direct the activities connected with the execution of programmes of instruction, training, research, or services to the community;
- (iii) authorize expenditure provided for in the approved budget and to re-appropriate funds within the same major head of the expenditure and report it to the Board in the next meeting;
- (iv) sanction and re-appropriate an amount as fixed and revised by the Board from time to time for an unforeseen item not provided for in the budget and report to the Board in the next meeting;
- (v) submit reports on the activities of the Institute and the execution of the plans of work to the Board in accordance with the rules;
- (vi) create and fill temporary posts for a period not exceeding six months; and
- (vii) undertake any work assigned by the Board.

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

Director.

(2) The Director shall be responsible for implementation of the provisions of the Ordinance, directives of the Board, the rules, the regulations, execution of the policies and programmes of the Institute and the instructions issued by the Rector from time to time.

12. (1) The Director of Finance shall be a whole-time officer of the Institute and shall be appointed by the Chairman on such terms and conditions as the Board may determine.

Director of Finance.

(2) The Director shall-

- (i) manage the property, the finances and the investments of the Institute;
- (ii) prepare the annual and revised budget estimates of the Institute and present them to the Board through the Finance and Planning Committees;

- (iii) ensure that the funds of the Institute are spent for the purpose for which they are provided, and
- (iv) perform such other duties as may be assigned to him by the Chairman.

Registrar.

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

(2) The Registrar shall-

- (i) be the custodian of the common seal and the academic records of the Institute, and
- (ii) perform such other duties as may be assigned to him by the Chairman.

Controller of Examination.

14. (1) The Controller of Examinations shall be a whole time officer of the Institute and shall be appointed by the Chairman on such terms and conditions as the Board may determine.

(2) The Controller of Examinations shall be responsible for all matters connected with the examinations and for keeping its records properly and shall perform such other duties as may be assigned to him by the Chairman.

Authorities of the Institute.

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

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

Board of Governors.

16. (1) The general supervision and control of the affairs and the powers to lay down the policies of the Institute shall vest in the Board consisting of:-

- (i) The Chairman;

- (ii) a Judge of the High Court of Sindh nominated by the Chief Justice;
- (iii) Secretary to the Government of Sindh, Education Department or his nominee not below the rank of an Additional Secretary;
- (iv) the Chairman, University Grants Commission or his nominee;
- (v) the Rector;
- (vi) the President Chamber of Commerce and Industries Karachi or his nominee;
- (vii) three nominees of the Society;
- (viii) one Scientist of International repute to be nominated by the Board; and
- (ix) Secretary of the Society.

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

(3) The Chairman may nominate any Member of the Board to act as Chairman in his absence.

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

17. The Board shall exercise and perform the powers and functions as follows:-

Powers and functions of the Board.

- (i) to hold, control of and administer the properties, funds, assets and resources of the Institute;
- (ii) to govern and regulate, with the advice of the Finance and Planning Committees, the finances, accounts and investments of the Institute and for that purpose, appoint such agents as it may deem fit;
- (iii) to consider annual and revised budget estimates, and to re-appropriate funds from one major head of expenditure to another;
- (iv) to transfer and accept transfer of movable or immovable property on behalf of the Institute;
- (v) to enter into, vary, carry out and cancel contracts on behalf of the Institute;
- (vi) to cause proper books of accounts to be kept for all sums of money received and expended by

- the Institute and for the assets and liabilities of the Institute;
- (vii) to receive and manage any property transferred and grants, bequests, donations, endowments and other contributions made to the Institute;
 - (viii) to administer any funds placed at the disposal of the Institute;
 - (ix) to accord approval to provide the buildings, libraries, premises, furnitures, apparatus, equipments and other means required for carrying out the work of the Institute;
 - (x) to institute professorship, associate professorship, assistant professorship, lectureship and other teaching and create administrative post or to suspend or abolish such posts;
 - (xi) to make appointments on the recommendation of the Selection Board to the posts of teachers, officers and such other cadres as may be determined by the Board;
 - (xii) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
 - (xiii) to confer Honorary Degrees with the approval of Patron in the fields of ordained disciplines in accordance with the conditions prescribed;
 - (xiv) to prescribe the duties of officers, teachers, and other employees of the Institute;
 - (xv) to suspend, impose penalty and remove from service officers (other than the Rector), teachers and other employees in the manner prescribed;
 - (xvi) to appoint members to the various authorities in accordance with the provisions of this Ordinance;
 - (xvii) to frame regulations for carrying out the purpose of this Ordinance and submit the same to the Chairman for approval;
 - (xviii) to consider and approve the draft rules submitted to it; and
 - (xix) to delegate any of its powers to an authority or officer or a committee or sub-committee.

18. (1) The Board shall meet at least twice in a year on the dates fixed by the Rector in consultation with the Chairman, provided that a special meeting may be called at any time on the direction of

Meeting of the Bo

the Chairman or on a requisition made by not less than four members of the Board to consider a matter of urgent nature.

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

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

(4) The decisions of the Board shall be expressed in terms of the views of the majority of the members present and voting and in case of tie, the Chairman shall exercise a casting vote.

- 19 (1) The Academic Council shall consist of -
- (i) The Rector who shall be the Chairman;
 - (ii) the Deans;
 - (iii) the Directors;
 - (iv) the Institute Professors including Emeritus and distinguished Professors;
 - (v) nominee of the Education Secretary Government of Sindh not below the rank of Deputy Secretary;
 - (vi) Advisor (Academics) of the University Grants Commission or his nominee;
 - (vii) the Chairmen of the Teaching Departments;
 - (viii) three eminent persons known for their intellectual calibre on international level, service to society or leadership in profession nominated by the Chairman on the recommendation of the Rector;
 - (ix) the Controller of Examinations;
 - (x) the Librarian; and
 - (xi) the Registrar who shall act as its Secretary.

Academic Council.

(2) Members appointed by nomination shall hold office for three years and shall be eligible for re-nomination.

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

20. (1) The Academic Council shall be the highest academic body of the Institute, and shall, subject to the provisions of this Ordinance and the regulations, have the powers to lay down proper standards of instruction, scholarship, research and examinations and to regulate and promote the academic life of the Institute.

Powers and Duties of the Academic Council.

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

- (i) to advise the Board on academic matters;
- (ii) to regulate the admission of students to the courses of studies and holding of examinations;
- (iii) to propose to the Board, schemes for the constitution and organization of faculties, teaching departments, campuses and Boards of Studies;
- (iv) to consider or formulate proposals for the planning and development of teaching and research in the Institute;
- (v) to make rules on the recommendations of the Board of Faculties or the Boards of Studies prescribing the course of studies and the syllabi; provided that, if the recommendations of the Board of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year, the courses of studies already prescribed for an examination;
- (vi) to recognize the examinations of other institutes, universities or examining bodies as equivalent to the corresponding examinations of the Institute;
- (vii) to propose rules for submission to the Board; and
- (viii) to perform such other functions as may be prescribed.

Regulations.

21. (1) Subject to the provisions of this Ordinance, the Board may make regulations which may prescribe all or any of the following matters namely -

- (a) terms and conditions of service of employees of the Institute, including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (b) terms and conditions of contractual appointment of teachers, researchers and officers;
- (c) constitution and functions of the Selection Board for selection of candidates for appointment to various posts of teachers and other officers and staff;

- (d) establishment of faculties, teaching departments and other academic units and divisions and their management;
- (e) powers and duties of officers and teachers,
- (f) conditions under which the Institute may enter into arrangements, partnership, collaboration with other public, government or private organizations for purpose of instruction, research and other scholarly activities for the betterment of the Institute;
- (g) condition of appointment of Professor Emeritus and Distinguished Professors;
- (h) award of honorary degrees;
- (i) standards for evaluation of efficiency and exercising disciplinary measures over the employees of the Institute;
- (j) acquisition and administration of properties and investment of the Institute; and
- (k) all other matters which under this Ordinance are required to be or may be prescribed by the regulations

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

(3) The Chairman shall have the powers to assent to the regulations submitted to him for approval.

(4) No regulation shall be valid until assented to and signed by the Chairman.

22. Subject to the approval of the Board the authorities and the other bodies of the Institute may make rules consistent with this Ordinance, to regulate the conduct of their business and the time and place of meeting and other related matters.

Rules.

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

The Institute fund, audit and accounts.

(2) No contribution or grant which may directly or indirectly involve any immediate or subsequent financial liability of the Institute or which may involve an activity not included in its programmes for the time being shall be accepted without the prior approval of the Board.

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

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

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

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

constitution, functions
and powers of other
authorities.

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

jurisdiction.

25. No court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Ordinance.

indemnity.

26. No suit or legal proceedings shall lie against Government, the Institute or any Authority or an employee of the Institute or any person, in respect of anything which is done, or purported to have been done in good faith or intended to, or has been done under this Ordinance.

27. (1) If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Chairman may make such orders, which are consistent with the provisions of this Ordinance.

Removal of difficulties.

(2) Where this Ordinance makes any provision for anything to be done, but no provision or insufficient provision has been made as respecting the authority by whom, or the time at which, or the manner in which it shall be done then it shall be done by such authority, or at such time, or in such manner, as the Chairman may direct.

Karachi:
Dated: 27.07.2001

MOHAMMEDMIAN SOOMRO
GOVERNOR OF SINDH

SAYED GHULAM NABI SHAH
SECRETARY TO GOVERNMENT OF SINDH
LAW DEPARTMENT

KARACHI: PRINTED AT THE SINDH GOVERNMENT PRESS

(1250) 31-7-2001 (OFFSET)