

AS  
~~[TO BE INTRODUCED IN THE SENATE]~~

A  
BILL

*to provide for establishment of the Imam Bukhari International Islamic institute at Sialkot*

**WHEREAS** it is expedient to provide for establishment of the Imam Bukhari International Islamic Institute at Sialkot and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

CHAPTER-I

PRELIMINARY

**1. Short title and Commencement.-** (1) This Act may be called the Imam Bukhari International Islamic Institute Act, 2023.

(2) It shall come into force at once.

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

- (i) "Academic Council" means the Academic Council of the Institute;
- (ii) "Affiliated Institution or College" means an educational institution or college affiliated to the Institute but not maintained or administered by it;
- (iii) "Authority" means any of the Authorities of the Institute specified in section 18;
- (iv) "Board" means the Board of Presidents of the Institute;
- (v) "Chairman" means the Chairman of the Board;
- (vi) "Chancellor" means the Chancellor of the Institute;
- (vii) "College" means a college and includes an institution in which arrangement exist for imparting instructions in general, technical professional education or other disciplines of higher learning and such other subjects as may be prescribed;
- (viii) "Commission" Means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (ix) "Company" means Imam Bukhari Educational Network (Private) Limited] incorporated with Security Exchange Company Pakistan (SECP) under the Companies Act, 2017(XIX of 2017);

- (x) "Constituent or institution college" means an institution or college maintained and administered by the Institute;
- (xi) "Dean" means the Head of Faculty or the head of an academic body granted the status of a-Faculty by this Act or by the Statutes or Regulations;
- (xii) "Department" means a teaching department maintained and administered, or recognized by the Institute in the manner prescribed;
- (xiii) "Director" means the head of a teaching or administrative division of an institute;
- (xiv) "Faculty" means an administrative and academic unit of the Institute consisting of one or more schools, as prescribed;
- (xv) "Government" means the Government of Pakistan;
- (xvi) "Head" mean the Head of the Teaching Department;
- (xvii) "HEC" means Higher Education Commission, Government of Pakistan;
- (xviii) "Institute" means the Imam Bukhari International Islamic Institute established under this Act;
- (xix) "Institute Teacher" means a whole-time teacher appointed and paid by the Institute, or recognized by the Institute as such;
- (xx) "Officer" means and of the officers of the Institute specified in section 7;
- (xxi) "Patron" means the Patron of the Institute;
- (xxii) "Prescribed" means prescribed by status , regulation or rules;
- (xxiii) "Principal" means the head of a constituent unit/college;
- (xxiv) "Pro-Vice Chancellor" means the Pro-Vice Chancellor of the Institute;
- (xxv) "Professor Emeritus" means a retired Professor working in the Institute in an honorary capacity;
- (xxvi) "Registrar" means the Registrar of the Institute;
- (xxvii) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of this Act;
- (xxviii) "Search Committee" means the Search Committee set up by the Board of Governors under this Act;
- (xxix) "Schedule" means a Schedule to this Act;
- (xxx) "Statutes", "regulations" and "rules" means respectively the statutes, regulations and rules made under this Act;

- (xxxi) "Syndicate" means the Syndicate of the Institute;
- (xxxii) "Teaching Department" means a Teaching Department of the Institute;
- (xxxiii) "Teacher" means whole time teacher engaged as Professor, Associate Professor, Assistant Professor, Lecturer and such other persons as may be declared to be the Teachers; and
- (xxxiv) "Vice Chancellor" means the Vice Chancellor of the Institute.

## CHAPTER-II THE INSTITUTE

3. **Establishment and incorporation of the Institute.-** (1) There shall be established a Institute to be called the Imam Bukhari International Islamic Institute, consisting of the Chairman, Chancellor, the Vice Chancellor, Pro- Vice Chancellor, the Deans, the Head of the Teaching Departments and members of the Board, the members of the Academic Council and such other Officers as may be prescribed. The Institute shall be a body corporate by the name of the Imam Bukhari International Islamic Institute, owned, managed and administered by the Company and shall have perpetual succession and a common seal and may sue and be used by the said name.
- (2) The Institute 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.
- (3) The Institute shall be open to all persons of sex or whatever religion, race, creed, color 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 privilege on the ground only of sex, religion, creed, race, class, color or domicile.
- (4) The moral and ethical codes employed on the Institute campus, affiliated colleges or institutes and the 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 (SAWW).
- (5) The Institute shall take measures to setup campus or campuses anywhere in Pakistan.
- (6) Notwithstanding anything contained in any other law for the time being in force, the Institute shall have academic, financial and administrative autonomy, including the

power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act and the Higher Education Commission Act, 2002 (LIN of 2002). In particular, and without prejudice to the authority granted to the Commission by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Board of Governors in the annual budget of the Institute.

**4. Functions and Powers of the Institute.**- (1) The Institute shall have the powers subject to the instructions of Government as issued from time to time, to:-

- (i) provide for instructions in such branches of learning as it may deem fit, and to make provision for the advancement and dissemination of knowledge in such manner as it may determine; provided that the faculty of medicine shall be established as per requirements of the Pakistan Medical Commission;
- (ii) Affiliate itself or associate with other institutions and establish faculties and the Teaching Departments to discharge its functions and responsibilities for the betterment of education;
- (iii) Prescribe courses of studies and curricula;
- (iv) Admit students and hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and the persons who have been admitted to and have passed its examinations under prescribed conditions;
- (v) Confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (vi) 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;
- (vii) Affiliate and disaffiliate educational institutions and inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (viii) Cooperate with the other Universities and public authorities in such manner and for such purposes as per rules and regulations;
- (ix) Institute Professorship, Associate Professorship, Assistant Professorship and Lectureship and any other posts and to appoint persons thereto;
- (x) Create posts for research, extension, administration and other related purposes and to appoint persons thereto;

- (xi) Institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;
- (xii) Control the residence of the students of the Institute, to institute and maintain halls of residence and to approve or license hostels and lodgings;
- (xiii) Supervise and control the discipline of the students of the Institute and the colleges, to promote the extra-curricular and recreational activities of such students and to make arrangement for promoting their health and general welfare;
- (xiv) Demand and receive such fees and other charges as it may determine;
- (xv) Enter into, carry out, vary or cancel contracts;
- (xvi) Receive and manage property transferred and grants, bequests, trusts, gifts, donations, endowments or other contributions made to the Institute and to invest any funds representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xvii) Undertake such research as it may determine in the ordained branches of learning;
- (xviii) Provide for the printing and publication of research and other works;
- (xix) Appoint members of various bodies and committees, as the Board may determine for academic and administrative activities;
- (xx) Appoint such officers and staff and prescribe terms and conditions and powers and duties of such officers and staff;
- (xxi) Establish academic linkages and collaborative activities with other institutions for the betterment of academic standards;
- (xxii) to provide career counseling and job search services to students and alumni;
- (xxiii) to maintain linkages with alumni;
- (xxiv) to develop and implement fund-raising plans;
- (xxv) to provide and support the Academic development of the faculty of the Institute; and
- (xxvi) Do all such acts and things, as may be required to further its objectives.

**5. Institute open to all classes, creeds, etc.-** (1) The Institute shall be open to all persons of any gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied privileges of the Institute on these grounds.

(2) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor.

(3) The Institute shall institute financial aid programmes for students in need, to the extent considered feasible by the Board of Governors given the resources available, so as to enable admission and access to the Institute and the various opportunities provided by it to be based on merit rather than ability to pay.

**6. Teaching at the Institute.-** (1) All teaching, professional and technical training in various courses shall be conducted by the Institute or the schools in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations subject to policies prescribed by the Commission.

(2) The Institute may set up any number of campuses, at such places in Pakistan or abroad as the Board of Governors may determine and with prior approval of Higher Education Commission.

(3) The authority responsible for organizing recognized teaching shall be such as may be prescribed.

**7. Officers of the institute:-** The following shall be the officers of the Institute:- .

- (i) The Chairman of the Board;
- (ii) The Chancellor;
- (iii) The Vice Chancellor;
- (iv) The Pro-Vice Chancellor;
- (v) The Deans;
- (vi) The Directors;
- (vii) The Head of the Teaching Departments;
- (viii) The Registrar;
- (ix) The Director of Finance;
- (x) Director of Planning and Development;
- (xi) The Controller of Examinations;
- (xii) The Resident Auditor;

(xiii) The Librarian; and

(xiv) Such other persons as may be prescribed by regulations to be the officers;

**8. Patron.-** (1) The President of Pakistan shall be the Patron of the Institute. The Patron may, in accordance with the terms and procedures as may be prescribed, cause an inspection or inquiry to be made on his own motion or at the request of the Commission 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 —

- (a) the Institute, its building, laboratories, libraries, and other facilities;
- (b) any department or hostel maintained by the Institute;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination, and other matters of the Institute; and
- (e) Such other matters as the Patron may specify.

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

(3) The Chancellor 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 of Governors does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he/she deems fit and Board of Governors shall comply with all such directions.

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

(2) Subject to sub-section (1), the President of the Company shall be the Chancellor.

(3) The Chancellor shall, when present, preside over the convocation of the Institute.

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

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

- i. has become unsound mind; or performance of functions.

- ii. has been incapacitated to function as member; or
- iii. has been convicted by a court of law in Pakistan of an offence involving moral turpitude.

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

(7) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, Vice Chancellor Shall act for him.

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

(9) The Chancellor shall, on receipt of a report under sub-section (6) above, issue such directions as he thinks fit and the Vice Chancellor will comply with such directions.

(10) The Vice Chancellor shall be appointed by the Chancellor, for a period of three years, which may, in the discretion of the Chancellor, be further extended, on such terms and conditions as the Chancellor deems fit.

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

**10. Removal from the Board of Governors.** - (1) The Chancellor may, upon the recommendation of the Review Panel, remove any person from the membership of the Board of Governors on the ground that such person:

- (i) has become of unsound mind; or
- (ii) has become incapacitated to function as member of the Board of Governors; or
- (iii) has been convicted by a court of law for an offence
- (iv) Involving moral turpitude; or
- (v) has absented himself from two consecutive meetings without just cause;  
or



(vi) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the

(2) The Chancellor shall remove any person from the membership of the Board of Governors on a resolution calling for the removal of such person, supported by at least three-fourths of the membership of the Board of Governors:

Provided that before passing such resolution the Board of Governors shall provide the member concerned a fair hearing:

Provided further that the provisions of this section shall not be applicable to the Vice Chancellor in his capacity as a member of the Board of Governors.

**11. Vice Chancellor.-** (1) The Vice Chancellor shall be the principal executive and academic officer of the Institute and shall be responsible for implementation of the provisions of this Act, the statutes, the regulations and the rules and execution of the policies and the programs of the Institute.

(2) The Vice Chancellor shall, in the absence of the Chancellor, preside over the meetings of the Authorities of which the Chancellor is the Chairman.

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

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

- (i) To create and fill temporary posts for a period not exceeding six months;
- (ii) To sanction all expenditures provided for in the approved budget and to re-appropriate funds within the same major head of expenditure;
- (iii) To sanction or re-appropriate an amount as fixed and revised by the Board from time to time for an unforeseen item not provided for in the budget and report it to the Board at the next meeting;
- (iv) To appoint paper setters and examiners for all examinations of the Institute after receiving panels of names from the relevant Authorities;
- (v) To make such arrangements for the security of papers, grades and results as

he may consider necessary;

- (vi) To direct teachers, officers and other employees of the Institute to take such assignments in connection with teaching, research, examination, administration and such other activities in the Institute as he may consider necessary;
- (vii) To appoint employees of such categories in respect of which powers have been delegated to him by the Board;
- (viii) To delegate, subject to the approval of the Chancellor, any of his powers under this Act, to an officer or other employee of the Institute;
- (ix) To exercise and perform such other powers and functions as may be prescribed.

9. **Pro-Vice Chancellor.**- The Chancellor may, in consultation with the Vice Chancellor, appoint a ProVice Chancellor in any capacity or on such terms and conditions as the Chancellor may determine.

(2) The Vice-Chancellor shall be the chief executive officer of the Institute responsible for all administrative and academic functions of the Institute and for ensuring that the provisions of this Act, Statutes, Regulations and Rules are faithfully observed to promote the general efficiency and good order of the Institute. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers, and other employees of the Institute.

(3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any Authority or body of the Institute.

(4) The Vice-Chancellor, in an emergency requiring immediate action ordinarily not in the competence of the Vice-Chancellor, may take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Board of Governors, to be set up by Statute. The Emergency Committee may direct such further action as is considered appropriate.

(5) The Vice-Chancellor: shall also have the following powers, namely:

- i. to direct teachers, officers and other employees of the Institute to take up such assignments in connection with examination, administration and such other activities in the Institute. as he may consider necessary for the purposes of the

Institute;

- ii. to sanction by re-appropriation an amount not-exceeding an amount specified by the Board of Governors for an unforeseen item not provided for in the budget and report it to the Board of Governors at the next meeting;
- iii. to make appointments of stich categories of employees of the Institute' and in such manner as may be prescribed by the Statutes;
- iv. to suspend, punish and remove, in accordance with prescribed procedure, from service officers, teachers and other employees of the Institute except those appointed by or with the approval of the Board of Governors;
- v. to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the Institute; and
- vi. to exercise and perform such other powers and functions as may be prescribed.
- vii. The Vice-Chancellor shall preside at the convocation of the Institute in the absence of the Chancellor.

(6) The Vice-Chancellor shall present an annual report 'before the Board of Governors within three months of the close of the academic year. The annual report shall present such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to academics; research; administration; and finances.

(7) The Vice-Chancellor's annual report shall be made available, prior to its presentation before the Board of Governors, to all officers and Institute Teachers and shall be published in-such numbers as are' required to ensure its wide circulation.

(8) The Pro-Vice Chancellor shall, notwithstanding anything contained in this Act, exercise such powers and perform such functions of the Vice Chancellor or such other powers and functions, in respect of the capacity for which he is appointed, as the Chancellor may delegate to him.

**10. Appointment and removal of the Vice-Chancellor.-** (1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Board of Governors.

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Board of Governors on the date and in the manner prescribed by the Statutes and shall consist of two eminent members of society nominated by the Chancellor, of whom one shall be 'appointed the Convener, two

members of the Board of Governors, two distinguished Institute Teachers who are not members of the Board of Governors and one academician of eminence not, employed by the Institute. The two distinguished Institute Teachers shall be selected by the Board of Governors through a process, to be prescribed by Statute that provides for the recommendation of suitable names by the Institute Teachers in general. The Search Committee shall remain in existence till the time of appointment of the next-Vice-Chancellor made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice Chancellor shall be considered by the Board of Governors and a panel of three, in order of priority, shall be recommended by the Board of Governors to the Chancellor: Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendation being sought by the Chancellor, the Search Committee shall make « proposal to the Board of Governors in the prescribed manner.

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

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

(5) The Board of Governors may, pursuant to a resolution in this behalf passed by three-fourths of its membership, recommend to the Chancellor the removal of the Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor may make a reference to the Board of Governors stating: the instances of inefficiency, moral "turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his-notice. After consideration of the reference the Board of Governors may, pursuant to a resolution in this behalf passed by two-thirds of its " membership, recommend to the Chancellor the removal of the Vice-Chancellor:

Provided further that prior to a resolution for the removal of the Vice-Chancellor

being voted upon the Vice-Chancellor shall be given an opportunity of being heard.

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

(7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Board of Governors shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

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

(2) The Registrar shall, -

- (a) Be the custodian of the common seal and the academic records of the Institute; and
- (b) Perform such other duties as may be prescribed.

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

(2) The Director of Finance shall -

- (a) Manage the property, the finances and the investments of the Institute;
- (b) Prepare the annual and revised budget estimates of the Institute and present them to the Finance and Planning Committee and the Board;
- (c) Ensure that the funds of the Institute are expended for the purposes for which they are provided; and
- (d) Perform such other duties as may be prescribed.

**15. Controller of Examinations.-** (1) The Controller of Examination shall be a whole time officer of the Institute and shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

**16. Resident Auditor.-** The Resident Auditor shall be a whole time officer of the Institute and shall be responsible for pre-audit of all payments from the Institute fund.

**17. Director of Planning and Development.-** The Director of Planning and Development shall be a whole time officer of the Institute and shall be responsible for planning and development of the Institute and shall also be responsible for preparation of short and long term development plans for the resources, the facilities and the amenities and shall perform such functions as may be prescribed.

### CHAPTER-III

#### AUTHORITIES OF THE INSTITUTE

**18.** The following shall be the Authorities of the Institute:-

- (i) The Board of Presidents;
- (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;
- (ix) The Affiliation Committee; and
- (x) Such other Authorities as may be prescribed by the statutes.

**19. Board of Presidents.-** (1) The Board of Presidents shall consist of:

- (a) The Chairman of the Company shall also be Chairman of the Board;
- (b) The Chancellor;
- (c) The Vice Chancellor;
- (d) The Pro-Vice Chancellor (s);
- (e) The Chief Justice of the supreme Court of Pakistan or a Judge of High Court nominated by him;

- (f) The Chairman, Higher Education Commission or whole-time member of the Commission nominated by him;
- (g) Two Deans to be appointed by the Chancellor in consultation with the Vice Chancellor;
- (h) Secretary to Ministry of education Government of Pakistan, Education Department or his nominee;
- (i) President Chambers of Commerce and Industries Sialkot;
- (j) One scientist of national or international repute to be nominated by the Board;
- (k) Four members of the Company nominated by the Company;
- (l) Four distinguished persons known for their contribution and experience in the field of education, banking, finance or any other field of interest nominated by the Company;
- (m) The Registrar who shall act as Secretary of the Board.
- (n) Should the chairman be incapacitated from acting as such due to absence or any other cause, the Chancellor shall act for him.

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

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

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

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

**20. Powers and duties of the Board.-** (1) The Board shall be the executive body of the Institute and shall subject to the provisions of this Act and the statutes, exercise general supervision over the affairs and management of the Institute.

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

- (a) To hold, control and administer the property and funds of the Institute;

- (b) To govern and regulate, with due regard to the advice of the Finance and Planning Committee, the finances, accounts and investments of the Institute and for that purpose, to appoint such agents as it may think fit;
- (c) To consider annual and revised budget estimates and to advise the Company there on, and to re-appropriate funds from one major head of expenditure to another;
- (d) To transfer and accept transfer of movable or immovable property on behalf of the Institute;
- (e) To enter into, vary, carry out and cancel contracts on behalf of the Institute;
- (f) 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;
- (g) To receive and manage any property transferred and grants, bequests, donations, endowments and other contributions made to the Institute;
- (h) To administer any funds placed at the disposal of the Institute for specified purposes;
- (i) To determine the form, provide for the custody and regulate the use of the common seal of the Institute;
- (j) To provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the Institute;
- (k) To establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (l) To institute Professorship, Associate Professorship, Assistant Professorship, Lectureship and other teaching posts or to suspend or abolish such posts;
- (m) To create, suspend or abolish such administrative, teaching research or other posts as may be necessary;
- (n) To make appointments on the recommendation of the Selection Board to the posts of teachers, officers and such other cadres as may be determined by the Board;
- (o) To appoint Emeritus and Distinguished Professors on such terms and conditions as may be prescribed;
- (p) To confer honorary degrees in the fields of ordained disciplines in accordance with the conditions prescribed;
- (q) To prescribe the duties of officers, teachers and other employees of the



Institute;

- (r) To suspend, impose penalty and remove from service officers, teachers and other employees, in the manner prescribed;
- (s) To appoint members of the various Authorities in accordance with the provisions of this Act;
- (t) To propose statutes for submission to the Chancellor;
- (u) To consider and dispose of the regulations made by the Academic Council; provided that the Board may frame the Regulations on its own initiative and approve it after consulting the Academic Council;
- (v) To regulate, determine and administer all other matters concerning the Institute and, to this end, exercise all other powers not specifically mentioned in this Act and the statutes;
- (w) To delegate any of its powers to an Authority or Officer or a Committee or Sub-Committee; and
- (x) To perform such other functions as have been assigned to it under this Act, or may be assigned to it by the statutes.

**21. Meetings of the Board.-** (1) The Board shall meet at least two times in a year on the dates to be fixed by the Vice Chancellor; provided that a special meeting may be called at any time on the direction of the Chairman of the board 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 decision of the Board shall be expressed in terms of the views of the majority of the members present and if the members are equally divided the Chairman of the Board shall have and exercise a casting vote.

**22. Academic Council.-** (1) The Academic Council shall consist of -

- (a) The Vice Chancellor who shall be the Chairman;
- (b) The Pro-Vice Chancellor;
- (c) The Deans;

- (d) The Directors;
- (e) The Institute Professors including Emeritus and
- (f) Distinguished Professors;
- (g) The Chairpersons of the Teaching Departments;
- (h) Three eminent persons known for their intellectual caliber on international level, service to Company or leadership in profession nominated by the Chancellor on the recommendation of the Vice Chancellor;
- (i) The Controller of Examination;
- (j) The Librarian; and
- (k) The Registrar who shall act as its Secretary.

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

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

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

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

(2) In particular and without prejudice to the generality of the foregoing provisions, the 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 examinations;
- (iii) To propose to the Board, schemes for the constitution and organization of Faculties, Teaching Department, Institutes 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 regulations on the recommendations of the Board of Faculties

and the Boards of Studies prescribing the course of Studies and the syllabi for all Institute examinations; provided that, if the recommendations of the Board of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination;

- (vi) To recognize the examinations of other Institute or examining bodies as equivalent to the corresponding examinations of the Institute;
- (vii) To frame regulations for submission to the Board;
- (viii) To appoint members to the various Authorities in accordance with the provisions of this Act; and
- (ix) To perform such other functions as may be prescribed by the statutes.

#### **CHAPTER-IV**

#### **STATUTES, REGULATIONS AND RULES**

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

- (i) Terms and conditions of service of employees of the Institute including scales of pay;
- (ii) Terms and conditions of contractual appointment of teachers, researchers and officers;
- (iii) Establishment of Faculties, Teaching Departments and other academic units and divisions;
- (iv) Powers and duties of Officers and teachers;
- (v) Affiliation and disaffiliation of institutions and related matters;
- (vi) Conditions under which the Institute may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;
- (vii) Conditions appointment of Professor Emeritus and Distinguished Professor. Award of honorary degrees;
- (viii) Standard of evaluation of efficiency and exercising disciplinary measures over the employees of the Institute;
- (ix) Acquisition and administration of properties and investments of the Institute; and
- (x) All other matters of which under this Act are required to be or may be prescribed or regulated by the statutes.

- (2) The draft of statutes shall be proposed by the Board for the approval of the Chancellor who may refer them back to the Board for reconsideration.
- (3) The Chairman shall have the powers to assent to the statutes submitted to him for approval.
- (4) No statutes shall be valid until it has been approved by the Chairman.

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

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

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

**26. Amendment and repeal of Statutes and Regulations.-** The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making the statutes and regulations.

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

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

Provided further that if such other Authority or body is dissatisfied with such directions it may appeal to the Company whose decision in the matter shall be final.

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

## CHAPTER-V

### THE INSTITUTE FUND

**28. Institute Fund, Audit and Accounts.-** (1) The Institute shall have a Fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, contributions, grants and all other sources.

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

(3) The accounts of the Institute shall be maintained in such form and in such manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the Institute by a Chartered Accountant & approved by the Finance and Planning Committee.

(4) The accounts, together with the report of the Auditor thereon, shall be submitted to

the Board for approval.

(5) The Auditor's report shall certify that the report has complied with the standards of audit and certification.

## CHAPTER VI

### GENERAL PROVISIONS

**29. Term of office of members of Authorities.-** When a member of a newly constituted Authority is appointed or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed.

**30. Filling of casual vacancies in Authorities.-** (1) Any casual vacancy among the appointed or nominated members of any Authority shall be filled, as soon, as conveniently may be, by the person or the body who appointed or nominated the member whose place has become vacant, and the person appointed or nominated to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member:

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

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

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

(2) If a question arises whether any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of three persons to be appointed by the Chancellor shall be final and binding.

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

**33. Appointment of Committees by the Authority.-** The Board, the Academic Council or other Authorities may appoint such Standing, Special or Advisory Committees, as they may consider advantageous in the performance of their functions.

**34. First Statutes.-** Notwithstanding anything contained in this Act, the statutes set out in the Schedule, shall be deemed to be the statutes framed under section 22 and shall remain in force until they are amended or replaced by new statutes framed in accordance with this Act.

**35. Removal of difficulties.-** If any difficulty arises as to the first constitution or reconstitution of any Authority upon coming into force of this Act or otherwise in giving effect to any provision of this Act, the Chancellor may give appropriate directions to remove such difficulty.

**36. Proceedings of Authorities not invalidated by vacancies.-** No act, proceedings, resolution or decision of any Authority shall be invalid by reason only of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority.

**37. Bar of Jurisdiction.-** No court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act.

**38. Indemnity.-** No suit or legal proceedings shall lie against Government, the Institute or any Authority or an employee of Government or 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 in good faith under this Act.

**FACULTIES**  
**THE SCHEDULE FIRST STATUTES**  
**(See section 34)**

1. (1) The Institute shall have the following Faculties/Colleges:-

- (a) Faculty or College of Engineering and Technology;
- (b) Faculty or College of Computer Science;
- (c) Faculty or College of Management Sciences;
- (d) Faculty or College of Media Studies;
- (e) Faculty or College of Arts and Design;
- (f) Faculty or College of Education and Social Sciences;
- (g) Faculty or College of Law and Islamic Jurisprudence;
- (h) Faculty or College of Medicine and Dentistry;
- (i) Faculty or College of Aviation and Military Studies;
- (j) Faculty or College of Hospitality and Culinary Arts;
- (k) Any other college as may be prescribed by the Statutes.

(2) The Islamic Education and Pakistan Studies shall be compulsory for Muslim Students and Non-Muslim students shall in lieu of subjects have option to offer Ethics and Pakistan Studies subjects in all faculties.

(3) Each Faculty shall include such institutes, teaching departments, centers, Or other teaching or research units as may be prescribed by the statutes.

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

- (a) The Deans;
- (b) The Professors, Associate Professors and Head of the Teaching Departments comprised in the faculty;
- (c) Two members of each Board of Studies comprised in the Faculty, to be nominated by the Board of Studies concerned; and
- (d) Three teachers to be nominated by the Academic Council by reason of their specialized knowledge of subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty

(2) The members, mentioned in clauses (c) and (d) of sub section (1) shall hold



office for three years.

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

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

(a) To coordinate the teaching and research in the subjects assigned to the Faculty;

(b) To scrutinize the schemes of courses and syllabi proposed by the Board of Studies comprised in the Faculty, and forward them to the Academic Council along with its observations;

**Dean.** (1) To scrutinize the recommendations of the Board of Studies comprised in the faculty, on the appointment of paper setters and examiners, (except for research and degrees examiners), to the Vice Chancellor; and

(2) To perform such other functions as may be prescribed. (1) There shall be a Dean for each Faculty who shall be the Chairman of the Board of Faculty and shall be nominated by the Chancellor from amongst the three senior most Professors in the Faculty, on the recommendations of the Vice-Chancellor.

(3) The Dean shall hold office for three years. And shall be subject to reappointed as per the conditions as the Chancellor may deem fit.

(4) The Dean shall present candidates for admission to degrees, except honorary in the courses falling within the purview of the Faculty.

(6) The Dean shall exercise such other powers and perform such other duties as may be prescribed.

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

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

(3) The Chairman of the Teaching Department shall plan, organize and supervise the work of the Department in accordance with the provisions of this Act and shall be

responsible to the Dean of the Faculty in which his Department is comprised, for the work of his Department.

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

(2) Each Board of Studies shall consist of -

- (i) The Head of the Teaching Department concerned who shall act as its Chairman and president;
- (ii) All Professors and Associate Professors in the Teaching Department concerned;
- (iii) Such Institute teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;
- (iv) Two experts, other than Institute Teachers, to be appointed by the Vice Chancellor.

(3) The term of office of member of the Board of the Studies, other than ex officio members shall be three years.

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

(5) The functions of the Board of Studies shall be -

- (a) To advise the Authorities on all academic matters connected with instructions, research and examinations in the subjects concerned;
- (b) To propose curricula and syllabi for all degrees, diploma and certificate courses in the subject or subjects concerned;
- (c) To suggest a panel of names of paper setters and examiners in the subjects concerned; and
- (d) To perform such other functions as may be prescribed by regulations.

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

- (a) The Vice Chancellor who shall be the Chairman;
- (b) The Pro-Vice Chancellor;
- (c) The Deans;
- (d) Three Institute Professors/Associate Professors other than Deans to be appointed by the Chancellor;

- (e) Three Institute Teachers having research, qualifications and experience to be appointed by the Academic Council;
  - (f) Three scholars of eminence in a field not represented on the Board of Advanced Studies and Research to be appointed by the Vice Chancellor on the recommendation of the Academic Council; and
  - (g) The Professors Emeritus.(If Any)
- (2) The term of office of the members of the Advanced Studies and Research Board, other than ex-officio members, shall be three years.
- (3) The quorum for a meeting of the Advanced Studies and Research Board shall be one-half of the total number of members, a fraction being counted as one.
- (4) The functions of the Advanced Studies and Research Board shall be-
- (a) To advise the Authorities on all matters connected with the promotion on advanced studies and research in the Institute;
  - (b) To consider and report to the Authorities on the institution of research degree in the Institute;
  - (c) To propose Regulations regarding the award of research degrees;
  - (d) To appoint supervisors for research students to determine the subject of their thesis;
  - (e) To recommend the names of paper setters and examiners for research examination after considering the proposals of the Board of Studies in this behalf; and
  - (f) To perform such other functions as may be prescribed by statutes.

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

- (a) The Vice Chancellor who shall be the Chairman;
- (b) One member of the Board and two persons of eminence to be nominated by the Board; provided that none of them is an employee of the Institute;
- (c) The Dean of the Faculty concerned;
- (d) The Head of the Teaching Department concerned;
- (e) Two persons to be nominated by the Company.
- (f) The members of the Selection Board, other than ex-officio members, shall hold office for three years.
- (g) The quorum for a meeting of the Selection Board shall be one half of the

members.

- (h) No member of the Selection Board who is a candidate for the post to which appointment is to be made shall take part in such proceedings of the Selection Board.
  - (i) In selecting candidates for the post of Professors and Associate Professors, the Selection Board shall, co-opt or consult three experts in the subject concerned and, in selecting candidates for other teaching posts, two experts in the subject concerned to be nominated by the Vice Chancellor, from a standing list of experts of each subject approved by the Chancellor on the recommendation of the Selection Board as revised from time to time.
- (2) The functions of the Selection Board shall be -
- (a) To consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of such persons for appointment and such posts;
  - (b) To recommend to the Board the appointment of an eminently qualified person to a position in the Institute on the terms and conditions as may be prescribed;
  - (c) To consider all cases of promotion of officers of the Institute and recommend to the Board the names of suitable candidates for such promotions; and
  - (d) That in the event of an unresolved difference of opinion between the Selection Board and the Board, the matter shall be referred to the Chancellor whose decision shall be final.

**Finance Planning Committee.** (1) there shall be a Finance and Planning Committee consisting of: -

- (a) The Vice Chancellor, who shall be the Chairman;
- (b) The Pro-Vice Chancellor;
- (c) Two nominees of the Company;
- (d) A nominee of the Board;
- (e) three experts in the field of finance and planning to be nominated by the Chancellor;
- (f) One Dean to be nominated by the Chancellor on the recommendations of

the Vice Chancellor; and

(g) The Director Finance of the Institute who shall be the Member/Secretary

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

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

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

**Discipline Committee and its Functions.**(1) The Discipline Committee shall consist of-

- (a) The Vice-Chancellor or his nominee;
- (b) The Pro-Vice Chancellor;
- (c) Two Professors to be nominated by the Academic Council;
- (d) One member to be nominated by the Company; and
- (e) The Teacher or officer In charge of Students Affairs by whatever name called who shall act as Member Secretary.

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

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

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

- (a) To propose regulations to the Academic Council for the conduct of Institute students, maintenance of discipline and for dealing with cases of discipline; and
- (b) To perform such other functions as may be assigned to it by the statutes or regulations;

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

- (a) The Vice Chancellor who shall be the Chairman;

- (b) The Pro-Vice Chancellor;
  - (c) One member to be nominated by the Chancellor;
  - (d) Two Professors to be nominated by the Academic Council.
- (2) The term of office of the members of the Committee excluding ex- officio members shall be two years.
- (3) The Affiliation Committee may co-opt not more than three experts.
- (4) The quorum for a meeting of or an inspection by the affiliation Committee shall be one half of the members.
- (5) An Officer of the Institute to be designated by the Vice Chancellor for this purpose shall act as the Secretary of the Committee.

#### **STATEMENT OF OBJECTS AND REASONS**

Universities are considered key institutions in the processes of social change and development. It is a general view that great nations have great universities. This motivates significant public and private investment in universities. These days much of the focus is on universities promoting economic growth based on a knowledge economy.

No doubt, equally important are the contributions that universities can make to culture, political stability, and positive social change. Great nations are not just built by brilliant scientists, writers and entrepreneurs. Rather they also require effective school teachers, engineers and small business owners, and so on. Furthermore, it needs well-informed citizens, critical thinkers and those who engaged in politics and communities.

The best universities are populated by highly gifted and motivated faculty and students. The most important role the universities have been assigned is the production of highly skilled manpower and research output to meet perceived targets. Another role that universities may play is in the building of new institutions of civil society, developing new cultural values, and training and socializing people of the new social era. In the economic perspective, the role of universities is to produce new knowledge and commodify it in collaboration with industry. It means that universities must have a candid assessment of indigenous problems and good linkages with the community and industry.

Once Dr Abdul Qadeer Khan said that the role of newly established universities in Pakistan is more important than the older higher-education institutions because such institutions have the potential to develop their values and can easily align their priorities with national goals and objectives. The situation clamors to introduce the said bill.

The Bill has been designed to achieve the above purpose.

**SENATOR SAJID MIR  
MEMBER IN CHARGE**