

SENATE OF PAKISTAN



**REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND
PROFESSIONAL TRAINING**

ON

"THE SHAH BANO INSTITUTE JARANWALA BILL, 2023"

PRESENTED BY

SENATOR IRFAN-UL-HAQUE SIDDIQUI

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING ON "THE SHAH BANO INSTITUTE JARANWALA BILL, 2023" LAID IN THE SENATE SITTING HELD ON 7TH AUGUST, 2023 BY SENATORS AHMED KHAN, DANESH KUMAR AND RANA MAHMOOD UL HASSAN, REFERRED BY THE HOUSE TO THE COMMITTEE FOR CONSIDERATION AND REPORT

I, Senator Irfanul Haque Siddiqui, the Chairman of the Senate Standing Committee on Federal Education and Professional Training have the honour to present, on behalf of Committee, this report on "The Shah Bano Institute Jaranwala Bill, 2023" laid in the Senate Sitting held on 7th August, 2023, by Senators Ahmed Khan, Danesh Kumar and Rana Mahmood ul Hassan, referred by the House to the Committee for consideration and report.

2. The Composition of the Standing Committee is given as under:-

1.	Senator Irfan-ul-Haque Siddiqui	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Ejaz Ahmad Chaudhary	Member
4.	Senator Fawzia Arshad	Member
5.	Senator Jam Mahtab Hussain Dahar	Member
6.	Senator Engr. Rukhsana Zuberi	Member
7.	Senator Rana Maqbool Ahmad	Member
8.	Senator Mushtaq Ahmad	Member
9.	Senator Molvi Faiz Muhammad	Member
10.	Senator Ahmed Khan	Member
11.	Senator Khalida Sikandar Mandhro	Member
12.	Senator Falak Naz	Member
13.	Minister for Federal Education and Professional Training	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on the agenda on 8th August, 2023. The following Members were present at the time of consideration of the Bill:

1.	Senator Irfan-ul-Haque Siddiqui	Chairman
2.	Senator Engr. Rukhsana Zuberi	Member
3.	Senator Rana Maqbool Ahmed	Member
4.	Senator Falak Naz	Member
5.	Senator Prof. Dr. Mehr Taj Roghani	Member
6.	Senator Rana Mahmood ul Hassan	Mover


4. Senator Rana Mahmood ul Hassan, on his behalf and on behalf of Senators Ahmed Khan, Danesh Kumar, briefed the Committee that the purpose of the establishment of the Shah Bano Institute is to provide sustainable and innovative learning opportunities to the people of Jaranwala and its adjacent areas as the education facilities are very limited in the area.

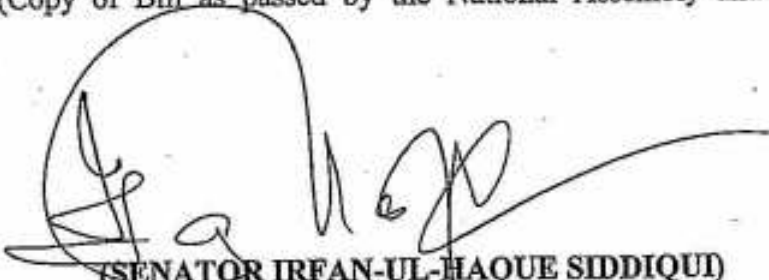
5. The Chairman Committee then asked the Director General, Higher Education Commission to brief the Committee. The DG HEC briefed the Committee that the sponsoring body has submitted a feasibility report to HEC which has been evaluated and certain shortfalls have been communicated therefore, upon completion of all modalities including physical inspection and issuance of HEC's NOC, the charter of the proposed institute will be vetted as per Federal Universities Ordinance (FUO)2002 and thereafter shall be forwarded to the Ministry of Federal Education and Professional Training, Islamabad for further processing and enactment of the bill

6. Senator Irfan ul Haque Siddiqui, Chairman Committee while appreciating the spirit behind the proposed legislation stated that all codal formalities should be completed before the operationalization of the institute in order to adhere to the procedural requirements. The Chairman Committee was of the considered view law making power of the Parliament is not subservient to any procedural requirements or any other organization.

7. Thereafter, the Committee decided to put the Bill for the voting. The Members present voted in favour of the Bill with a caveat that HEC's NOC should be obtained as soon as possible and in case of non-obtainment the said NOC within one year of the passing of the law, the Charter should be revoked.

8. Accordingly, the Committee recommends that "The Shah Bano Institute Jaranwala Bill, 2023", as passed by the National Assembly and introduced in the Senate, may be passed by the Senate of Pakistan. (Copy of Bill as passed by the National Assembly and introduced in the Senate is annexed).


(ABDUL RAZIQUE)
Secretary Committee


(SENATOR IRFAN-UL-HAQUE SIDDIQUI)
Chairman Committee

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for the establishment of the Shah Bano Institute, Jaranwala

WHEREAS it is expedient to provide for the establishment of Shah Bano Institute, at Jaranwala in private sector for the purposes appearing hereinafter:

It is hereby enacted as follows:

**CHAPTER I
PRELIMINARY**

1. **Short title, extent and commencement.** — (1) This Act may be called the Shah Bano Institute, Jaranwala Bill, 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. "Academy" means a constituent Academy of the Institute;
- III. "Authority" means any of the Authorities of the Institute specified in the Act;
- IV. "Board of Governors" means the Board of Governors (BOG) of the Institute;
- V. "Board of Studies" means the Board of Studies (BOS) of the Institute;
- VI. "Board of Faculty" means the Board of Faculty (BOF) of the Institute;
- VII. "Chairman" means the Chairman of the Shah Bano Foundation;
- VIII. "Chancellor" means the Chancellor of the Institute;
- IX. "College or School" means a constituent college or school of the Institute;
- X. "Commission" means the Higher Education Commission set up by the Higher Education Commission Act, 2002 (LIII of 2002);
- XI. "Dean" means the head of a 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 Division of the Institute;
- XIV. "Faculty" means an administrative and academic unit of the Institute;

- xv. "Foundation" means the Shah Bano Foundation registered with Securities and Exchange Commission of Pakistan of the Companies Act of 2017 (XIX of 2017), vide License No.1830 (No. CLD/CCD/Co.42/159/2023; dated 21-6 2023)
- xvi. "Government" means the Federal Government;
- xvii. "Patron" means the Patron of the Institute;
- xviii. "Institute" means Shah Bano Institute;
- xix. "Pro-Rector" means the Pro-Rector of the Institute.
- xx. "Prescribed" means prescribed by Statutes, Regulations or Rules and made under the Act;
- xxi. "Professor Emeritus" means a retired Professor working in a faculty in an honorary capacity;
- xxii. "Principal" means the head of a Constituent College or School of the Institute;
- xxiii. "Rector" means the Rector of the Institute.
- xxiv. "Registrar" means the Registrar of the Institute.
- xxv. "Representation Committees" means the Representation Committees constituted under the Act;
- xxvi. "Review Panel" means the Review Panel set up by the Chancellor under the Act;
- xxvii. "Schedule" means a schedule appended to the Act;
- xxviii. "Search Committee" means the Search Committee set up by the Board of Governors under Act;
- xxix. "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
- xxx. "Syndicate" means the Syndicate of the Institute;
- xxxi. "Treasurer" means the Treasurer of the Institute;
- xxxii. "Teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute and such other persons as may be declared to be teachers by Regulations; and
- xxxiii. "Vice-Chairman" means the Vice-Chairman of the Institute.

CHAPTER II

THE INSTITUTE

3. **Establishment and Incorporation of the Institute-** (1) There shall be established a degree awarding Institute to be called the Shah Bano Institute located at Jaranwala;-
- (2) The Institute shall consist of the following, namely:-

- (a) the Chancellor/Chairman, Vice-Chairman, the members of the Board of Governors and Syndicate, the Rector and Pro-Rector;
 - (b) the Deans, the Chairperson, the Principal and members of the Academic Council;
 - (c) the members of the authorities of the Institute established under Act;
 - (d) all Institute teachers and persons recognized as students of the Institute in accordance with terms prescribed from time to time; and
 - (e) all other full-time officers and members of the staff of the Institute.
- (3) The Institute shall be a body corporate at Jaranwala having perpetual succession and a common seal with power among others to acquire, purchase, hold, and dispose any property and shall by the said name sue and be sued.
- (4) The Institute shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.
- (5) 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 (LIII 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.
- (6) The Institute shall be liable to provide facilities to the representatives of the Higher Education Commission (HEC), or such similar relevant organizations for visitation to enable them to verify that the Institute is maintaining appropriate academic standards.
- (7) The Institute shall be required to strictly comply with the constitutional provisions, Ideology of Pakistan, law and abide by the social, religious, ethical, and cultural ethos, values, and respect cultural & religious sensitivities.

4. Powers and Purposes of the Institute. – The Institute shall have the following powers, namely: -

- (i) to provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement, and dissemination of knowledge in such manner as it may determine;
- (ii) to prescribe courses of studies to be conducted by it;

- (iii) to hold examinations and to award and confer degrees, diplomas, certificates, and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;
- (iv) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute and to lay down terms and conditions that may be different from those applicable to government servants in general;
- (v) to engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;
- (vi) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (vii) to provide for such instruction for persons not being students at the Institute as it may prescribe, and to grant certificates and diplomas to such persons;
- (viii) to institute programs for the exchange of students and teachers between the Institute and other universities, educational institutions, and research organizations, inside as well as outside Pakistan;
- (ix) to provide career counselling and job search services to students and alumni;
- (x) to maintain linkages with alumni;
- (xi) to develop and implement fund-raising plans;
- (xii) to provide and support the academic development of the faculty of the Institute;
- (xiii) to confer degrees on persons who have carried on independent research under prescribed conditions;
- (xiv) to accept the examinations passed and the period of study spent by students of the Institute at other universities and places of learning equivalent to such examinations and periods of study in the Institute; as it may prescribe, and to withdraw such acceptance;
- (xv) to co-operate with other Universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- (xvi) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
- (xvii) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xviii) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed

conditions;

- (xix) to establish teaching departments, faculties and other centers of learning for the development of teaching at campuses, distance learning and research and to make such arrangements for their maintenance, management and administration, inside Pakistan as well as outside Pakistan under prescribed conditions;
- (xx) to establish FM radio and educational TV channel to support the teaching through open distance learning, inside Pakistan as well as outside Pakistan under prescribed conditions;
- (xxi) to provide for the residence of the students of the Institute and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxii) to maintain order, discipline and security on the campuses of the Institute and the colleges;
- (xxiii) to promote the extracurricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
- (xxiv) to demand and receive such fees and other charges as it may determine;
- (xxv) to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;
- (xxvi) to enter into, carry out, vary or cancel contracts;
- (xxvii) to receive and manage property transferred and grants, contributions made to the Institute and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxviii) to provide for the printing and publication of research and other works; and
- (xxix) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the Institute as a place of education, learning, and research.

5. Jurisdiction: - (1) The jurisdiction of the institute shall extend to the whole of Pakistan.

(2) The principal seat of the institute shall be at Jaranwala and it may set up any

number of campuses, at such place in Pakistan or abroad as the Board of Governors may determine and with prior approval of the Higher Education Commission (HEC).

6. **Institute open to all classes, creeds, etc.** — (1) Except where the Institute has been declared by notification in the official Gazette to be open only to persons of a specified gender, the Institute shall be open to all persons of either gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the Institute on the grounds of religion, race, caste, creed, class, colour or domicile.

(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 an increase may not be made except in special circumstances, and only with the approval of the Patron.

(3) The Institute shall launch financial aid programs 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.

(4) The Institute may offer self-finance schemes not covering more than ten percent of the total number of candidates in any on-campus taught course or research-based program of study.

7. **Teaching at the Institute.**—

(1) All recognized teaching in various courses shall be conducted by the Institute or the colleges 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.

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

CHAPTER III

OFFICERS OF THE INSTITUTE

8. **Principal Officers.** — *The following shall be the principal officers of the Institute, namely:-*

- (a) the Patron
- (b) the Chancellor;
- (c) the Vice-Chairman;

- (d) the Rector;
- (e) the Pro-Rector;
- (f) the Deans;
- (g) the Principals of the constituent colleges;
- (h) the Chairpersons of the teaching departments;
- (i) the Registrar;
- (j) the Treasurer;
- (k) the Controller of Examinations; and
- (l) such other persons as may be prescribed by the Statutes or Regulations to be the principal officers of the Institute.

9. Patron: - (1) The President of the Islamic Republic of Pakistan shall be the Patron of the institute.

(2) The Patron shall, when present, preside at the convocation of the Institute and, in his/her absence; the Board of Governors may request Chancellor or a person of eminence to preside over the convocation.

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

10. Visitation: - (1) The Patron may, in accordance with the term and procedures as may be prescribed, cause an inspection to be made on his own motion or at the request of 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 and other facilities;
- (b) any College, school, department, or hostel maintained by Institute;
- (c) The adequacy of financial and human resource;
- (d) The teaching, research, curriculum, examination and other matters of the institute;
- (e) such other matters as the Patron may specify;

(4) The Patron shall communicate to the Board of Governors his/her views with regards to the result of the 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/her such action, if any, as has been taken or may be proposed to take upon the result of visitation.

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

11. **The Chancellor:** - (1) The Chairperson of Shah Bano Foundation shall be the Chancellor of the Institute and the Chairperson of the Board of Governors:

- (2) The Chancellor shall, when present, preside at the meetings of the Board of Governors and the Convocation of the Institute. In the absence of the Chancellor the Board of Governors may request a person of eminence to preside over the Convocation of the Institute.
- (3) The members of the Board of Governors as well as the Rector shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with the Act and the Statutes, as the case may be, alongwith those elected.
- (4) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the Institute has occurred, he/she may:
- (a) as regards proceedings of the Board of Governors, direct that specified proceedings be reconsidered, and appropriate action taken within one month of the direction having been issued: and
 - (b) direct the Board of Governors to exercise powers under Act.
- (6) If the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he/she may, after calling upon the Board of Governors to show cause in writing, appoint a five-member Review Panel to examine and report to the Chancellor on the functioning of the Board of Governors.
- (7) The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor.
- (8) The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy, and administration.

12. 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:

- a) has become of unsound mind; or
- b) has become incapacitated to function as member of the Board of Governors; or
- c) has been convicted by a court of law for an offence involving moral turpitude;
- d) has absented himself/herself from two consecutive meetings without just cause; or
- e) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

(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.

(3) The provision of this section shall not be applicable to the Rector/Pro-Rector in his/her capacity as a member of the Board of Governors and before passing of the resolution under section (2), the Board of Governors shall provide the member concerned an opportunity of hearing.

13. Vice-Chairman: – (1) A Director of Shah Bano Foundation or eminent academic or distinguished administrator, shall be appointed as Vice-Chairman, on recommendation of the Chancellor, on such terms and conditions as may be prescribed by the Board of Directors.

(2) The Vice-Chairman shall preside over at the convocation of the Institute and meeting of Board of Governors in the absence of chairman.

(4) In the absence of Chairman, the Vice-Chairman shall exercise power of Chairman:

14. Rector. – (1) There shall be a Rector of the Institute who shall be an eminent academic or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed by the Board of Governors.

- (2) The Rector 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 the Act, Statutes, Regulations and Rules are faithfully observed in order to promote the general efficiency and good order of the Institute. The Rector shall have all powers prescribed for this purpose, including administrative control over the officers, teachers, and other employees of the Institute.
- (3) The Rector shall, if present, be entitled to attend any meeting of any Authority or body of the Institute.
- (4) The Rector may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Rector, 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.

15. The Rector shall also have the following powers, namely:--

- a) 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;
- b) to sanction by re-appropriation an amount not exceeding an amount prescribed 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;
- c) to make appointments of such categories of employees of the Institute and in such manner as may be prescribed by the Statutes;
- d) 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;
- e) 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
- f) to exercise and perform such other powers and functions as may be prescribed.

- (5) The Rector shall preside at the convocation of the Institute in the absence of the

Vice-Chairman.

(6) The Rector 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:

- (a) academics;
- (b) research;
- (c) administration; and
- (d) finances.

(7) The Rector'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.

16. Appointment and Removal of the Rector. – (1) The Rector 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 Rector 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, two members of the Board of Governors, two distinguished Teachers who are not members of the Board of Governors and one academic of eminence not employed by the Institute.

(3) The Board of Governors shall select two distinguished teachers through a process, to be prescribed by Statute, that provides for the recommendation of suitable names by the Institute teachers in general.

(4) The Search Committee shall remain in existence till such time that the appointment of the next Rector has been made by the Chancellor.

(5) The persons proposed by the Search Committee for appointment as Rector shall be considered by the Board of Governors and of these a panel of three, in order of priority, shall be recommended by the Board of Governors to the Chancellor.

(6) The Chancellor may decline to appoint any of the three (03) persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendation being sought by the Chancellor the Search Committee

shall make a proposal to the Board of Governors in the prescribed manner.

- (7) The Rector shall be appointed for a renewable tenure of four (04) years on terms and conditions prescribed by Statute.
- (8) The tenure of an incumbent Rector shall be renewed by the Chancellor on receipt of a resolution of the Board of Governors in support of such renewal or the Chancellor may call upon the Board of Governors to reconsider such resolution once.
- (9) 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 Rector 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.
- (10) The Chancellor may make 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 Rector that have come to his/her notice. After consideration of the reference the Board of Governors may, pursuant to a resolution on this behalf passed by two-thirds of its membership, recommend to the Chancellor the removal of the Rector.
- (11) Prior to a resolution for the removal of the Rector being voted upon the Rector shall be given an opportunity of being heard.
- (12) A resolution recommending the removal of the Rector shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order the removal of the Rector or return the recommendation to the Board of Governors.
- (13) 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/her office due to illness or some other cause, the Board of Governors shall make such arrangements for the performance of the duties of the Rector as it may deem fit.

17. Pro-Rector. — (1) The Board of Governors (BoG) shall appoint Pro-Rector of the Institute through a prescribed manner from amongst three (03) senior most Professors of the Institute, for a term of three (03) years.

(2) The Pro-Rector shall perform such functions as may be assigned to him/her under this Act, statutes, or regulations.

(3) The Syndicate or the Rector may assign any other functions to the Pro-Rector in addition to his duties as Professor.

Provided that the Board of Governors may, on the advice of the Rector, terminate the appointment of the Pro-Rector on grounds of inefficiency or misconduct in accordance with prescribed procedure.

18. Registrar.— (1) There shall be a Registrar of the Institute to be appointed by the Board of Governors on the recommendation of the Selection Board, on such terms and conditions as may be prescribed.

(1) The experience as well as the professional and academic qualifications necessary for appointment to the post of Registrar shall be as may be prescribed.

(2) The Registrar shall be a full-time officer of the Institute and shall,—

- a) be the administrative head of the secretariat of the Institute and be responsible for the provision of secretariat support to the Authorities of the Institute;
- b) be the custodian of the common seal and the academic records of the Institute;
- c) maintain a register of registered graduates in the prescribed manner;
- d) supervise the process of election, appointment, or nomination of members to the various authorities and other bodies in the prescribed manner; *and*
- e) perform such other duties as may be prescribed.

(3) The term of office of the Registrar shall be a renewable period of three (03) years:

Provided that the Board of Governors may, on the advice of the Rector, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

19. Treasurer.— (1) There shall be a Treasurer of the Institute to be appointed by the Board of Governors on the recommendation of the Selection Board, on such terms and conditions as may be prescribed.

(2) The experience and the professional and academic qualifications necessary for appointment to the post of Treasurer shall be as may be prescribed.

(3) The Treasurer shall be the chief financial officer of the Institute and shall,—

- (a) manage the assets, liabilities, receipts, expenditures, funds, and investments of the Institute;
- (b) prepare the annual and revised budget estimates of the Institute and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Board of Governors;
- (c) ensure that the funds of the Institute are expended on the purposes for which they are provided;
- (d) have the accounts of the Institute audited annually to be available for submission to the Board of Governors within six months of the close of the financial year, and
- (e) perform such other duties as may be prescribed.

3. The term of office of the Treasurer shall be a renewable period of three (03) years:

Provided that the Board of Governors may, on the advice of the Rector, terminate the appointment of the Treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.

20. Controller of Examinations. - (1) There shall be a Controller of Examinations, to be appointed by the Board of Governors on the recommendation of the Selection Board, on such terms and conditions as may be prescribed.

(2) The minimum qualifications necessary for appointment to the post of the Controller of Examinations shall be as may be prescribed.

(3) The Controller of Examinations shall be a full-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.

(4) The Controller of Examinations shall be appointed for a renewable term of three (03) years:

Provided that the Board of Governors may, on the advice of the Vice Chancellor, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

21. Director Planning and Development. - (1) There shall be a Director Planning & Development of the Institute to be appointed by the Board of Governors on the recommendation of the Syndicate for a renewal period of three (03) years on such terms & conditions as may be prescribed.

(2) The minimum experience as well as the professional and academic qualifications

necessary for the appointment to the post of Director Planning & Development shall be prescribed.

(3) The Director Planning & Development shall be responsible for all matters connected with planning and development and perform such other duties as may be prescribed.

(4) The Director Planning & Development shall:

- i. Prepare short- and long-term plans and development programs to meet vision, goals and priorities set by the Institute management/Board of Governors;
- ii. Conduct comprehensive review, assessment, and analysis of development planning process (project identification, appraisal, selection, implementation, and monitoring) and mechanism;
- iii. Develop a strategy for improving development planning processes and mechanisms based on findings of the situation analysis;
- iv. Provide technical support in developing project proposals and PCs-I, for the Institute;
- v. Preparation of the PC-I, PC-II, PC-III, PC-IV, and PC-V;
- vi. Preparation of cash work and activity plan;
- vii. Preparation of quarterly expenditure statements;
- viii. Preparation of monthly and quarterly progress reports;
- ix. To coordinate with works, purchase, store units and accounts;
- x. To communicate/submit reports, plans, and projects to different donors;

(5) The Board of Governors may on the recommendations/advice of Syndicate, terminate the services of Director Planning and Development on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

22. Director Quality Enhancement cell (QEC):- There shall be a Director Quality Enhancement Cell (QEC) of the Institute to be appointed by the Board of Governors on the recommendation of Syndicate for a renewable period of three (03) years on such terms & conditions as may be prescribed.

(2) The minimum experience as well as the professional and academic qualifications necessary for the appointment to the post of Director Quality Enhancement Cell (QEC) shall be as may be prescribed.

(3) The Director Quality Enhancement Cell (QEC) shall be responsible to:

- i. Review the quality standards and the quality of teaching and learning in each subject area;
- ii. Review the academic association with other institutions in terms of effective management of standards and quality of programs;
- iii. Defining clear and explicit standards as points of reference to the review to be carried out. It should also help the employees to know as to what they could expect from candidates;

- iv. Developing qualifications framework by setting out the attributes and abilities that can be expected from the holder of a qualification, i.e. undergraduate and graduate programs;
- v. Developing program specifications. These are standards set of information clarifying what knowledge, understanding, skills and other attributes a student will have developed on successfully completing a specific program;
- vi. Developing quality assurance processes and methods of evaluation to affirm that the quality of provision and the standard of awards are being maintained and to foster curriculum, subject, and staff development together with research and other scholarly activities;
- vii. Ensure that the Institute's quality assurance procedures are designed to fit in with the arrangements in place nationally and internationally for maintaining and improving the quality of Higher Education;
- viii. Developing procedures and processes, monitoring & evaluation systems, and standards for the following:
 - a. Approval of new program
 - b. Annual Monitoring and evaluation including program monitoring, faculty monitoring and student perceptions
 - c. Departmental review
 - d. Student feedback
 - e. Employer feedback
 - f. Quality assurance of undergraduate, graduate & doctoral programs
 - g. Institutional assessment and performance evaluation
 - h. Program specifications
 - i. Qualification framework
- ix. Director Quality Enhancement Cell (QEC) shall be the member of all statutory bodies/committees of the Institute;

(4). The Board of Governors may on the recommendations/advice of Syndicate, terminate the services of Director Quality Enhancement Cell (QEC) on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

23. Director of Office of Research, Innovation & Commercialization (ORIC). --

(1) There shall be a Director (ORIC) of the Institute to be appointed by the Board of Governors on the recommendation of Syndicate for a renewable period of three (03) years on such terms and conditions as may be prescribed.

(2) The minimum experience as well as the professional and academic qualifications necessary for the appointment to the post of Director (ORIC) shall be as may be prescribed.

(3) The Director (ORIC) shall:

- i. Manage and enhance the research activities of the Institute, develop research policies and priorities, work for fund raising for research, mobilize faculty, business community and industry for research commercialization and serve as an effective advocate for research with the Institute and to its broader community of stakeholders and supporters;

- ii. To supervise all aspects of the operation of the Office for Research including research administration (budgeting, auditing, accounting, human resources, management & maintenance of facilities and equipment, implementation of research contracts and human resources);
- iii. To develop programs and activities that will increase funding for research from all public and private sources; establish and maintain excellent relationships with donors and private sources, oversee proposals development and submission;
- iv. To promote the development of public-private partnerships in support of Institute research, link the Institute's research community with the needs and priorities of the corporate sector, develop opportunities for applied research and explore opportunities for technology transfer and commercialization of Institute research (including incubators and research parks);
- v. Be responsible to monetize royalty streams from licenses;
- vi. Collaborate with the principal liaison for technical marking and licensing on the commercialization of the Institute's IP in coordination with other relevant department and offices;
- vii. Director (ORIC) will work in close liaison with the office of research and development, planning & development, and Institute's technology park.

(4) The Board of Governors may on the recommendations/advice of Syndicate, terminate the services of Director (ORIC) on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

CHAPTER IV

AUTHORITIES OF THE INSTITUTE

24. **Authorities.** – (1) The following shall be the Authorities of the Institute, namely:–

(a) **Authorities established by the Act,–**

- (i) the Board of Governors;
- (ii) the Syndicate; and
- (iii) the Academic Council;

(b) **Authorities to be established by the Statutes, –**

- i. Board of Advanced Studies and Research (BASAR);
- ii. Board of Studies;
- iii. Board of Faculty;

- iv. Selection Board;
- v. Finance and Planning Committee;
- vi. Career Placement and Internship Committee of each Faculty;
- vii. Search Committee for the appointment of the Rector;
- viii. The Representation Committees for appointment to the Board of Governors, Syndicate and the Academic Council;
- ix. Quality Assurance Committee ; and
- x. Discipline Committee.

- (2) The Board of Governors, the Syndicate and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through Statutes or Regulations as appropriate. Such committees or sub-committees shall be Authorities of the Institute for the purposes of this Act.

24-A:- Functions and Powers of the Board of Directors:-

- (1) The Board of Directors shall be responsible for financial viability of the Institute including responsibility for ensuring effectiveness of its operations and their continuity including:

- a. Provide strategic leadership and guidance to the Institute;
- b. determine policy framework for investment of unapplied income of the Institute in securities and acquisition of immovable property; and
- c. Appointment of the Chancellor/Chairperson and Vice Chairman and determine the terms and conditions of his/her appointment and removal;
- d. hire a firm of Chartered Accountants for audit of the Institute accounts.

- 25. Board of Governors. –** (1) The body responsible for the governance of the Institute shall be described as the Board of Governors, and shall consist of the following, namely:—

- (a) the Chancellor who shall be the Chairperson of the Board of Governors;
- (b) the Rector;
- (c) the Pro-Rector

- (d) one member of the Government not below the rank of Additional Secretary from the Ministry of Education or any other department relevant to the special focus of the Institute;
- (e) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology, and engineering such that the appointment of these persons reflects a balance across the various fields:

Provided that the special focus or affiliation of the Institute, to be declared in the manner prescribed, may be reflected in the number of persons of distinction in an area of expertise relevant to the Institute who are appointed to the Board of Governors;

- (f) one person from amongst the alumni of the Institute;
 - (g) two persons from the academic community of the country, other than an employee of the Institute, at the level of professor or principal of a college;
 - (h) four Institute Teachers (one from each tier i.e., Professor, Associate Professor, Assistant Professor and Lecturer);
 - (i) One person nominated by the Commission.
- (2) The numbers of the members of the Board of Governors described against clauses (e) to (i) of sub-section (1) may be increased by the Board of Governors through Statutes subject to condition that the total membership of the Board of Governors does not exceed fifteen, with a maximum of three Institute Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1).
- (3) All appointments to the Board of Governors shall be made by the Chancellor. Appointments of persons described in clauses (f) to (g) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee and in accordance with procedure as may be prescribed. Effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Board of Governors.
- (4) As regards the Institute Teachers described in clause (h) of sub-section (1) the Board of Governors shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of Institute teachers. Provided also that the Board of Governors may

alternatively prescribe that appointment of Institute teachers to the Board of Governors shall also be in the manner provided by this sub-section for the persons described in clauses (f) to (g) of sub-section (1).

- (5) Members of the Board of Governors, other than *ex officio* members, shall hold office for three years. One-third of the members, other than *ex officio* members, of the first restructured Board of Governors, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than *ex officio* members, of the first restructured Board of Governors, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than *ex officio* members, shall retire from office on the expiration of the third year.
- (6) A person, other than an *ex officio* member, shall not serve on the Board of Governors for more than two consecutive terms.
- (7) The Board of Governors shall meet at least twice in a calendar year.
- (8) Service on the Board of Governors shall be on an honorary basis, but actual expenses may be reimbursed as prescribed.
- (9) The Registrar shall be the secretary of the Board of Governors.
- (10) In the absence of the Chancellor, meetings of the Board of Governors shall be presided over by such member, not being an employee of the Institute or the Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Board of Governors.
- (11) Unless otherwise prescribed by this Act, all decisions of the Board of Governors shall be taken based on the opinion of a majority of the members present. In the event of the members being evenly divided on any matter the person presiding over the meeting shall have a casting vote.
- (12) The quorum for a meeting of the Board of Governors shall be two thirds of its membership, a fraction being counted as one.

26. Powers and functions of the Board of Governors. — (1) The Board of Governors shall have the power of general supervision over the Institute and shall hold the Rector and the Authorities accountable for all the functions of the Institute.

(2) The Board of Governors shall have all powers of the Institute not

expressly vested in an Authority or officer by the Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions.

(3) Without prejudice to the generality of the foregoing powers, the Board of Governors shall have the following powers:—

- (a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
- (b) to hold, control and lay down policy for the administration of the property, funds and investments of the Institute, including the approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee the quality and relevance of the Institute's academic programs and to review the academic affairs of the Institute in general;
- (d) to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;
- (e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the Institute;
- (f) to approve strategic plans;
- (g) to approve financial resource development plans of the Institute;
- (h) to consider the drafts of Statutes and Regulations proposed by the Syndicate and the Academic Council and deal with them in the manner as provided for in the Act, as the case may be;

Provided that the Board of Governors may frame a Statute or Regulation on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council as the case may be;

- (i) to annul by order in writing the proceedings of any Authority or officer if the Board of Governors is satisfied that such proceedings are not in accordance with the provisions of the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;
- (j) to recommend to the Chancellor, removal of any member of the Board of Governors in accordance with the provisions of the Act;
- (k) to make appointment of members of the Syndicate, other than *ex officio* members, in accordance with the provisions of the Act;
- (l) to make appointment of members of the Academic Council, other than

- ex officio* members, in accordance with the provisions of the Act;
- (m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
 - (n) to remove any person from the membership of any Authority if such person:
 - (i) has become of unsound mind; or
 - (ii) has become incapacitated to function as member of such Authority; or
 - (iii) has been convicted by a court of law for an offence involving moral turpitude; and
 - (o) to determine the form, provide for the custody and regulate the use of the common seal of the Institute.

(4) The Board of Governors may, subject to the provisions of the Act delegate all or any of the powers and functions of any Authority, officer or employee of the Institute at its main campus, to any Authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus, and for this purpose the Board of Governors may create new posts or positions at the additional campus.

27. Visitation: – The Board of Governors may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the Institute.

28. Syndicate. – (1) There shall be a Syndicate of the Institute consisting of the following:–

- (a) the Rector who shall be its Chairperson;
- (b) the Pro-Rector;
- (c) the Deans of the Faculties of the Institute;
- (d) three professors from different departments, who are not members of the Board of Governors, to be elected by the Institute teachers in accordance with procedure to be prescribed by the Board of Governors;
- (e) Principals of the constituent colleges;
- (f) the Registrar;
- (g) the Director(QEC);
- (h) the Director (ORIC);

- (i) The Director (R&D);
 - (j) the Treasurer; and
 - (k) the Controller of Examinations;
- (2) Members of the Syndicate, other than *ex officio* members, shall hold office for three years.
- (3) As regards the three professors described in clause (d) of sub-section (1) the Board of Governors may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of Act. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Rector.
- (4) The quorum for a meeting of the Syndicate shall be one-half of the total number of members, a fraction being counted as one.
- (5) The Syndicate shall meet at least once in each quarter of the year.

29. Powers and duties of the Syndicate. – (1) The Syndicate shall be the executive body of the Institute and shall, subject to the provisions of the 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 the Act, the Statutes and directions of the Board of Governors the Syndicate shall have the following powers:—
- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Board of Governors;
 - (b) to transfer and accept transfer of movable property on behalf of the Institute;
 - (c) to enter into, vary, carry out and cancel contracts on behalf of the Institute;
 - (d) to cause proper books of account to be kept for all sums of money received and expended by the Institute and for the assets and liabilities of the Institute;
 - (e) to invest any money belonging to the Institute including any unapplied income in any of the securities, or in the purchase of immovable property

or in such other manner, as it may prescribe, with the like power of varying such investments;

- (f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the Institute;
- (g) to administer any funds placed at the disposal of the Institute for specified purposes;
- (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the Institute;
- (i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (j) to recommend to the Board of Governors admission of educational institutions to the privileges of the Institute and withdraw such privileges;
- (k) to arrange for the inspection of colleges and the departments;
- (l) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;
- (m) to create, suspend or abolish such administrative or other posts as may be necessary;
- (n) to prescribe the duties of officers, teachers and other employees of the Institute;
- (o) to report to the Board of Governors on matters with respect to which it has been asked to report;
- (p) to appoint members to various Authorities in accordance with the provisions of the Act;
- (q) to propose drafts of Statutes for submission to the Board of Governors;
- (r) to regulate the conduct and discipline of the students of the Institute;
- (s) to take actions necessary for the good administration of the Institute in general and to this end exercise such powers as are necessary;
- (t) to delegate any of its powers to any Authority or officer or a committee; and

- (u) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

30. Academic Council. – (1) There shall be an Academic Council of the Institute consisting of the following:—

- (a) The Rector; who shall be its Chairperson;
 - (b) the Pro-Rector;
 - (c) the Deans of Faculties and such Heads of departments as may be prescribed;
 - (d) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Board of Governors;
 - (e) two Principals of affiliated colleges;
 - (f) five Professors including Emeritus Professors;
 - (g) the Registrar;
 - (h) the Director(QEC);
 - (i) the Director (ORIC);
 - (j) the Controller of Examinations; and
 - (k) the Librarian.
- (2). The Board of Governors shall appoint the members of the Academic Council, other than the *ex officio* and the members, on the recommendation of the Rector:
Provided that as regards the five professors and the members representing the departments, institutes; and the constituent colleges the Board of Governors may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in Act. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Rector.
- (3) Members of the Academic Council shall hold office for three years.
 - (4) The Academic Council shall meet at least once in each quarter.
 - (5) The quorum for meetings of the Academic Council shall be one half of the total number of members, a fraction being counted as one.

31. Powers and functions of the Academic Council. – (1) The Academic Council shall be the principal academic body of the Institute and shall, subject to the provisions of the Act and the Statutes, have the power to lay down proper standards of instruction, research, and examinations and to regulate and promote the academic life of the Institute and the colleges.

- (2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Academic Council shall have the power to,—
- (a) To approve the policies and procedures pertaining to the quality of academic programs;
 - (b) To approve academic programs;
 - (c) To approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;
 - (d) To approve the policies and procedures assuring quality of teaching and research;
 - (e) To propose the Syndicate schemes for the constitution and organization of Faculties, teaching departments and boards of studies;
 - (f) To appoint paper setters and examiners for all examinations of the Institute after receiving panels of names from the relevant authorities;
 - (g) To institute programs for the continued professional development of Institute teachers at all levels;
 - (h) To recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the Institute;
 - (i) To regulate the award of studentships, scholarships, exhibitions, medals and prizes;
 - (j) To frame Regulations for submission to the Board of Governors;
 - (k) To prepare an annual report on the academic performance of the Institute; and
 - (l) To perform such functions as may be prescribed by Regulations.

32. Representation Committee. — (1) There shall be a Representation Committee constituted by the Board of Governors through Statute for recommendation of persons for appointment to the Board of Governors in accordance with the provisions of Act.

(2) There shall also be a Representation Committee constituted by the Board of Governors through Statute for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of Act.

(3) Members of the Representation Committee for appointments to the Board of Governors shall consist of the following:—

- (a) three members of the Board of Governors who are not Institute Teachers;
 - (b) two persons nominated by the Institute Teachers from amongst themselves in the manner prescribed;
 - (c) one person from the academic community, not employed by the Institute, at the level of professor or college principal to be nominated by the Institute Teachers in the manner prescribed; and
 - (d) one eminent citizen with experience in administration, philanthropy, development work, law, or accountancy to be nominated by the Board of Governors.
- (4) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following:
- a) two members of the Board of Governors who are not Institute Teachers.
 - b) three persons nominated by the Institute Teachers from amongst themselves in the manner prescribed;
- (5) The tenure of the Representation Committees shall be three years and no member shall serve for more than two consecutive terms.
- (6) The procedures of the Representation Committees shall be as may be prescribed.
- (7) There may also be such other Representation Committees set up by any of the other Authorities of the Institute as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the Institute.

33. Board of Studies (BOS):- The Board of studies shall consist of,

- a) Rector;
- b) Pro-Rector;
- c) All Deans;
- d) One Institute Professor from each faculty other than the dean to be appointed by the Board of Governors;
- e) One member nominated by the Chancellor; and
- f) Three members from the relevant research organizations and Government department to be nominated by the Board of Governors;
- g) The Registrar shall be Secretary of the Board of Studies;

Term of the member of Board of studies other than the ex-officio member shall be three (03) years and the quorum will be one half of total numbers of members.

34. Appointment of Committees by certain Authorities. — (1) The Board of Governors,

the Syndicate, the Academic Council, and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such committee persons who are not members of the Authorities appointing the Committees.

(2) The constitution, functions, and powers of the Authorities for which no specific provision has been made in this Act shall be such as may be prescribed by Statutes or Regulations.

CHAPTER V

STATUTES, REGULATIONS AND RULES

35. Statutes. — (1) *Subject to the provisions of the Act, Statutes, to be published in the official Gazette; may be made to regulate or prescribe all or any of the following matters:—*

- (a) the contents of and the manner in which the annual report to be presented by the Rector before the Board of Governors shall be prepared;
- (b) the Institute fees and other charges;
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for Institute employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other Institute employees;
- (e) the maintenance of the record of registered graduates;
- (f) admission of educational institutions to the privileges of the Institute and the withdrawal of such privileges;
- (g) the establishment of Faculties, departments, institutes, colleges and other academic divisions;
- (h) the powers and duties of officers and teachers;
- (i) conditions under which the Institute may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (j) conditions for appointment of Emeritus Professors and award of honorary

- degrees;
 - (k) efficiency and discipline of Institute employees;
 - (l) the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;
 - (m) the constitution and procedure to be followed by the Search Committee for appointment of the Rector;
 - (n) constitution, functions, and powers of the Authorities of the Institute; and
 - (o) all other matters which by this Act are to be or may be prescribed or regulated by Statutes.
- (2) The draft of Statutes shall be proposed by the Syndicate to the Board of Governors which may approve or pass with such modifications as the Board of Governors may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft but the statutes concerning any of the matters mentioned in clauses (a) and (k) of sub-section (1) shall be initiated and approved by the Board of Governors, after seeking the views of the Syndicate.
- (3) The Board of Governors may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of the Act and approve such Statute after seeking the views of the Syndicate.

36. Regulations.— (1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, to be published in the official Gazette, for all or any of the following matters:—

- (a) the courses of study for degrees, diplomas and certificates of the Institute;
- (b) the manner in which the teaching referred to in the Act, shall be organized and conducted;
- (c) the admission and expulsion of students to and from the Institute;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the Institute and shall become eligible for the award of degrees, diplomas and certificates;
- (e) the conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;

- (g) the institution of fellowships, scholarships, exhibitions, medals and prizes, the use of library.
 - (h) the formation of Faculties, departments, and board of studies; and
 - (i) all other matters which by the Act or the Statutes are to be or may be prescribed by Regulations.
- (2) Regulations shall be proposed by the Academic Council and shall be submitted to the Board of Governors which may approve them or withhold approval or refer them back to the Academic Council for reconsideration.
 - (3) A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Board of Governors.
 - (4) Regulations regarding or incidental to matters contained in sub-clauses (g) and (h) shall not be submitted to the Board of Governors without the prior approval of the Syndicate.

37. 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 Statutes and Regulations.

38. Rules.— (1) The Authorities and the other bodies of the Institute may make Rules, to be published in the official Gazette, consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the Institute which has not been provided for by the Act or that is not required to be regulated by Statutes or Regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

- (2) The Syndicate may, with or without modification, approve the rule and the rules shall become effective upon approval by the Syndicate.

CHAPTER VI INSTITUTE FUND

39. Institute Fund.— The Institute shall have a fund to which shall be credited its income from fees, charges, donations, trusts, bequests, endowments, contributions, grants, and all other sources.

40. Audits and Accounts. – (1) The Accounts of the Institute shall be maintained in such form and in such manner as may be prescribed.

- (2) The teaching departments, constituent colleges/institutes and all other bodies designated as such by the Syndicate in terms of Statutes shall be independent cost centres of the Institute with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it. Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the Statutes.
- (3) All funds generated by a teaching department, constituent college, or other unit of the Institute through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by Statute, to the teaching department, constituent college or other unit for its development. A part of the funds so generated may be shared with the Institute teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by Statute.
- (4) No expenditure shall be made from the funds of the Institute, unless a bill for its payments has been issued by the head of the cost center concerned in accordance with the relevant statutes and the Treasurer has verified that the payment is provided for in the approved budget of the cost center, subject to the authority to re-appropriate available to the head of the cost center.
- (5) The Board of Governors shall make Provision for an internal audit of the finances of the Institute.
- (6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force, the annual audited statement of accounts of the Institute shall be prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Pakistan for his observations.

- (7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Board of Governors within six months of closing of the financial year.

CHAPTER VII GENERAL PROVISIONS

41. Opportunity to Show Cause. — Except as otherwise provided by law no officer, teacher or other employee of the Institute holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

42. Appeal to the Syndicate and the Board of Governors.— Where an order is passed punishing any officer (other than the Rector), teacher or other employee of the Institute or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by any officer or teacher of the Institute other than the Rector, have the right to appeal to the Syndicate against the order, and where the order is passed by the Rector, have the right to appeal to the Board of Governors.

43. Service of the Institute.— (1) All persons employed by the Institute in accordance with the terms and conditions of service prescribed by statutes shall be persons in the service of the Institution;

Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable employment notwithstanding the service of persons employed by the Institute shall be entirely governed by the terms and conditions prescribed by the relevant Statutes.

(2) An officer, teacher or other employee of the Institute shall retire from service on the attainment of such age or tenure of service as may be prescribed.

44. Benefits and Insurance. – (1) The Institute shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

(2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such funds as if it were the Government Provident Fund.

45. Commencement of term of office of members of Authority. – (1) When a member of a newly constituted Authority is elected, appointed, or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed.

(2) Where a member who has accepted any other assignment or for any other similar reason remains absent from the Institute for a period of not less than six months, he/she shall be deemed to have resigned and vacated his seat.

46. Filling of casual vacancies in Authorities. – Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed 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.

47. Flaws in the constitution of Authorities. – Where there is a flaw in the constitution of an as constituted by this Act, the Statutes or the Regulations on account of the abolition of a specified office under Government or because an organization, institution or other body outside the Institute has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Board of Governors may direct.

48. Proceedings of Authorities not invalidated by the vacancies. – No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment, or nomination of any *de facto* member of the

Authority, whether present or absent.

49. Removal of difficulties. — (1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Chancellor whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor may make such order after obtaining the views of the Board of Governors, not inconsistent with the provisions of the Act, as may appear to him to be necessary for removing the difficulty.

(3) Where the Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects 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, at such time, or in such manner as the Chancellor may direct after obtaining the views of the Board of Governors.

50. Indemnity. — No suit or legal proceedings shall lie against the Government, the Institute or any Authority, officer or employee of the Government or the Institute or any person in respect of anything which is done in good faith under the Act.

SCHEDULE THE FIRST STATUTES

51. The Faculties, School, and Academies. — (1) There shall be a faculty for a teaching department or a group of teaching departments. The Institute shall include the faculties, school and academies approved by the Chancellor and its statutory body:

(2) Each Faculty, school, Academy or teaching, research and training unit shall cover such subject or group of subjects as may be prescribed.

2. Directors, Deans, etc., of Faculties, School and Academies. — (1) Each Faculty shall be headed by a Dean while each School and Academy shall be headed by a Director or Director-General as may be prescribed.

(2) A Dean, Director or Director-General shall be appointed by the Board of Governors.

(3) The duties, functions, duration, and terms of appointment of Deans, Directors and

Director-Generals shall be such as may be prescribed.

3. Statutes for Institutes, Academies etc—(1) The Statutes of the School and Academies shall be such as prescribed in Statutes.

(2) They shall remain in force until amended or replaced in the prescribed manner.

52. Board of Faculties. —

(1) There shall be a Board of each Faculty consisting of:

- a) the Dean;
- b) the Professors, Associate Professors and Chairperson of the Teaching Departments comprised in the Faculty;
- c) one member from concerned Faculty, to be nominated by the concerned Board of Studies;
- 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; and
- e) three members may be nominated by Chancellor of eminence personality in education or industry as co-opted members

(2) The members, mentioned in clauses (c), (d) and (e) 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, fractions being counted as one.

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

- i) to coordinate the teaching and research in the subject assigned to the Faculty;
- ii) 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; and
- iii) to perform such other functions as may be prescribed.

53. Teaching Department & Head of the Department. —

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

(2) The Chairperson of a Teaching Department shall be appointed by the Board of Governors on the recommendation of the Rector from amongst the senior Professors or Associate Professors, other than Professor already working as Dean, for a period of three (03) years shall be eligible for reappointment.

(3) The Chairperson of the Teaching Department shall plan, organize, and supervise the work of the Department in accordance with the provisions of this Act and shall be responsible to the Dean of the Faculty in which his/her Department is comprised for the work of his/her Department;

(5) The Chairperson of the Department shall prepare a comprehensive and annual report on the performance of the Department at graduate and post-graduate levels and on faculty research and development and submit the same to the Dean of the faculty for evaluation.

54. Board of Advanced Studies and Research (BASAR)

(1) There shall be a Board of Advanced Studies and Research consisting of:

- a) the Rector, who shall be the Chairperson;
- b) in absence of Rector, senior most Dean shall be the Chairperson;
- c) the Deans;
- d) three institute Professors, other than Deans, to be appointed by the Board of Governors;
- e) three institute teachers having research qualifications and experience, to be appointed by the Academic Council; and
- f) the Professors Emeritus/National, if any.

(2) The term of the office of the members of the Board of Advanced Studies and Research, other than ex-officio members, shall be three years.

(3) The quorum for a meeting of the Board of Advanced Studies and Research shall be one half of the total member of members, a fraction being counted as one.

(4) The functions of the Board of Advanced Studies and Research shall be:

- a) to advise the Authorities on all matters connected with the promotion of advanced studies and research in the Institute;
- b) to propose Regulations regarding the award of research degrees;
- c) to approve supervisors for research students and to determine the subject of their thesis, on the recommendation of Board of Studies;

- d) to approve panels of examiners for research examination after considering the proposals of the Board of Studies in this behalf; and
- e) to perform such other functions as may be prescribed by Statutes.

(5) Chairperson of the Board of Advanced Studies and Research shall be the responsible for finalizing the externals from the proposed panel of examiners.

55. The Selection Board.-

- (1) There shall be a Selection Board consisting of:
 - a) the Rector who shall be the Chairperson;
 - b) the Pro-Rector;
 - c) one member of the Board of Directors nominated by the Chairman _____ Foundation;
 - d) one member of the Board of Governors nominated by Board of Governors;
 - e) two persons of eminence nominated by the Board of Governors, provided that none of them is an employee of the Institute;
 - f) the Dean of the Faculty concerned;
 - g) the Chairperson of the Teaching Department concerned; and
 - h) one subject expert to be nominated by the Board of Studies, from a standing list of experts.
- (2) The members of the Selection Board, other than *ex-officio* members, shall hold office for three years.
- (3) The quorum for a meeting of the Selection Board shall be one half of the total members.
- (4) No member of the Selection Board who is a candidate for the post to which appointment is to be made shall take part in such proceedings of the Selection Board.
- (5) The Selection Board for teaching and other posts shall consider the applications received in response to an advertisement or cases of persons whose services are to be acquired on deputation basis, and recommend to the Board of Governors the names of suitable persons for appointment to teaching or other posts, as the case may be, and may also recommend:
 - a) the grant of a higher initial pay in a suitable case for reasons to be recorded;
 - b) the appointment of an eminently qualified person to a Professorship in the Institute on terms and conditions other than those prescribed; and

- c) cases of move-over and award of increments/cash award on the basis of research or academic contribution as prescribed.
- (6) In the event of an unresolved difference of opinion between the Selection Board and the Board of Governors, the matter shall be referred to the Chancellor whose decision thereon shall be final.

56. Discipline Committee.-

- 1) The Discipline Committee shall consist of
 - a) a Chairperson to be nominated by the Rector;
 - b) two Professors to be nominated by the Academic Council;
 - c) two Professors to be nominated by the Board of Governors; and
 - d) the teacher or officer-in-charge of students' affairs by whatever name called (Member/Secretary).
- 2) The term of office of the members of the Committee, other than *ex-officio* members, shall be two years.
- 3) The quorum for a meeting of Discipline Committee shall be one half of the total members and fraction shall be counted as one.
- 4) The functions of the Discipline Committee shall be;
 - a) to propose Regulations to the Academic Council relating to the conduct of Institute students, maintenance of discipline and breach of discipline; and
 - b) to perform such other functions as may be prescribed.

57. Finance and Planning Committee.-

There shall be a Finance and Planning Committee consisting of:

- a) the Rector, who shall be the Convener;
- b) the Pro-Rector;
- c) One nominee of the Board of Directors;
- d) One nominee of the Board of Governors;
- e) two 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 Rector;
- g) Nominee of HEC Finance Division;
- h) Nominee of Punjab Higher Education Commission (PHEC);
- i) One member of the Academic Council to be recommended by the Rector and approved by the Chancellor; and

j) The Treasurer of the Institute shall be the Member/Secretary.

(2) The quorum for a meeting of the Finance and Planning Committee shall be six (06) members.

58. Functions of the Finance and Planning Committee.-

The functions of the finance and planning Committee shall be;

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

Statement of Objects and Reasons

To provide for the Establishment of the Shah Bano Institute, Jaranwala in Private Sector for the people of this area.

This Bill achieve the above said purpose.

Nabiaz Shire

Member, National Assembly