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THE COMSATS UNIVERSITY ISLAMABAD ACT, 2018

ACT NO. XI OF 2018

[24" April,2018]

to provide for upgradation of the status of COMSATS institute of Information Technology, Islamabad as COMSATS University

WHEREAS it is expedient to provide for upgrading the COMSATS Institute of Information Technology as COMSATS University and matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

CHAPTER-I

PRELIMINARY

1. Short title, application and commencement.—(1) This Act may be called the COMSATS University Islamabad Act, 2018.

(2) I 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 University;

(ii) "Affiliated college" means an educational institution affiliated to the University but not maintained or administered by it;

(iii) "Authority" means any of the Authorities of the University specified in this Act;

(iv) "Campus" means a constituent campus of the University;

(v) "Chairman" means the Chairman of an academic Department to whom the status of an academic Department is granted by this Act or by the Statutes or Regulations;

(vi) "Chancellor" means the Chancellor of the University;

(vi) "College" means a constituent college or an affiliated college;

(viii) "Commission" means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (L.III of2002);

(ix) "COMSATS" means the Commission on Science and Technology for Sustainable Development in the South;

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“Constituent college” means an educational institution, by whatever name described, maintained and administered by the University;

“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;

“Department” means a teaching department maintained and administered, or recognized by, the University in the manner prescribed;

“Director” means the head of an institute or a constituent campus established by the University under Statutes or Regulations;

“Faculty” means an administrative and academic unit of the University consisting of one or more departments, as prescribed;

“Government” means the Federal Government;

“prescribed” means prescribed by Statutes, Regulations or Rules made under this Act;

“Principal” means the head of a college;

“Pro-Chancellor” means the Pro-Chancellor of the University;

“Pro-Rector” means Pro-Rector of the University;

“Rector” means the Rector of the University;

“Representation Committees” means the Representation Committees constituted under section 25;

“Review Panel” means the Review Panel set up by the Chancellor in accordance with the provisions of section 8;

“Search Committee” means the Search Committee set up under section 12;

“Senate” means the Senate of the University;

“Statutes”, “Regulations” and “Rules” mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;

“Syndicate” means the Syndicate of the University;

(xxvii) "Teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a constituent or affiliated college and such other persons as may be declared to be teachers by Regulations;

(xviii) "University" means the COMSATS University Islamabad; and

(xxix) "University Teacher" means a whole-time teacher appointed and paid by the University, or recognized by the University as such.

CHAPTER-II

THE UNIVERSITY

3. Incorporation.—(1) The COMSATS Institute of Information Technology Islamabad is hereby upgraded to the status of COMSATS University Islamabad, in accordance with the provisions of this Act, with its principal seat at Islamabad and will have and may establish any number of campuses anywhere in or outside Pakistan.

(2) The University shall consist of the following, namely:—

(a) the Chancellor and Pro-Chancellor;

(b) the Rector and the Pro- Rectors;

(c) the Chairpersons and Deans;

(d) the members of the authorities of the University established under section 17;

(e) all University teachers and persons recognized as students of the University in the prescribed manner; and

(f) all other full-time officers and members of the staff of the University.

(3) The University shall be a body corporate by the name of COMSATS University Islamabad and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(4) The University shall be competent to acquire and hold property, both movable and immovable, 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 University 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 Ordinance, 2002 (LII 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 Senate in the annual budget of the University.

(6) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in trust by or for COMSATS Institute of Information Technology and liabilities legally subsisting against COMSATS Institute of Information Technology shall hereafter be transferred to the COMSATS University established under the Act.

4. Powers and Purposes of the University.— The University shall,—

- (i)
- (ii)
- (iii)
- (iv)
- (v)
- (vi)
- (vii)
- (viii)
- (ix)
- (x)
- (xi)
- (xii)

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;

prescribe courses of studies to be conducted by it and the colleges:

hold examinations and award or confer degrees, diplomas, certificates and other academic, distinctions on persons who have been admitted to and have passed its examinations under prescribed conditions;

prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may

be different from those applicable to government servants in general:

engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;

confer honorary degrees or other distinctions on approved persons in the prescribed manner;

provide for such instruction for persons not being students of the University as it

may prescribe, and to grant certificates and diplomas to such persons;

institute programmes for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan.

provide career counseling and job search services to students and alumni; maintain linkages with alumni;

develop and implement fund- raising plans;

provide and support the academic development of the faculty of the University;

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confer degrees on persons who have carried out an independent research under prescribed conditions;

affiliate and disaffiliate educational institutions under prescribed conditions;

inspect colleges and other educational institutions affiliated or seeking affiliation with it;

accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;

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;

institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;

create posts for research, extension, administration and other related purposes and to appoint persons thereto;

recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;

institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;

establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;

provide for the residence of the students of the University and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodgings;

maintain order, discipline and security on the campuses of the University and the colleges;

promote the extra curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

demand and receive such fees and other charges as it may determine;

(xxvii) 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;

(xxviii) enter into, carry out, vary or cancel contracts;

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

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

(xxxi) _ 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 University as a place of education, learning, and research.

5. University open to all classes, creeds, etc.—(1) The University 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 University 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 annual basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor.

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

Provided that the University may institute self-finance schemes not covering more than ten percent of the total number of candidates in any an-campus taught course or research-based programme of study.

6. Teaching at the University.—(1) All recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussion, 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.

(3) The degree awarding programmes of the university shall conform to the approved criteria of the Commission.

(4) No degree shall be granted unless student has passed an examination in Islamic and Pakistan Studies at the Bachelor's degree level or, in case of non-muslim student, in Ethics and Pakistan Studies at his option.

CHAPTER-II

OFFICERS OF THE UNIVERSITY

7. Principal Officers.— The following shall be the principal officers of the University, namely:—

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)
- 6)
- (k)
- (l)

the Chancellor;

the Pre-Chancellor;

the Rector:

the Pro-Rector;

the Directors;

the Deans;

the Principals of the constituent colleges;

the Chairpersons of the teaching departments;

the Registrar;

the Treasurer;

the Controller of Examinations; and

such other persons as may be prescribed by the Statutes or Regulations to be the principal officers of the University.

8. Chancellor.—(1) The President of Pakistan shall be the Chancellor of the University and the Chairperson of the Senate.

(2) The Chancellor shall, when present, preside at the meetings of the Senate and the Convocation of the University.

(3) The selected members of the Senate and the Rector shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee and the Search Committee respectively set up for this purpose in accordance with the Act and the Statutes, as the case may be, along with those elected.

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

(5) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may as regards proceeding of,—

(a)

(b)

Senate, direct that specified proceedings be reconsidered and appropriate action taken be within one month of this direction:

Provided that 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 may, after calling upon the Senate to show cause in writing, appoint a five member Review Panel to examine and report to the Chancellor on the functioning of the Senate. The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

any Authority or with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercise powers under section 19.

9. Removal from the Senate.—(1) The Chancellor may, upon the recommendation of the Review Panel, remove any person from the membership of the Senate on the ground that such person--

(a)
(b)
(c)
(d)
(e)

has become of unsound mind: or

has become incapacitated to function as member of the Senate; or

has been convicted by a court of law for an offence involving moral turpitude; or

has absented himself from two consecutive meetings without just cause; or

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 Senate on a resolution calling for the removal of such person supported by at least three-fourths of the membership of the Senate.

Provided that before passing such resolution the Senate shall provide the member concerned a fair hearing:

Provided further that the provisions of this section shall not be applicable to the Rector in his capacity as a member of the Senate.

10. Pro-Chancellors.—(1) The Federal Minister concerned with the subject of Science and Technology shall be the first Pro-Chancellor of the University.

(2) Executive Director COMSATS shall be the second Pro-Chancellor of the University.

(3) The first Pro-Chancellor shall have precedence over the second Pro-Chancellor.

(4) In the case of non-availability of Chancellor, the first Pro-Chancellor shall preside at the Convocation of the University and in case of non-availability of the Chancellor and the first Pro-Chancellor, the second Pro-Chancellor shall preside at the Convocation of the University.

11. Rector.—(1) There shall be a Rector of the University who shall be an eminent academic or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Rector shall be the chief executive officer of the University and shall be responsible for all administrative and academic functions of the University 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 University. The Rector shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.

(3) The Rector shall, if present, be entitled to attend any meeting of any Authority or body of the University.

(4) The Rector may, in an emergency that in his opinion requires such immediate action which is 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 Senate, to be set up by Statute. The Emergency Committee may direct such further action as it considers appropriate.

(5) The Rector shall also have the following powers, namely: —

(a) to direct teachers, officers and other employees of the University to take up such assignments in connection with examination, administration and such other activities in the University as he may consider necessary for the purposes of the University;

(b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen item not provided for in the budget and report it to the

Senate at the next meeting;

(c) to make appointments of such categories of employees of the University 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 University except those

appointed by or with the approval of the Senate;

(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 University; and

(f) to exercise and perform such other powers and functions as may be prescribed.

(6) The Rector shall preside at the convocation of the University in the case of non-availability of the Chancellor, Pro-Chancellor and the Executive Director COMSATS.

(7) The Rector shall present an annual report before the Senate 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 and audit.

(8) The Rector's annual report shall be made available, prior to its presentation before the Senate, to all officers and University Teachers and shall be published in such numbers as are required to ensure its wide circulation.

12. Appointment and Removal of the Rector.—(1) The Rector shall be appointed by the Chancellor on the basis of recommendations made by the Senate.

(2) A Search Committee for the recommendation of persons suitable for appointment as Rector shall be constituted by the Senate on the date and in the manner proscribed by the Statutes and shall comprise five members consisting of two eminent members of society nominated by the Chancellor, of whom one shall be appointed the Convener, one member of the Senate, one distinguished University Teacher who is not member of the Senate and one academic of eminence not employed by the University. The distinguished University teacher shall be selected by the Senate through a process, to be prescribed by Statute that provides for the recommendation of suitable names by the University Teachers in general. The Search Committee shall remain in existence till such time that the appointment of the next Rector has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Rector shall be considered by the Senate and of these a panel of three, in order of priority, shall be recommended by the Senate 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 a proposal to the Senate in the prescribed manner.

(4) The Rector shall be appointed for a renewable tenure of five years on terms and conditions prescribed by Statute. The tenure of an incumbent Rector shall be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal:

Provided that the Chancellor may call upon the Senate to reconsider such resolution once.

(5) The Senate 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:

Provided that the Chancellor may make a reference to the Senate 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 notice. After consideration of the reference the Senate may, pursuant to a resolution in this behalf passed by two thirds of its membership, recommend to the Chancellor the removal of the Rector:

Provided further that prior to a resolution for the removal of the Rector being voted upon the Rector shall be given an opportunity of being heard.

(6) A resolution recommending the removal of the Rector shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order removal of the Rector or return the recommendation to the Senate within one month of the receipt of such recommendations for reconsideration, in case the Senate reiterates the same recommendations, the Chancellor shall give his assent within one month.

(7) At any time when the office of the Rector is vacant, or the Rector is absent, or is unable to perform the functions of his office due to illness, leave or some other cause, for a period not exceeding one month. the Federal Minister for Science and Technology, being one of the Pro-Chancellors, shall make such arrangements for the performance of the duties of the Rector as he may deem fit In case the absence or leave exceeds one month, the decision shall be taken by the Chancellor.

13. Pro-Rector.—(1)The Pro-Rector of the University shall be appointed by the Senate on such terms and conditions as may be prescribed. Pro-Rector shall be responsible to the Rector and will provide support to the Rector in planning and execution of assigned functions.

(2) The Pro-Rector shall represent the Rector as and when required and shall undertake such other responsibilities, duties and exercise powers as the Rector may assign or delegate from time to time.

14. Registrar.—(1) There shall be a Registrar of the University to be appointed by the Senate on the recommendation of the Rector, on such terms and conditions as may be prescribed.

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

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

(a) be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the Authorities of the University;

(b) be the custodian of the common seal and the academic records of the University;

(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.

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

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

15. Treasurer.—(1) There shall be a Treasurer of the University to be appointed by the Senate on the recommendation of the Rector, 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 the Treasurer shall be as may be prescribed.

(3) The Treasurer shall be the chief financial officer of the University and shall.—

(a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;

(b) prepare the annual and revised budget estimates of the University and present them to the Syndicate or a committee thereof for approval and incorporation in the budget

to be presented to the Senate;

(c) ensure that the funds of the University are expended on the purposes for which they are provided;

(d) have the accounts of the University audited annually that they may be available for submission to the Senate within six months of the close of the financial year; and

(e) perform such other duties as may be prescribed.

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

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

16. Controller of Examinations.—(1) There shall be a Controller of Examinations, to be appointed by the Senate on the recommendation of the Rector, 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 University 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 years:

Provided that the Senate may, on the advice of the Rector, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

CHAPTER-IV

AUTHORITIES OF THE UNIVERSITY

17. Authorities.—(1) The following shall be the Authorities of the University, namely:—

(a)

(b)

authorities established by the Act,—

(i)
(ii)
(iii)

the Senate;
the Syndicate; and

the Academic Council:

authorities to be established by the Statutes —

(i)
(ii)

(iii)
(iv)
(v)

(vi)
(vii)

(viii)

Board of advances Studies and Research:

Recruitment, Development, Evaluation and Promotion committees and Selection Board for teachers and other staff whether at the level of the department, the Faculty, the Campus or the University;

Career Placement and Internship Committee of each faculty;

Search Committee for the appointment of the Rector;

the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;

Board of Faculty;

Board of Studies of Department; and

Finance and Planning Committee.

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(2) The Senate, 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 University for the purposes of this Act.

18. Senate.—(l) The body responsible for the governance of the University shall be described as the Senate, and shall consist of the following, namely:—

(a)
(b)
(c)
(d)

(e)
(f)
(g)

(h)
(i)

G)

(k)
(l)

the Chancellor who shall be the Chairperson of the Senate;
the Pro-Chancellors;
the Rector;

the Secretary of the Ministry dealing with the subject matter of Science and Technology;

the Secretary of the Ministry dealing with the subject of Education;

One of the Pro-Rectors nominated by the Rector;

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, industry and engineering so

that the appointment of these persons reflects a balance across the various fields:
Provided that the special focus or affiliation of the University, to be declared

in the manner prescribed, may be reflected in the number of persons of distinction in the areas of expertise relevant to the University who are appointed to the Senate;
one person from amongst the alumni of the University;

two persons from the academic community of the country, other than an employee of the University, at the level of professor or principal of a college;

four University Teachers;
Chairman, Higher Education Commission or his nominee: and

Two Parliamentarians, one each from Senate and National Assembly.

(2) The numbers of the members of the Senate described against clauses (h) to (j) of sub-section (1) may be increased by the Senate through Statutes subject to condition that the total membership of the Senate does not exceed twenty three, with a maximum of five University Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1).

(3) All appointments to the Senate shall be made by the Chancellor. Appointments of persons described in clauses (h) to (i) of sub- section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of section 25 and in accordance with procedure as may be prescribed:

Provided that effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Senate:

Provided further that as regards the University Teachers described in clause (j) of sub-section (1) the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University teacher:

Provided a so that the Senate may alternatively prescribe that appointment of University Teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (h) to (1) of sub-section (1).

(4) Members of the Senate, 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 Senate, 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 Senate, 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:

Provided that no person, other than an ex-officio member, may serve on the Senate for more than two consecutive terms:

Provided further that the University Teachers appointed to the Senate may not serve for two consecutive terms.

(5) The Senate shall meet at least twice in a calendar year.

(6) Service on the Senate shall be on honourary basis:

Provided that actual expenses may be re-imbursed as prescribed.

(7) The Registrar shall be the secretary of the Senate.

(8) In the absence of the Chancellor, meetings of the Senate shall be presided over by the Federal Minister for Science and Technology being one of the Pro-Chancellors. In case of non-availability of the Chancellor and the Federal Minister for Science and Technology, the Executive Director of COMSATS, being one of the Pro-Chancellors of University shall preside over the meeting.

(9) Unless otherwise prescribed by this Act, all decisions of the Senate shall be taken on the basis of 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.

(10) The quorum for a meeting of the Senate shall be two thirds of its membership, a fraction being counted as one.

19. Powers and functions of the Senate.—(1) The Senate shall have the power of general supervision over the University and shall hold the Rector and the Authorities accountable for all the functions of the University. The Senate shall have all powers of the University 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.

(2) Without prejudice to the generality of the foregoing powers, the Senate shall have the following powers, namely:—

(a)

(b)

(c)

(d)

(e)

(f)

(g)

(h)

to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;

to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;

to oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;

to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;

to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;

to approve strategic plans;

to approve financial resource development plans of the University;

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 sections 27 and 28, as the case may be:

Provided that the Senate 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 Senate 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;

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to recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of the Act;

to make appointment of members of the Syndicate, other than ex-officio members, in accordance with the provisions of the Act;

to make appointment of members of the Academic Council, other than ex-officio members, in accordance with the provisions of the Act;

to appoint Emeritus Professors on such terms and conditions as may be prescribed;

to remove any person from the membership of any Authority if such person has become of unsound mind or has become in-capacitated to function as member of such Authority or has been convicted by a court of law for an offence involving moral turpitude; and

to determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Senate 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 University at its main campus, of any Authority, committee, officer or employee at its campus for the purpose of exercising such powers and performing such functions in relation to such campus, and for this purpose the Senate may create new posts or positions at the campus.

20. Visitation. The Senate may, cause an inspection to be made in respect of any matter connected with the University in the prescribed manner.

21. Syndicate.—(1) There shall be a Syndicate of the University consisting of the following,

namely:—

(a)

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the Rector who shall be its Chairperson;

the Pro-Rector;

Joint Secretary concerned from the Ministry of Science and Technology;

the Directors;

the Deans;

three professors from different departments, who are not members of the Senate, to

be elected by the University Teachers in accordance with procedure to be
prescribed by the Senate;

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(g) Principals of the constituent colleges;
(h) the Registrar, who shall also be the secretary;

(i) the Treasurer and any other officer designated as principal officer under clause (j) of section 7: and

Gj) 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 (e) of sub-section (1) the Senate 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 section 25. Appointment of persons proposed by the Representation Committee may be made by the Senate 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.

22. Powers and duties of the Syndicate.—(1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of the Act and the Statutes, exercise general supervision

over the affairs and management of the University.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statutes and directions of the Senate the Syndicate shall have the following powers, namely:

(a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;

(b) to transfer and accept transfer of movable property on behalf of the University;

(c) to enter into, vary, carry out and cancel contracts on behalf of the University;

(d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;

(e) to invest any money belonging to the University including any un-applied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act II of 1882), 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 University;

- (g) to administer any funds placed at the disposal of the University for specified purposes;
- (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (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 Senate affiliation or disaffiliation of colleges;
- (k) to recommend to the Senate admission of educational institutions to the privileges of the University and withdraw such privileges; to arrange for the inspection of colleges and the departments;
- (m) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;
- (n) to create, suspend or abolish such administrative or other posts as may be necessary;
- (o) to prescribe the duties of officers, teachers and other employees of the University;
- (p) to report to the Senate on matters with respect to which it has been asked to report;
- (q) to appoint members to various Authorities in accordance with the provisions of the Act;
- (x) to propose drafts of Statutes for submission to the Senate;
- (s) to regulate the conduct and discipline of the students of the University;
- (t) to take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;
- (u) to delegate any of its powers to any Authority or officer or a committee; and
- (v) 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.

23. Academic Council.—(1) There shall be an Academic Council of the University consisting of the following, namely:—

- (a) the Rector who shall be its Chairperson;
- (b) the Pro-Rector;

- (c) the Campus Directors;
- (d) the Deans of Faculties and such Heads of departments as may be prescribed;
- (e) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Senate: two Principals of affiliated colleges; five Professors including Emeritus Professors; the Registrar, who shall also be the secretary; the Controller of Examinations; and the Librarian.

(2) The Senate shall appoint the members of the Academic Council, other than the ex-officio and the elected members, on the recommendation of the Rector:

Provided that as regards five professors and the members representing the departments, institutes and the constituent colleges the Senate 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 section 25. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Rector.

(3) Member of the Academic Council shall hold office for three years.

(4) The Academic Council shall meet at least once it 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.

24. Powers and functions of the Academic Council.—(1) The Academic Council shall be the principal academic body of the University 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 a promote the academic life of the University and the colleges.

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

(a) approve the policies and procedures pertaining to the quality of academic programmes;

(b) approve academic programmes;

(c) approve the policies and procedures pertaining to student related function: including admissions, expulsions, punishments, examinations and certification;

(d) approve the policies and procedures assuring quality of teaching and research:

(e) recommend the policies and procedures for affiliation of other educational institutions;

- (f)
- (g)
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propose to the Syndicate schemes for the constitution and organization of Faculties, teaching departments and boards of study;

appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;

institute programmes for the continued professional development of University Teachers at all levels;

recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;

regulate the award of studentships, scholarships, exhibitions, medals and prizes; frame Regulations for submission to the Senate; prepare an annual report on the academic performance of the University; and

perform such functions as may be prescribed by Regulations.

25. Representation Committees.—(1) There shall be a Representation Committee constituted by the Senate through Statute for recommendation of persons for appointment to the Senate in accordance with the provisions of section 18.

(2) There shall also be a Representation Committee constituted by the Senate through Statute for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 22 and 24.

(3) Members of the Representation Committee for appointments to the Senate shall consist of the,

namely:—

- (a)
- (b)
- (c)
- (d)

three members of the Senate who are not University Teachers;

two persons nominated by the University Teachers from amongst themselves in the manner prescribed:;

one person from the academic community, not employed by the University, at the level of professor or college principal to be nominated by the University Teachers in the manner prescribed; and

one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

(4) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following, namely:—

- (a) two members of the Senate who are not University Teachers; and
- (b) three persons nominated by the University Teachers from amongst themselves in the manner prescribed.

(5) The tenure of the Representation Committees shall be three years:

Provided that 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 University as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the University.

26. Appointment of Committees by certain Authorities.—(1) The Senate, 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 proscribed by Statutes or Regulations.

CHAPTER- V STATUTES, REGULATIONS AND RULES

27. Statutes.—(1) Subject to the provisions of the Act, Statutes, 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 Senate shall be prepared;
- (b) the University fees and other charges;
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (e) the maintenance of the register of registered graduates;
- (f) affiliation and disaffiliation of educational institutions and related matters;

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admission of educational institutions to the privileges of the University and the withdrawal of such privileges;

the establishment of Campuses, Faculties, departments, institutes, colleges, Science and Technology Park and other academic divisions;

the powers and duties of officers and teachers;

conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;

conditions for appointment of Emeritus Professors and award of honorary degrees; efficiency and discipline of University employees;

the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;

the constitution and procedure to be followed by the Search Committee for appointment of the Rector,

constitution, functions and powers of the Authorities of the University; and

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 Senate which may approve or pass with such modifications as the Senate may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (1) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

Provided further that the Senate 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.

28. **Regulations.**—(1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, for all or any of the following matters, namely:—

(a)

(b)

(c)

the courses of study for degrees, diplomas and certificates of the University;

the manner in which the teaching referred to in sub-section (l) of section 6 shall be organized and conducted;

the admission and expulsion of students to and from the University;

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- (d) the conditions under which students shall be admitted to the courses and the examinations of the University 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;
- (h) the use of the Library;
- (i) the formation of Faculties, departments and board of studies; and

Gj) 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 Senate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Senate.

(3) Regulations regarding to matters incidental to those contained in sub clauses (g) and (i) shall not be submitted to the Senate without the prior approval of the Syndicate.

29. 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.

30. Rules.—(1) The Authorities and the other bodies of the University may make rules, consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the University 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) Rules shall become effective upon approval by the Syndicate.

CHAPTER- VI UNIVERSITY FUND

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

32. Audits and Accounts.—(1) The Accounts of the University 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 University 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 University 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 University 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 University, unless a bill for its payments has been issued by the head of the cost centre 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 centre, subject to the authority to re-appropriate available to the head of the cost centre.

(5) Provisions shall be made for an internal audit of the finances of the University.

(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 University shall be prepared in conformity with the Generally Accepted Accounting Principles 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 Senate within six months of closing of the financial year.

CHAPTER-VII

GENERAL PROVISIONS

33. Opportunity to show cause.— Except as otherwise provided by law no officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service 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.

34. Appeal to the Syndicate and the Senate.— Where an order is passed punishing any officer other than the Rector, teacher or other employee of the University 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 University 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 Senate.

35. Service of the University.—(1) All persons employed by the University in accordance with the terms and conditions of service prescribed by statutes shall be persons in the service of Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan:

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 University shall be entirely governed by the terms and conditions prescribed by the relevant Statutes.

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

(3) No adverse change shall be made in the terms and conditions of employment of any University Teacher in the employment of the University on the date of enforcement of the Act.

36. Benefits and insurance.—(1) The University 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.

37. 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 University for a period of not less than six months he shall be deemed to have resigned and vacated his seat.

38. 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 on the 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.

39. Flaws in the constitution of authorities — Where there is a flaw in the constitution of an authority, 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

University 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 Senate may direct.

40. 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.

41. First Statutes and Regulations.— Notwithstanding anything to the contrary contained in the Act, the President of Pakistan shall promulgate the First Statutes and Regulations which shall be deemed to be Statutes and Regulations framed under section 27 and 28 and shall continue to remain in force until amended or replaced or till such time as new Statutes and Regulations are framed in accordance with the provisions of the Act.

42. Repeal and savings.—(1) The COMSATS Institute of Information Technology Ordinance, 2000(XXX VIII of 2000), shall stand repealed.

(2) Notwithstanding the repeal envisaged by sub-section (1),—

(a) everything done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships, studentship, or exhibitions instituted, affiliations or privileges granted and orders issued under any of the provisions of the (QMSATS Institute of Information Technology Ordinance, 2000 (XXX VIII of 2000), or the Statutes, the Regulations and the Rules made or deemed to have been made thereunder, shall, if not inconsistent with the provisions of the Act or the Statutes, the Regulations or the Rules made under this Act, be continued and, shall be, be deemed to have been respectively done, taken, occurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under this Act, and any documents referring to any of the provisions of the COMSATS Institute of Information Technology Ordinance, 2000 (XXX VIII of 2000), or the Statutes the Regulations and the Rules first referred shall, so far as may be, be considered to refer to the corresponding provisions of the Act or the Statutes, the Regulations and the Rules made under this Act;

(b) all campuses, institutes, colleges or other constituent units of the University functioning in terms of the provisions of the COMSATS Institute of Information Technology Ordinance, 2000 (XXXVII of 2000), all continue to function in terms of the relevant repealed provisions till such time that the Senate through Statute has prescribed otherwise; and

(e) any Statutes, Regulations, or Rules made or deemed to have been made under the COMSATS Institute of Information Technology Ordinance, 2000(XXX VIII of 2000) shall if not inconsistent with the provisions of the Act be deemed to be Statutes, Regulations or Rules made under the Act having regard to the various

matters which by the Act have to be regulated or prescribed by Statutes, Regulations and Rules respectively and shall continue to be in force until they are repealed, rescinded or modified in accordance with the provisions of the Act.

43. **Transitory Provisions.**—(1) Notwithstanding anything contained in the Act, upon the coming into force of this Act, the Senate shall be structured and the members thereof, except the University Teachers, appointed by the Chancellor in accordance with the numbers and criteria for membership specified in the Act. As regards the University Teachers to be elected or appointed to the newly structured Senate elections shall be held as soon as possible and shall be appointed to the Senate as provided in the Act. The first Senate shall initiate, as soon as possible, the process for the appointment of the members of the Syndicate and the Academic Council in accordance with the terms of this Act.

(2) Any existing provision as regards tenure notwithstanding the Rector and the other Authorities, in existence immediately before the date on which the Act is enforced with respect to COMSATS University, shall continue to function and shall, as far as may be, exercise the powers respectively assigned to the Rector and the corresponding Authorities by or under this Act, until such time as they are respectively replaced in accordance with the terms of the Act.

44. **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 Senate, not inconsistent with the provisions of this 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 Senate.

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

46. **Power to allow appointment of employees of the Government, other universities or educational or research institutions to the University.**—(1) Notwithstanding anything contained in the Act the Senate may, on the advice of the Syndicate, allow a post in the University to be filled by appointment, on such terms as may be prescribed, an employee of the Government or any other university or educational or research institution.

(2) Where any appointment has been made under this section, the terms and conditions of service of the appointee shall not be less favourable than those admissible to him immediately before such

appointment and he shall be entitled to all benefits of his post of service.

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