

REGISTERED No 32

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, SATURDAY, JUNE 10, 2023

PART I

Acts, Ordinances, President's Orders and Regulations
SENATE SECRETARIAT ~
Islamabad, the 8th June, 2023

No. F. 9(12)/2023-Legis—The following Act of Majlis-e-Shoora
(Parliament) received the assent of the President on 7th June, 2023 and is hereby
published for general information:—

ACT NO. XXVII OF 2023
AN
ACT

to provide for the establishment of the Kalam Bibi International
Women Institute Bannu

WHEREAS, it is expedient in public interest to upgrade Women Campus
of University of Bannu to full fledged Kalam Bibi International 'Women Institute
Bannu Khyber Pakhtunkhwa and for the matters connected therewith and
ancillary thereto; ‘

It is hereby enacted as follows:—

(385)
Price: Rs. 60.00
[1087(2023)Ex.Gaz.]

CHAPTER-I

PRELIMINARY

1. Short title, application and commencement.—(1) This Act shall be xalted as the Kalam Bibi International Women Institute Bannu Act, 2023.

(2) It shall extend to the whole of Pakistan.

(3) It shall come into force at once.

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

(i) "Academic Council" means the Academic Council of the Institute;

(ii) “affiliated college” means an educational institution affiliated to the Institute but not maintained or administered by it;

(iii) "Authority" means any of the Authorities of the Institute specified in section 20:

(iv) "Chairman" means the Chairman or the head of an academic department and includes Principal of a constituent college or Director of an institute;

(v) "Chairperson" means Chairperson of the Senate;

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

(vii) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (Lill of 2002);

(viii) "Controller of Examinations" means the Controller of Examinations of the Institute;

(ix) “constituent institution” means a constituent institution, college, or school of the Institute by whatever name call for but established, maintained, and administered by the Institute;

(x) "Dean" means the head of any Faculty, or the Head of any academic body granted the status of a Faculty under this Act or by the Statutes or Regulations;

(xi) “department” means a teaching department maintained and administered or recognized by the Institute in the prescribed manner;

(xii) "Director" means the head of a constituent college or unit;

Part I]

(xiii)

(xiv)

(xv)

(xvi)

(xvii)

(xviii)

(xix)

(xx)

(xxi)

(xxii)

(xxiii)

(xxiv)

(xxv)

(xxvi)

(xxvii)

(xxviii)

(xxix)

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 10, 2023 387

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

“Government” means the Federal Government;

“Tnstitute” means the Kalam Bibi International Women Institute Bannu; :

“Institute teacher” means a whole-time teacher appointed and paid by the Institute, or recognized by the Institute as such;

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

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

“registered Graduate” means a graduate of the Institute whose name stands entered in the register maintained for this purpose;

“Registrar” means the Registrar of the Institute;

“Representation Committees” means the Representation Committees constituted under section 28;

“Review Panel” means the Review Panel set up by the Chancellor in accordance with the provisions of section 10;

“Search Committee” means the Search Committee set up by the Senate under section 13;

“Secretariat” means Secretariat headed by the Vice-Chancellor of the Institute as administrative conglomeration comprising Registrar, Controller of Examinations, Treasurer and Deans to assist the Vice-Chancellor;

“Senate” means the Senate of the Institute;

“Statutes”, “Regulations” and “Rules” means 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 Institute;

“teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute and such other persons as may be declared by Regulations to be teachers; - 8 ~ “e

“Treasurer” means the Treasurer of the Institute; and

(xxx) "Vice-Chancellor" means the Vice-Chancellor of the Institute specified in section 12. :

CHAPTER-II THE INSTITUTE

3. Incorporation.—(1) As soon as may be after coming into force of this Act, the Women Campus of the University of Bannu shall, by notification in the official Gazette, be reconstituted as the Kalam Bibi International Women Institute Bannu in accordance with the provisions of this Act.

(2) The Institute shall be a body corporate by the name of the Kalam Bibi International Women Institute Bannu and shall have a perpetual succession and a common seal and may, by the said name, sue and be sued.

(3) 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. {t shall also be competent to receive grants. :

(4) 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 and conditions as may be prescribed, subject to the provisions of this Act and the Higher Education Commission Ordinance, 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 Senate in the annual budget of the Institute.

(5) The Institute shall be liable to provide facilities to the representatives of the Commission, or such similar relevant organizations for visitation to enable them to verify that the Institute is maintaining appropriate academic standards.

4. The Institute shall consist of —

(a) the Chancellor, Pro-Chancellor, members of the Senate and the Vice-Chancellor;

(b) the members of the Authorities of the Institute established under section 20;

(c) all Institute teachers and persons recognized as students of the institute in accordance with terms prescribed from time to time; and s

(d) all other full-time employees of the Institute.

PART I]

5.

the following powers and purposes, namely:—

0)

Gi)

(iii)

(iv)

)

(vi)

vii)

(viii)

(ix)

@ &)

(xi)

(xii)

(xiii)

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 10, 2023 389

Powers and purposes of the Institute —The Institute shall have

to provide for instructions in such branches of learning as it may deem fit and to make provisions for teaching, training, research and development of technologies and for the advancement and dissemination of knowledge in such other fields or branches of study as the Senate may determine;

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

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;

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;

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

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

to provide for such instruction for persons not being students of the Institute as it may prescribe and to grant certificates and diplomas to such persons;

to institute programs for the exchange of students and teachers between the colleges and other universities, educational institutions and research organizations, inside as well as outside Pakistan;

to provide career counseling and job search services to students and alumni;

to maintain linkages with alumni;

to develop and implement fund-raising plans;

to provide and support the academic development of the faculty;

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

(xiv)

(xv)

(xvi)

(xvii)

(xviii)

(xix)

(xx)

(xxi)

(xxii)

(xxiii)

(xxiv)

(xxv)

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;

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;

to institute professorships, associate professorships, assistant professorships and lectureships and any other posts and to appoint persons thereto;

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

to affiliate and disaffiliate educational institutions under prescribed conditions;

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

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

to institute and award financial assistance to students in need,

fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;

to establish teaching departments, schools, constituent 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 in different parts of the country;

to provide for the residence of the students of the Institute and the constituent colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;

to maintain order, discipline and security on the campuses of the Institute and the constituent colleges;

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

ill acne Se

(xxvi) to demand and receive such fees and other charges as it may determine; :

(xxvii) to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies and commercial and industrial enterprises under prescribed conditions;

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

(xxix) 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;

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

(xxxi) to make Rules, Regulations and Statutes for the Institute; and

(xxii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient to further the objectives of the Institute as a place of education, learning and research.

6. The principle seat of the Institute shall be at Bannu, Khyber Pakhtunkhwa and it may set up any number of campuses, colleges and institutes at other places in Pakistan and abroad with prior approval of the Chancellor and Commission after completion of ten years of establishment of the Institute.

7. Fnstitute oper to all classes, creeds, etc.—(1) The Institute shall be open to all persons of female gender of whatever religion, race, caste, class, creed, colour or domicile who qualify for admission to the courses of study offered by the Institute based on the criteria and policy determined by the Senate and no such person shall be denied the privileges of the Institute on the ground only of religion, race, caste, class, colour or domicile.

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

(3) The Institute shall initiate financial aid programs 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 Institute and the various opportunities provided by it to be based on merit rather than ability to pay:

Provided that the Institute may initiate self-finance schemes covering not more than ten percent of the total number of candidates in any on campus taught course or research-based program of study.

8. Teaching and examination at the Institute—(1) All academic programs of the Institute shall be conducted in the prescribed manner and the Senate shall ensure that the courses of study, the curriculum and the practical work at the Institute are comparable in standard with other similar institutions.

(2) All recognized teaching in various courses shall be conducted by the Institute 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.

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

(4) The Institute shall associate internal and external examiners in the conduct of examinations.

CHAPTER-III OFFICERS OF THE INSTITUTE

9. Principal officers— The following shall be the principal officers of the Institute, namely:—

(a) the Chancellor;

(b) the Pro-Chancellor;

(c) the Vice-Chancellor;

@) the Deans;

(e) the Chairmen of the teaching departments:

(e) _ the Directors of the constituent colleges;

(f) the Registrar;

(g) the Treasurer;

(h) the Controller of Examinations; and

(i) such other persons, as may be prescribed by the Statutes or Regulations, to be the officers of the Institute.

10. Chancellor—(1) The President of the Islamic Republic of Pakistan shall be the Chancellor of the Institute.

(2) The Chancellor shall, when present, preside over the meetings of the Senate and the convocation of the Institute. In the absence of the Chancellor, the Pro-Chancellor shall preside over the convocation of the Institute.

(3) The members of the Senate as well as Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose under sub-section (1) of section 28 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 a serious irregularity or mismanagement with respect to the affairs of the Institute has occurred, he may,—

(a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

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 in the fields of law, accountancy and administration or as deem fit by the Chancellor; and

(b) as regards proceedings of 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 18,

11. Pro-Chancellor—The Provincial minister-in-charge of the concerned department dealing with the subject of higher education shall be the Pro-Chancellor of the Institute and shall in absence of the chancellor preside over the convocation of the Institute.

12. Vice-Chancellor—(1) There shall be a Vice-Chancellor of the Institute who shall be a person of national eminence and proven ability with significant contribution to higher education as an academician, researcher or administrator and shall be appointed on such terms and conditions as may be prescribed.

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

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

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, 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 and the Emergency Committee may direct such further action as is considered appropriate. .

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

(a) to direct teachers, officers and other employees and the Secretariat 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 Institute 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 Institute and in such manner as may be prescribed by the Statutes;

(d) to suspend, punish and remove, in accordance with the prescribed procedure, from service officers, teachers and other employees of the Institute;

(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. :

(6) The Vice-Chancellor 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.

(7) _ The Vice-Chancellor shall make available an annual report, prior to its presentation before the Senate, to all officers and Institute teachers and it shall be published in such numbers, and uploaded on the Institute website, as required to ensure its wide circulation.

13. Appointment and removal of the Vice-Chancellor—(1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Senate as provided herein below.

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by Statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed as convener, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academician of eminence not employed by the Institute. The two distinguished Institute teachers shall be selected by the Senate through a process prescribed by Senate, which provides for the recommendation of suitable names by the Institute teachers in general. The search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice-Chancellor will be considered by the Institute 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 same manner as provided for in sub-section (2).

(4) The Vice-Chancellor shall be appointed for a renewable tenure of four years on the terms and conditions prescribed by the Statute. The tenure of an incumbent Vice-Chancellor of the Institute shall be renewed once 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:

Provided further that present incumbent Vice-Chancellor shall not be allowed any extension in his tenure but subject to eligibility he may again!

compete for the post of the Vice-Chancellor in accordance with the procedure prescribed under this Act.

(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 Vice-Chancellor on the grounds of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantages 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 Vice-Chancellor that has come to his notice. After consideration of the reference, the Senate may, pursuant to a resolution in this behalf passed by two-third of its membership, recommend to the Chancellor removal of the Vice-Chancellor:

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

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

(7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Senate shall make arrangements in accordance with the Statutes for the performance of the duties of the Vice-Chancellor.

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

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

(a) be the custodian of the common seal and the academic records of the Institute;

(b) maintain a register of registered graduates in the prescribed manner;

(c) supervise the process of election, appointment, or nomination of members to the various Authorities and other bodies in the prescribed manner; and

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

(3) 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 Vice-Chancellor, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

(4) When the office of the Registrar is vacant or the Registrar is absent or unable to perform his functions owing to any cause, the Senate shall make temporary arrangements for the performance of duties of the Registrar, but the period of such temporary arrangements shall not exceed six months, and the Registrar shall be appointed during that period.

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

(2) 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 Senate;

(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 prepared and audited annually to 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,

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

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

{4) When the office of the Treasurer is vacant or the Treasurer is absent or unable to perform his functions owing to any cause, the Senate shall make temporary arrangements for the performance of duties of the Treasurer, but

2 period of such temporary arrangements shall not exceed six months, and the Treasurer shall be appointed during that period.

16. Controller of Examinations—(1) There shall be a Controller of Examinations of the Institute having the prescribed experience and qualifications, to be appointed by the Senate on the recommendation of the Selection Board, on such terms and conditions as may be prescribed.

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

(a) responsible for all matters connected with the conduct of examinations and to perform such other duties as may be prescribed; :

(b) responsible for secrecy and confidentiality of examinations and results and to perform such other duties as may be prescribed; and

(c) perform such prescribed duties in the Secretariat.

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

Provided that the Senate 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 the prescribed procedure.

(4) When the office of the Controller of Examinations is vacant or the Controller of Examinations is absent or unable to perform his functions owing to any cause, the Senate shall make temporary arrangements for the performance of duties of the Controller of Examinations, but the period of such temporary arrangements shall not exceed six months, and the Controller of Examination shall be appointed during that period.

17. Director Planning and Development—(1) There shall be a Director Planning and Development of the Institute to be appointed by the Senate on the recommendations of the Syndicate for a period of three years once renewable 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 Planning and Development shall be prescribed.

(3) The Director Planning and 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 and Development shall—

(a) prepare short and long-term plans and development programs to

meet vision, goals and priorities set by the Institute management or Senate;

(b) conduct comprehensive review, assessment, and analysis of development planning process (project identification, appraisal, selection, implementation and monitoring) and mechanism;

(c) develop a strategy for improving development of planning processes and mechanisms based on findings of the situation analysis;

(d) provide technical support in developing project proposals and PCs-I for the Institute;

(e) be responsible for preparation of the PC-I, PC-II, PC-III, PC-IV and PC-V;

(f) be responsible for preparation of cash work and activity plan;

(g) be responsible for preparation of quarterly expenditure statements;

(h) be responsible for preparation of monthly and quarterly progress reports;

(i) coordinate with works, purchases, store units and accounts; and

(j) communicate or submit reports, plans and projects to different donors.

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

18. Director Quality Enhancement Cell (QEC)—(1) There shall be a Director Quality Enhancement Cell (QEC) of the Institute to be appointed by the Senate on the recommendations of the Syndicate for a renewable period of three 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 Quality Enhancement Cell (QEC) shall be as may be prescribed.

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

(a) review the quality standards and the quality of teaching and learning in each subject area;

(b) review the academic association with other institutions in terms of effective management of standards and quality of programs;

(©)

(d)

(e)

(f)

(g)

(h)

(4)

define clear and explicit standards as points of reference for the review to be carried out. It should also help the employees to know as to what they could expect from candidates; :

develop qualifications framework by setting out the attributes and abilities that can be expected from the holder of a qualification, ie. undergraduate and graduate programs;

develop program specifications. These are standards set of information clarifying what knowledge, understanding, skills and other attributes a student will have developed on completing a specific program;

develop 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;

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; and

develop procedures and processes, monitoring and evaluation systems and standards for the following:—

(i) approval of new program;

(ii) annual monitoring and evaluation including program monitoring, faculty monitoring and student perceptions,

(iii) departmental review;

(iv) student feedback;

(v) employer feedback;

(vi) quality assurance of undergraduate, graduate and doctoral programs,

- (vii) institutional assessment and performance evaluation;
- (viii) program specifications; and
- (ix) qualification framework.

Director, Quality Enhancement Cell (QEC) shall be a member of
all statutory bodies and committees of the Institute.

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

19. Director of Office of Research, Innovation and Commercialization (ORIC)—(1) There shall be a Director, ORIC of the Institute to be appointed by the Senate on the recommendations of the Syndicate for a renewable period of three 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 such as may be prescribed.

(3) The Director, ORIC shall—

(a) 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;

(b) to supervise all aspects of the operation of the Office for Research including research administration (budgeting, auditing, accounting, human resources, management and maintenance of facilities and equipment, implementation of research contracts and human resources);

(c) 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 and oversee proposals development and submission;

(d) 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);

(e) be responsible for monetizing royalty streams from licences; and

(f) collaborate with the principal liaison for technical marking and licensing on the commercialization of the Institute's intellectual property in coordination with other relevant departments and offices.

oe

(4) Director (ORIC) shall work in close liaison with the Office of Research and Development, Planning and Development and Institute's technology park.

(5) The Senate may on the recommendations or 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 UNIVERSITIES

20. Authorities—(1) The following shall be the Authorities of the Institute, namely:—

(a) Authorities established by this Act shall be —

(i) _ the Senate;

(ii) the Syndicate; and

(iii) the Academic Council; and

(b) Authorities to be established by the Statutes shall be —

(i) Graduate and Research Management Council;

(ii) Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff whether at the level of the department, the Faculty or the Institute;

(iii) Career Placement and inter ship Committee of each Faculty;

(iv) Search Committee for the appointment of the Vice-Chancellor;

(v) the Representation Committees for appointment to the Senate, Syndicate and the Academic-Council;

(vi) Affiliation Committee;

(vii) Faculty Council; and

(viii) Departmental Council.

(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 institute for the purposes of this Act.

PART I}

21.

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 10, 2023 403

Senate—(1) The body responsible for the governance of the

Institute shall be the Senate, and shall consist of the following, namely:-

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

(f)

(g)

(h)
@

@)

(kK)

0)

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

the Vice-Chancellor;

one Dean to be nominated by the Chancellor;

one female member of the National Assembly of Pakistan to be
nominated by the Speaker National Assembly;

Secretary to the Government of Pakistan, dealing with the subject
of education or his nominee not below the rank of an Additional

Secretary;

four persons from society at large being persons of distinction in
the fields of administration, management, education, academics,
law, accountancy, medicine, fine arts, architecture, industry,
agriculture, science, technology and engineering with a view to
create diversity and balance across the various fields, to be
nominated by the Chancellor:

Provided that the special focus or affiliation of the Institute
may be reflected in the number of persons of distinction in an area
of expertise relevant to the Institute who are appointed to the
Senate;

one person from amongst the alumni of the Institute;

two persons from the academic community of the country, other than an employee of the Institute at the level of Professor or Principal of the College;

four Institute teachers, including one Professor, one Associate Professor, one Assistant Professor and one Lecturer to be elected by teachers of their respective cadres from amongst themselves;

nominee of the Higher Education Commission, not below the rank of BPS-19; :

Vice-Chancellor of the public sector university to be nominated by the Chancellor; and

(m) one industrialist to be nominated by the Government.

(2) The number of the members of the Senate described against clauses (h) to (k) of sub-section (1) may be increased by the Senate through

Statutes subject to the condition that the total membership of the Senate does not exceed twenty-one with a maximum of five Institute teachers and ten from society at large, 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 28 and in accordance with procedure as may be prescribed:

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

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

Provided also that the Senate may alternatively prescribe that appointment of Institute teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (e) and (f) 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 the 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 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 Institute 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 in the Senate shall be on honorary basis:
Provided that actual expenses may be reimbursed as prescribed.

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

(8) All decisions of the Senate shall be taken on the basis of opinion of 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.

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

22. Powers and functions of the Senate—(1) The Senate shall have the powers of general supervision over the Institute and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the Institute. The Senate shall also have all powers of the Institute not expressly vested in an Authority or officer by this 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) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of accounts;

(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 institute the degrees to be awarded by the Institute and 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 Principals, Deans, Professors, Associate Professors, Assistant 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 and to approve the strength of the teaching staff as well as the clerical and non-clerical staff and may from time to time increase the posts or decrease or abolish any previous approve:' posts;

(h) to consider the drafts of Statutes and Regulations proposed by the Syndicate and the Academic Council respectively and deal with them in a prescribed manner:

Provided that the Senate may frame Statutes or Regulations 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 this Act, Statutes or Regulations after calling upon such Authority or officer to show cause as to why such proceedings should not be annulled;

(j) to recommend to the Chancellor removal of any member of the : Senate in accordance with the provisions of this Act;

(k) to make appointments of members of the Syndicate, other than ex-officio members, in accordance with the provisions of this Act;

(1) to make appointment of members of the Academic Council, other ~ than ex-officio members, in accordance with the provisions of this 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 by a court of law convicted for an offence involving moral turpitude; and

(0) to determine the form, provide for the custody and regulate the use of the common seal of the Institute.

(3) The Senate may, subject to the provisions of this 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 Senate may create new posts or positions at the additional campus.

23. Visitations— The Senate 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.

24. Syndicate—(1) There shall be a Syndicate of the Institute consisting of the following, namely:-

- (a) the Vice-Chancellor who shall be its Chairperson;
- (b) the Deans of the Faculties of the Institute;
- (c) three Professors from different departments, who are not members of the Senate, to be elected by the Institute teachers in accordance with the procedure to be prescribed by the Senate;
- (d) the Directors and Principals of the constituent colleges;
- (e) the Registrar;
- (f) the Treasurer;
- (g) the Director QEC;
- (h) the Director (P&D);
- (i) the Director ORIC; and
- (j) _ the Controller of Examinations.

(2) The Registrar shall also be the Secretary of the Syndicate.

(3) Members of the Syndicate, other than ex-officio members, shall hold office for three years.

(4) As regards the three Professors under clause (c) 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 28. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

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

(6) The Syndicate shall meet at least once in each quarter of the year.

25. Power and duties of Syndicate—(1) The Syndicate shall be the executive body of the Institute and shall, subject to the provisions of this Act and Statutes, exercise general supervision over the affairs and nianagement of the Institute. .

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act, 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 the 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 accounts 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 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, trusts, 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 Senate admission of educational institutions to the privileges of the Institute and withdraw such privileges;

(k) to recommend to the Senate affiliation or de-affiliation of colleges;

(1) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships and other teaching posts or to suspend or to abolish such posts;

(m) to create, upgrade, downgrade, re-designate, suspend or abolish such administrative or other posts as may be necessary;

Part I]

(n)

(0)

(p)

(q)

(s)

©

(uy)

26.

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 10, 2023 409

to prescribe the duties of officers, teachers and other employees of the Institute;

to report to the Senate on matters with respect to which it has been asked to report;

to appoint members to various Authorities in accordance with the provisions of this Act;

to propose drafts of Statutes for submission to the Senate;

to regulate the conduct and discipline of the students of the institute;

to take actions necessary for the good administration of the Institute in general and to this end exercise such powers as are necessary;

to delegate any of its powers to any Authority or _ officer ora committee; and

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

Academic Council—(1) There shall be an Academic Council of

the Institute consisting of the following, namely: —

(a)

(b)

(c)

(d)

(e)

(e)
(
(g)
(h)

the Vice-Chancellor who shall be its Chairperson;

the Deans of Faculties and such Heads of Departments as may be prescribed;

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;

the nominee of the Commission;

the Controller of Examinations; and

the Senior 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 Vice-Chancellor of the Institute:

Provided that as regards the five Professors and the members representing the departments, institutes and constituent colleges, the Senate may, as an alternative to elections, prescribe a procedure for the proposal of a panel of names by the Representation Committee set up in terms of section 28. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

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

(4) The Academic Council shall meet at least once in each quarter of the year.

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

27. 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 this Act and 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 constituent colleges of the Institute.

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

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

(b) approve academic programs,

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

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

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

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

PART I]

(g)

(h)

(i)

G)

(k)

@

(m)

28.

Committee

THE GAZETTE OF PAKISTAN, EXTRA., JUNE 10, 2023 All

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

institute programs for the continued professional development of Institute teachers at all levels;

recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the Institute; .

regulate the award of studentships, scholarships, exhibitions, medals and prizes;

make Regulations for submission to the Senate;

prepare an annual report on the academic performance of the Institute; and

perform such functions as may be prescribed by Regulations.

Representation Committees. —(1) There shall be a Representation constituted by the Senate through Statute for the recommendation of

persons for appointment to the Senate, Syndicate and Academic Council in

accordance

(2)

with the provisions of sections 21,24 and 26 respectively.

Members of the Representation Committee for appointment to the

Senate shall consist of the following, namely:-

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

three members of the Senate who are not Institute teachers;

two persons nominated by the Institute teachers from amongst themselves in the prescribed manner;

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

one eminent citizen with experience in administration, social, philanthropy, education, advocacy, media, literati, development work, law and accountancy to be nominated by the Senate.

The Representation Committee for appointments to the Syndicate

and the Academic Council shall consist of the following, namely:-

- (a)
- (b)

two members of the Senate who are not Institute teachers; and

three persons nominated by the Institute teachers from amongst themselves in the prescribed manner.

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

Provided that no member shall serve for more than two consecutive terms. :

(5) The procedure for conducting business of the Representation Committee shall be as may be prescribed.

(6) There may also be such other Representation Committees set up by any of the other Authorities as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the Institute.

29. 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 committees 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

30. Statutes —(1) Subject to the provisions of this Act, Statutes may be made to regulate or prescribe all or any of the following matters, namely:—

(a) the contents of and the manner in which the annual report, to be presented by the Vice-Chancellor before the Senate, 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 register of registered graduates;

(f) admission of educational institutions to the privileges of the Institute and the withdrawal of such privileges;

(g) affiliation and disaffil'-tion of educational institutions and related matters;

(h) the establishment of faculties, departments, institutes, constituent colleges and other academic divisions;

(i) _ the powers and duties of officers and teachers;

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

(k) conditions for appointment of emeritus Professors:and award of honorary degrees and academic chairs;

(1) _ efficiency and discipline of Institute employees;

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

(n) the constitution and procedure to be followed by the Search Committee for appointment of the Vice-Chancellor;

(0) conditions and qualifications for appointment of all categories of teachers;

(p) constitution, functions and powers of the Authorities; and

(q) 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 for reconsideration of the proposed draft: :

‘Provided that Statutes concerning any of the matters mentioned in clauses (a) and (l) 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 Statutes with respect to any matter in its powers with respect to which Statutes may be made in terms of this Act and approve such Statutes after seeking the views of the Syndicate.

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

(a) the courses of study for degrees, diplomas and certificates of the Institute;

(b) the manner in which the teaching referred to in sub-section (1) of section 8 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;

(h) _ the use of the library;

(i) _ the formation of Faculties, Departments, Disciplinary Committees and Board of Studies; and

Gj) _ all other matters which by this 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 reer 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 or incidental to matters contained in sub-clauses, (g) and (i) of sub-section (1) shall not be submitted to the Senate without the prior approval of the Syndicate.

32. 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.

33. Rules—(1) Subject to the provision of sub-section (2), the Authorities and the other bodies of the Institute may make Rules, consistent with this Act, to regulate any matter relating to the affairs of the Institute 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
INSTITUTE FUND

34. Fund of the Institute—The Institute shall have a fund to which shall be credited its income, fees, shares, donations, trusts, bequests, endowments, contributions, grants and all other sources. :

35. Audit and accounts.—The accounts and financial statements of the Institute shall be prepared in conformity with the International Financial Reporting Standards (IFRS) as applicable in Pakistan.

(2) The teaching departments, constituent colleges and institutes and all other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centers of the Institute with authority vested in the head of each cost center to sanction expenditures 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 the cost center in accordance with and to the extent prescribed by the statutes.

(3) All funds generated by a teaching department, constituent college or other units of the institute through consultancy, research or other provisions 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 units 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 the 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) Provision shall be made for an internal audit of the finances of the Institute.

(6) Without prejudice to the requirement of audit by an auditor appointed by the 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

ditor 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

36. 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 or dismissed 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.

37. Appeal to the Syndicate and the Senate—Where an order is passed punishing any officer (other than the Vice-Chancellor), 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 Vice-Chancellor, have the right to appeal to the Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate.

“38. 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 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 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.

(3) No adverse change shall be made in the terms and conditions of employment of any college teacher in the employment of the Institute on the date of commencement of this Act.

39. 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.

40. Commencement of term of office of members of Authority—(1)

When a member of a newly constituted Authority is elected, appointed or nominated, his terms of office 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 shall be deemed to have resigned and vacated his seat.

41. Filling of casual vacancies in Authorities—Any casual vacancy among the members of any Authority shall be filled as prescribed, 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 terms for which the person whose place he fills would have been a member.

42. Flaws in the constitution of Authorities.—Where there is a flaw in the constitution of an Authority, as constituted by this Act, Statutes or 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 Senate may direct.

43. Proceedings of Authorities not invalidated by the vacancies.—

No act, resolution or decision of any Authority shall be invalid by reason of any vacancy of 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.

44. First Statutes and Regulations.—Notwithstanding anything to the contrary contained in this Act, the Chancellor shall promulgate the first Statutes and Regulations which shall be deemed to be Statutes and Regulations made under sections 26 shall continue to remain in force until amended or till such time as new Statutes and Regulations are made in accordance with the provisions of this Act.

45. Savings.—(1) Notwithstanding anything contained in any other law for the time being in force, all employees serving in Women Campus of University of Bannu, Bannu shall immediately before the commencement of this Act shall stand transferred to the Institute on exercising an irreversible option within one year of the aforesaid commencement, on the same terms and conditions which are not be less than favorable than those to which he was entitled immediately before such transfer.

(2) Whereas, all such employees who do not exercise the option of getting absorbed in the Institute within one year after the enforcement of this Act shall be rendered back to University of Bannu, Bannu in their basic pay scale. If he possesses the qualifications and fulfills other conditions applicable to that post, provided that where no equivalent post is available, the said official may be offered a lower post in such manner and subject to such conditions as may be prescribed and where such civil servant is appointed to a lower post, the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected.

(3) The seniority of the employees who opt for absorbance in the Institute shall remain intact irrespective of their joining date at the Institute.

(4) Upon enactment of Charter of the Kalam Bibi International Women Institute, all properties, rights and interests of whatever kind used, enjoyed, possessed, owned, or vested in the Women Campus of University of Bannu and all liability legally subsisting against the said college shall stand transferred to the Institute.

46. 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 this Act.

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

(2) If any difficulty arises in giving effect to any of the provisions of this 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.

(4) Where this 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.

MOHAMMAD QASIM SAMAD KHAN,
Secretary.

PRINTED BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS, ISLAMABAD.
PUBLISHED BY THE DEPUTY CONTROLLER, STATIONERY AND FORMS, UNIVERSITY ROAD, KARACHI.