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EXTRAORDINARY

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PART !

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 23rd April, 2010

No. F. 9(9)/2010-Legis.—The following Acts of Majlis-e-Shoora
(Parliament) received the assent of the President on 20th April, 2010, are hereby
published for general information:—

Act No. XL or 2010

An Act to provide for the establishment of the Institute of Space Technology

WuerEAS it is expedient to provide for the Establishment of the Institute of
Space Technology and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

CHAPTER 1

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the
Institute of Space Technology Act, 2010.

(2) It shall come into force at once and shall be deemed to have taken
effect on the Sth day of June, 2007.

(351)

[2371(2010)/Ex. Gaz.] Price: Ry. 30.50

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

(a) “Academic Council” means the Academic Council of the Institute,

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

(c) “Authority” means any of the authorities of the Institute as specified or set up in terms of section 15;

(d) “Chancellor” means the Chancellor of the Institute;

(e) “college” means a constituent college or an affiliated college;

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

(g) “constituent college” means an educational institution, by whatever name described, maintained and administered by the Institute;

(h) “Dean” means the head of a Faculty or the head of an academic body granted the status of a Faculty under this Act or by the statutes or regulations;

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

(j) “Director-General” means the head of a centre or a constituent college established by the Institute under the statutes or regulations in terms of the powers delegated by this Act;

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

(l) “Government” means the Federal Government;

(m) “Head of Department” means head of a teaching department;

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“Institute” means Institute of Space Technology established under this Act as a degree awarding institute;

“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;

“Principal” means the head of a college;

“Representation Committees” means the Representation Committees constituted under section 23;

“Review Panel” means the Review Panel set up by the Chancellor in accordance with the proviso to clause (a) of sub-section (6) of section 8;

“Search Committee” means the Search Committee constituted by the Senate under sub-section (2) of section 11;

“Senate” means the Senate of the Institute;

“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 Institute;

“teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute or by a constituent or affiliated college and such other persons as may be

declared to be teachers by regulations; and

“Vice-Chancellor” means the Vice-Chancellor of the Institute.

3. Establishment of the Institute.—(1) There shall be established, in accordance with the provisions of this Act a degree awarding Institute to be called the Institute of Space Technology, Islamabad.

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

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

(b) the members of the Authorities of the Institute established under section 15;

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

(d): all other full-time officers and members of the staff of the Institute.

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

(4) The Institute shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.

(5) Notwithstanding anything contained in any other law for the time being in force, the Institute shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act and the Higher Education Commission Act, 2002 (LIT of 2002). In particular, and without prejudice to the authority granted to the Commission by the Jaw, 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.

Part I]

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Powers and purposes of the Institute——The Institute shall have

the following powers, namely:—

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to provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;

to prescribe courses of studies to be conducted by it in its campuses and in the 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 contracts of specified duration and to specify the terms of each engagement;

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

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 programmes for the exchange of students and teachers between the Institute and other universities, educational institutions

and research organisations, inside as well as outside Pakistan;

to provide career counselling and job search services to students and alumni,

to maintain linkages with alumni;

(xi) to develop and implement fund-raising plans;

{xii} to provide and support the academic development of the Faculty;

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

(xiv) to affiliate and disaffiliate educational institutions under prescribed conditions;

(xv) _ to inspect colleges and other educational institutions affiliated or seeking affiliation with it;

(xvi) 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;

(xvii) to co-operate with other universities, public authorities or private organisations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;

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

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

(xx) 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;

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

(xxii) to establish teaching departments, schools, colleges, faculties,

campuses, museums, centres of excellence and other centres of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;

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to provide for the residence of the students of the Institute and a constituent college 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;

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

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

to enter into, carry out, vary or cancel contracts;

. 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;

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

to make rules, regulations and statutes for the Institute and to do ail such other acts and things incidental to the powers aforesaid as may

be requisite or expedient in order to further the objectives of the Institute as a place of education, learning, and research.

Institute open to all classes, creeds, etc.— (1) The Institute shall persons of either gender and no person shall be denied the privileges

of the Institute on the grounds of religion, race, casie, residence or place of birth.

(2)

An increase in any fee or charge that is in excess of ten per cent per-

annum on an annualised basis from the last such increase may not be made except in special circumstances, and only with the approval of the Senate.

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

6. Teaching at the Institute —(1) All recognized teaching in various courses shall be conducted by the Institute or a college in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.

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

CHAPTER TI OFFICERS OF THE INSTITUTE

7. Officers.—The following shall be the officers of the Institute, namely: — ‘

(a) the Chancellor;

(b) the Deputy Chairperson of the Senate;

(c) the Vice-Chancellor;

{d) the Director-General;

(e) the Deans;

(f) the Principals of the constituent colleges;

(g) the Head of Departments;

(h) the Registrar;

(i) the Treasurer;

G) the Controller of Examinations; and

(k) _ such other persons as may be prescribed by the statutes or regulations to be the officers of the Institute.

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

(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 Senate may request a person of eminence to preside over the convocation of the Institute.

(3) The members of the Senate as well as the Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with this Act, as the case may be, alongwith those elected.

(4) The Chairman, Pakistan Space and Upper Atmosphere Research Commission shall be the Deputy Chairperson of the Senate.

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

(6) If the Chancellor is satisfied that 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 and in the fields of law, accountancy and administration; 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 17.

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) has become of unsound mind;

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

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

Provided that before passing such resolution the Senate shall provide an opportunity of being heard to the member:

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

10. Vice-Chancellor. (1) There shall be a Vice-Chancellor of the institute who shall be an eminent academic or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Vice-Chancellor shall be the chief executive officer of the Institute responsible for all administrative and academic functions of the Institute and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed in order 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 the statute. The Emergency Committee may direct such further action as is considered appropriate.

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

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

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;

to make appointments of such categories of employees of the Institute and in such manner as may be prescribed by the statutes;

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

Provided that in case of any appointment made by or with the approval of the Senate, any action under this clause shall be taken

with the approval of the Senate;

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

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

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—

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academics;
research;
administration; and

finances.

The Vice-Chancellor's annual report shall be made available, prior to

its presentation before the Senate; to all officers and Institute teachers and shall be published in such numbers as are required to ensure its wide circulation.

II. 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.

(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 the statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed the Convenor, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academic of eminence not employed by the Institute. The two distinguished Institute teachers shall be selected by the Senate through a process, to be prescribed by Senate, that 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 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 Vice-Chancellor shall be appointed for a renewable tenure of five years on terms and conditions prescribed by statutes. The tenure of an incumbent Vice-Chancellor 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 Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity gross misconduct on the part of the Vice-Chancellor 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 Vice-Chancellor:

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

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

(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 such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

12. Registrar.—(1) There shall be a Registrar of the Institute to be appointed by the Senate on the recommendation of the Vice-Chancellor, 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 Institute and shall,—

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

of the Institute; .

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

(c) maintain a register of registered graduates in the prescribed manner,

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

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

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

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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 prescribed procedure.

13. Treasurer.—(1) There shall be a Treasurer of the Institute to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The experience and 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 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 for the purposes for which they are provided;

(d) have the accounts of the Institute audited annually so as 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.

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

14. Controller of Examination.—(1) There shall be a Controller of Examinations, to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

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

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

(4) The Controller of Examinations shall be appointed for a renewable term of three 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 prescribed procedure.

CHAPTER [V AUTHORITIES OF THE INSTITUTE

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

{a) Authorities established by this Act,—

{i} the Senate;

ii) the Syndicate; and

(iii) the Academic Council;

(b) Authorities to be established by the statutes,

(i) Graduate and Research Management Council:

(i) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level 0: the department, the Faculty or the Institute;

(iii) Career Placement and Internship Committee of each Faculty;

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

(vy) ; the Representation Committees for appointment to the Senate, ' Syndicate and the Academic Council;

(vi) Faculty Council; and

(vii) Departmental Council.

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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.

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Senate.—{ } The body responsible for the governance of the Institute

shall be described as the Senate, and shall consist of the following, namely:—

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the Chancellor who shall be the Chairperson of the Senate;

the Deputy Chairperson of the Senate;

the Vice-Chancellor:

a senior member not below the rank of Additional Secretary or equivalent of relevant Ministry;

four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering such that the appointment of these persons reflects a balance across the various fields:

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

one person 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 a college ;

four Institute teachers: and

one person nominated by the Commission.

The numbers of the members of the Senate described in clauses (f)

to (i) 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 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 (f) and (g) 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 23 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 Institute teachers described in clause (h) 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 Institute teachers. Provided also that the Senate may alternatively prescribe that appointment of the Institute teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (f) and (g) of sub-section (1).

(4) Members of the Senate, other than ex-officio members, shall hold office for a period of three years. One-third of the members, other than ex-officio members, of the first 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 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 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 on the Senate shall be on honorary basis:

Provided that actual expenses may be reimbursed as prescribed.

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

(8) In the absence of the Chairperson meetings of the Senate shall be

presided over by the Deputy Chairperson of the Senate. The Deputy Chairperson shall be the convenor of the Senate.

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

17. Powers and functions of the Senate.—(1) The Senate shall have the power 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 provided under 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 power, namely: —

(a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account,

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

(c) to oversee the quality and relevance of the Institute's academic programmes and to review the academic affairs of the Institute in general;

(d) to approve the appointment of the Director-General, Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed:

(e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the Institute;

(f) to approve strategic plans;

(g) to approve financial resource development plans of the Institute;

(h) to consider the drafts of statutes and regulations proposed by the Syndicate and the Academic Council:

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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;

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 why such proceedings should not be annulled;

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

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

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

(i) has become of unsound mind;

(ii) has become incapacitated to function as member of such Authority; or

(iii) has been convicted by a court of law- for an offence involving moral turpitude; and

to determine the form, provide for the custody and regulate the use of

the common seal of the Institute. :

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.

18. Visitation.—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.

19. 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 Director-General;

(c) the Deans of the Faculties;

(d) three professors from different departments, who are not members of the Senate, to be elected by the Institute teachers in accordance with procedure to be prescribed by the Vice-Chancellor;

(e) Principals of the constituent colleges;

(f) the Registrar;

(g) the Treasurer; and

(h) the Controller of Examinations.

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

(3) For three professors described in clause (d) 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 23. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

(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.

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

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Without prejudice to the generality of the foregoing powers, and subject
sions of this Act, the statutes and directions of the Senate, the Syndicate

shall have the following powers, namely:—

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

to transfer and accept transfer of movable property on behalf of the
Institute;

to enter into, vary, carry out and cancel contracts on behalf of the
Institute;

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

to invest any money belonging to the Institute including any unapplied
income in any of securities described in section 20 of the Trust 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;

to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to

the Institute;

to administer any funds placed at the disposal of the Institute for specified purposes;

to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the Institute;

to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;

to recommend to the Senate affiliation or disaffiliation of colleges;

to recommend to the Senate admission of educational institutions to the privileges of the Institute and withdraw such privileges;

to arrange for the inspection of colleges and the departments;

{m) to institute Professorships, Associate Professorships, Assistant

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Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;

to create, suspend or abolish such administrative or other posts as may be necessary;

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 or a 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 the statutes.

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

the Institute consisting of the following, namely:—

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the Vice-Chancellor who shall be its Chairperson;
the Director-General;

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:

(f) five professors including Emeritus Professors;

(g) the Registrar;

(h) the Controller of Examinations; and

(t) the Librarian.

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

Provided that for 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 23. 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, other than ex-officio member shall hold office for a period of three years.

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

(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.

22. 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 the statutes, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the Institute, campuses 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 functions 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) propose to the Syndicate schemes for the constitution and organization of faculties, teaching departments and boards of studies;
- (g) appoint paper setters and examiners for all examinations of the Institute after receiving panels of names from the relevant authorities;
- (h) institute programmes for the continued professional development of Institute teachers at ail levels;
- (i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the Institute,
- (j) regulate the award of studentships. scholarships, exhibitions, medals and prizes;
- (k) frame regulations for submission to the Senate:
- (l) prepare an annual report on the academic performance of the Institute, and
- {m) perform such functions as may be prescribed by regulations.

23. Representation Committees.—(1) There shall be a Representation Committee constituted by the Senate through statutes for recommendation of persons for appointment to the Senate in accordance with the provisions of section 16.

{2} There shall also be a Representation Committee constituted by the Senate through statutes for proposing persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 19 and 21 Tespectively.

(3) Members of the Representation Committee for appointments to the Senate shall consist of the following, namely:—

- (a) three members of the Senate who are not Institute teachers;
- (b) two persons nominated by the Institute teachers from amongst themselves in the manner prescribed;
- (c) one person from the academic community, not employed by the Institute, at the level of professor or college principal to be nominated by the Institute teachers in the manner prescribed; and
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the 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 Institute teachers; and
- (b) three persons nominated by the Institute teachers from amongst themselves in the manner prescribed.

(5) The tenure of the Representation Committees shall be three years: Provided that no member shall serve for more than two consecutive terms.

(6) The procedures for conducting business of the Representation Committees shall be as may be prescribed.

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

24. Appotntment 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 ne specific provision has been made in this Act shall be such as may be Prescribed by statutes ur regulations.

31. 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 term: 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.

32. 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.

33. 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 Fund Act, 1925 (XIX of 1925), shall apply to such fund as if it were the Government Provident Fund.

34. 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 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.

35. Filling of casual vacancies in Authorities.—Any casual vacancy among the members of any Authority shall be filled, as soon as Conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.

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

37. 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.

38. 'First Statutes and Regulations.—Notwithstanding anything to the contrary contained in this Act, the Chancellor shall make the first statutes and regulations which shall be deemed to be statutes and regulations framed under sections 25 and 26 respectively and shall continue to remain in force until amended or replaced or till such time as new statutes and regulations are made in accordance with the provisions of this Act.

39. Transitory Provisions.—(1) The members of the first Senate shall be appointed by the Chancellor in accordance with the numbers and criteria for membership specified in this Act. The first Senate so constituted 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. Notwithstanding the term of offices provided in sub-section (4) of section 16, one-third of the members, other than ex-officio members, of the first 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 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.

(2) Notwithstanding anything contained in this Act, as regards an Institute set up after the promulgation date hereof, the first Vice-Chancellor shall be appointed by the Chancellor for a period of three years.

40. 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 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.

(3) 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.

41. 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 any thing which is done in good faith under this Act. :

42. Power to allow appointment of employees of the Government, other universities or educational or research institutions to the Institute —

(1) Notwithstanding anything contained in this Act, the Senate may, on the advice of the Syndicate, allow any post in the Institute to be filled by appointment or transfer, on such terms as the Senate may specify, an employee of the Government or any other university or educational or research institution.

(2) Where any appointment or transfer has been made under this section, the terms and conditions of service of the appointee or transferee shall not be less favourable than those admissible to him immediately before such appointment or transfer and he shall be entitled to all benefits of his post of service.

43. Validation etc.—Anything done, actions taken, orders passed, instruments made, notifications issued, agreements made, proceedings initiated processes or communications issued under the powers conferred, assumed or exercised, by the Institute or its officers on and after the 26th November, 2007 and before the commencement of this Act shall be deemed to have been validly done, made issued, taken, initiated, conferred, and exercised and the provisions of this Act shall be deemed always to have had effect accordingly. °

Act No. Xfj or 2010

An Act further to amend the Pakistan Naval Academy (Award of Degrees) Ordinance, 1965

WuerEAs, it is expedient further to amend the Pakistan Naval Academy - (Award of Degrees) Ordinance, 1965 (Ordinance No. XX of 1965) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(!) This Act may be called the Pakistan Naval Academy (Award of Degrees) (Amendment) Act, 2010.