

THE ALI INSTITUTE OF EDUCATION LAHORE ACT 2010

(II of 2010)

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'THE ALI INSTITUTE OF EDUCATION LAHORE ACT 2010
(II of 2010)
[15" February, 2010]

An
Act

to provide for the establishment of the Ali Institute of Education Lahore.

Preamble.— Whereas it is expedient to provide for the establishment of the Ali Institute of Education Lahore in the private sector and the connected matters;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act may be cited as the Ali Institute of Education Lahore Act 2010.

(2) It shall come into force at once.

2. Definitions.— In this Act—

(a) "Board" means the Board of Governors of the Institute;

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

(c) "Government" means the Government of the Punjab;

(d) "Institute" means the Ali Institute of Education Lahore;

(e) "Patron" means the Patron of the Institute;

(f) "prescribed" means prescribed by the statutes, regulations or rules;

(g) | "Rector" means the Rector of the Institute;

(h) "Registrar" means the Registrar of the Institute;

(i) "search committee" means a search committee constituted by the Board;

(j) "Society" means the Industrial, Technical and Educational Institute, a society registered under the Societies Registration Act, 1860 (XXI of 1860); and

(k) "Treasurer" means the Treasurer of the Institute.

3. Establishment of the Institute.— (1) The Government shall, by notification, establish the Ali Institute of Education Lahore in the private sector with its campus located in Lahore.

(2) The Institute shall be a body corporate having perpetual succession

and a common seal with power to acquire, hold and dispose of property and shall, by the said name, sue and be sued.

'This Act was originally promulgated as Ordinance IX of 2008; laid in the House on 6 August 2008; passed by the Punjab Assembly on 5 November 2009; returned by the Governor of the Punjab for reconsideration by the Assembly; again passed by the Assembly with necessary changes on 10 February 2010; assented to by the Governor on 13 February 2010; and, was published in the Punjab Gazette (Extraordinary), dated 15 February 2010, pages 2095-2099.

4. Functions and powers of the Institute.— (1) The Institute shall—

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provide instructions and training in the faculty of education aimed at improvement of teaching skills for teachers in different disciplines as the Board may determine; subject to the prior approval of the relevant statutory body of professional education;]

make provision for research, application, advancement and dissemination of '[knowledge];

prescribe and conduct courses of studies;

hold examinations in the prescribed manner and, if a person qualifies the examination, award a degree, certificate and any other academic distinction to the person;]

prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute which may be different from those applicable to government servants;

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

institute programmes for the exchange of students and teachers between the Institute and any other university, educational institution or research organization;

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

maintain linkages with alumni;

develop and implement fund-raising plans;

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

confer degree on a person who has successfully conducted research in the prescribed manner;

accept an examination and the period of study spent by a student of the Institute at any other university or place of learning equivalent to an examination or period of study of the Institute and may withdraw such acceptance;

cooperate with a public authority, university or private organization in the manner and for the purpose as may be prescribed;

institute | Professorship, Associate Professorship, Assistant Professorship and Lectureship or any other post and may appoint a person on the post;

Substituted by the Ali Institute of Education Lahore (Amendment) Act 2016 (XIX of 2016), published in the Punjab Gazette (Extraordinary), dated: 4 March 2016, pp. 4105-4106, s.2.

'Substituted for the words "teachers education" by the Ali Institute of Education Lahore (Amendment) Ordinance 2015 (XXIX of 2015); and published in the Punjab Gazette (Extraordinary), dated 29.09.2015, pages 1975-1976, s.2(b). Provincial Assembly of the Punjab further extended this Ordinance on 12.11.2015 for another 90 days.

"Substituted by the Ali Institute of Education Lahore (Amendment) Act 2016 (XIX of 2016), published in the Punjab Gazette (Extraordinary), dated: 4 March 2016, pp. 4105-4106, s.2.

(xvi) create a post for research, extension, administration or other related purpose and may appoint a person on the post;

(xvii) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;

(xviii) provide for the residence of the students, establish and maintain halls of residence and may approve or licence a hostel, lodging or boarding place;

(xix) maintain order, discipline and security in a campus of the Institute;

(xx) | promote the extra curricular and recreational activities of the students and make arrangements for promoting health and general welfare of the students;

(xxi) demand and receive such fees and other charges from the students as it may determine;

(xxii) make provision for research, advisory or consultancy services and enter into arrangements with any other institution, public or private body, commercial or industrial enterprise in the prescribed manner; and

(xxiii) perform any other prescribed or an ancillary function.

(2) The Institute may—

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

(ii) receive and manage property transferred and grants, contributions made to the Institute and to invest any fund in the manner as it may deem fit;

(iii) print and publish research or any other work; and

(iv) | do any other incidental act or thing, as may be requisite or expedient in order to further the objectives of the Institute.

5. Jurisdiction.— (1) The jurisdiction of the Institute shall be restricted to the Province of the Punjab.

(2) The Institute shall not establish any sub-campus for a period of ten years from the date of coming into force of this Act, after such period, the Institute may establish a sub-campus with the approval of the Government.

6. Patron.— (1) The Governor of the Punjab shall be the Patron of the Institute.

(2) | The Patron or his nominee shall preside over the convocations of the Institute.

(3) | The Patron may approve the statutes submitted by the Board or return the statutes to the Board for reconsideration.

7. Inspection and inquiry.— (1) The Patron may direct inspection or inquiry into the affairs of the Institute.

(2) |The Patron shall convey his views with regard to the result of the inspection or inquiry to the Board and may, after ascertaining the views of the Board, recommend any remedial action to the Board.

(3) The Board shall, within the time specified by the Patron, submit report to the Patron about the action taken on the recommendation of the Patron.

(4) If the Board fails to take action to the satisfaction of the Patron within the specified time, the Patron may issue such direction as he thinks fit and the Board shall comply with the direction.

(5) The Patron may, on the recommendation of a Committee constituted by him and comprising a nominee of the Board, a Judge of the Lahore High Court to be nominated by the Chief Justice of the High Court and a Professor Emeritus or Vice Chancellor, take an action against the Institute by appointing an administrator, who shall exercise the powers of the Board to run the affairs of the Institute till such time as may be specified by the Patron.

(6) The Patron shall not take any action under sub-section (5); unless the Chairman of the Board is afforded an opportunity of hearing.

(7) | The Patron may set aside a decision or action of the Board, which, in the opinion of the Patron, is against the interest of academic excellence, religious or cultural ideology or national integrity.

8. Rector.— (1) The Patron shall, on the recommendation of the search committee, appoint the Rector of the Institute on such terms and conditions as may be recommended by the Board.

(2) | The Rector shall perform such functions as are assigned to him by the Board.

(3) |The Rector shall be the chief executive officer of the Institute responsible for all administrative and academic functions of the Institute.

(4) The Rector may exercise the prescribed powers including administrative control over the officers, teachers and other employees of the Institute.

(5) |The Rector may attend a meeting of an authority or body of the Institute.

(6) | The Rector may, in an emergency that requires immediate action and even if the action is not in the competence of the Rector, take such action and forward, within three days, a report of the action to the members of the Board.

(7) | The Rector may—

(a) 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 purpose of the Institute;

(b) sanction by re-appropriation an amount not exceeding an amount prescribed by the Board for an unforeseen item not provided for in the

budget;

(c) make appointments of such categories of employees of the Institute and in such manner as may be prescribed by the Board;

(d) | suspend, punish or remove, in accordance with prescribed procedure, an officer, teacher or employee of the Institute except those appointed by the Board;

(e) delegate, subject to such conditions as may be prescribed, any of his powers to an officer of the Institute; and

(f) exercise such other powers as may be prescribed.

(8) |The Rector shall preside over convocation of the Institute in the absence of the Patron or a nominee of the Patron.

(9) | The Rector shall present an annual report of an academic year before the Board within three months of the close of the academic year.

(10) The annual report shall contain such information as may be prescribed, including reports pertaining to—

(a) | academics;

(b) research;

(c) administration; and

(d) finances.

9. Registrar.— (1) The Board shall, on the recommendation of the Rector,

appoint a Registrar of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Registrar unless he possesses the prescribed qualifications and experience.

(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 Board and the Rector;

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

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

(d) supervise the process of election, appointment or nomination of a member to a body or authority of the Institute in the prescribed manner; and

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

(4) The Registrar shall hold office for a renewable term of three years.

10. Controller of Examinations.— (1) The Board shall, on the recommendation of

the Rector, appoint a Controller of Examinations of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Controller unless he possesses the prescribed qualifications and experience.

(3) | The Controller 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 shall hold office for a renewable term of three years.

11. Treasurer.— (1) The Board shall, on the recommendation of the Rector,

appoint a Treasurer of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Treasurer unless he possesses the prescribed qualifications and experience.

(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 the estimates to the Board;

(c) ensure that the funds of the Institute are spent according to the budget or any other special arrangement;

(d) ensure that the accounts of the Institute are audited annually and are available for submission to the Board within six months of the close of the financial year; and

(e) perform such other functions as may be prescribed or assigned to him by the Board.

(4) — The Treasurer shall hold office for a renewable term of three years.

12. Appointments.— The Institute may employ such persons as may be necessary, on such terms and conditions as may be prescribed.

13. Institute Fund.— The Board shall establish a fund to be known as the Ali Institute of Education Lahore Fund which shall vest in the Institute and to which shall be credited all sums received by the Institute.

14. Board of Governors.— (1) The management, overall control and supervision of the affairs of the Institute shall vest in the Board of Governors.

(2) | The Board may perform any function or exercise any power as may be necessary for carrying out the objectives of the Institute.

(3) | The Board shall consist of the following:—

(i) the Chairman of the Society; Chairperson

(ii) not more than eight persons to be Members nominated by the Society;

(iii) | the Chairman, Higher Education Commission Member or his nominee;

(iv) ahead of a public sector institution in Member the Punjab to be nominated by the Patron;

(v) Secretary to the Government, Member Education Department or his nominee not below the rank of an Additional Secretary;

(vi) | the Rector; and Member

(vii) | the Registrar. Member/Secretary

(4) | The quorum for a meeting of the Board shall be one half of the total number of members including at least two members from amongst the members at clauses (iii), (iv) and (v) of sub-section (3).

15. Business of the Board.— (1) The meetings and business of the Board shall be conducted in such manner and in accordance with such procedure as may be prescribed in the regulations and until these matters are prescribed, as may be determined by the Board.

(2) No proceedings of the Board shall be invalid by reason of any vacancy or defect in the constitution of the Board.

16. Committees.- The Board may constitute a committee as it deems appropriate.

17. Delegation of powers.— (1) The Board may delegate any of its powers or functions to a person or committee of the Board.

(2) | The Board shall not delegate the power to—

(a) make the regulations or statutes;

(b) recommend any action to the Patron; and

(c) appoint the Registrar, Controller or Treasurer.

18. Budget, audit and accounts.— The budget of the Institute shall be approved and its accounts shall be maintained and audited in such manner as may be determined by the Board.

19. Rules.— The Government may, by notification, make rules for carrying out the purposes of this Act.

20. Regulations.— Subject to the rules, the Board may make regulations for the administration and management of the affairs of the Institute.

21. Statutes.- The Board may, with the approval of the Patron, make statutes regulating appointments and other terms and conditions of service of the employees of the Institute.