

THE FORMAN CHRISTIAN COLLEGE ACT, 2004

(XXIII of 2004)

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TEXT

'THE FORMAN CHRISTIAN COLLEGE, LAHORE ACT 2004
(XXIII of 2004)
[12" October, 2004]

An
Act
to grant University status to the Forman Christian College, Lahore.

Preamble.— Whereas it is expedient to grant University status to the Forman Christian College, Lahore in the private sector and to make provisions for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act may be called the Forman Christian College, Lahore Act 2004.

(2) It shall come into force at once.

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

(a) | "Academic Council" means the Academic Council of the University;

(b) "Academic Vice President" means the Academic Vice President of the University;

(c) "Accreditation Committee" means the Accreditation Committee constituted under the Punjab Higher Education Commission Act 2014 (I of 2015);

(d) "Authority" means any of the Authorities of the University specified in section12;

(e) "Board" means the Board of Governors;

(f) "Chairperson of Department" means the head of a teaching department;

(g) | "Commission" means Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);

(h) "Dean" means the Chairman of the Board of a Faculty;

(i) "Faculty" means a faculty of the University;

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

(k) | "Patron" means the Patron of the University;

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

'This Act was passed by the Punjab Assembly on 16 September 2004; assented to by the Governor of the Punjab on 10 October 2004; and, was published in the Punjab Gazette (Extraordinary), dated 12 October 2004, pages 1481-1488.

Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.2.

(m) "Punjab Higher Education Commission" means Punjab Higher Education Commission set up under the Punjab Higher Education Commission Act 2014 (I of 2015);

(n) "Rector" means the Rector of the University;

(o) "Registrar" means the Registrar of the University;

(p) "Society" means the educational society of the Forman Christian College, Lahore registered under the Societies Registration Act 1860;

(q) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made or deemed to have been made under this Act; and

(r) "University" means the Forman Christian College, Lahore constituted as University under this Act.]

3. Establishment of the University. (1) There shall be established a University to be called the Forman Christian College, Lahore in the private sector with its campus located at Lahore.

(2) The University 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.

4. Functions and powers of the University.- The functions and powers of the University shall be—

(a) _ to provide for instruction and training in—

(i) Natural Sciences, Social & Behavioural Sciences, Humanities, Information Technology, Management, Education and Business & Commerce; and

[(ii) such other branches of learning as the Board may determine with the approval of the Patron given on the recommendation of the Accreditation Committee:]

(b) to provide for research, demonstration and other services, and for the advancement and dissemination of knowledge;

[(c) to hold examinations and confer on, or award degrees, diplomas, certificates and other academic distinctions to persons who have passed the examinations in the prescribed manner;]

(d) to select and promote Faculties;

(e) to prescribe courses of studies;

(f) to establish and support other facilities for education, training and research; and

SSubstituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.3.

'Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette

(g) | to decide teaching methods and strategies in order to ensure the most effective educational and training programs.

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

(2) | The University shall not open any sub-campus for a period of ten years from the commencement of this Act after which period it may have sub-campuses with the approval of the Patron.

(3) | The University may affiliate any other educational institution only with the approval of the Patron.

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

(2) The Patron or his nominee shall preside at the convocations of the University.

*[(3) Every proposal to confer an honorary degree shall be subject to the approval of the Patron on the recommendation of the Board.]

(4) The Patron shall have the power to assent to the Statutes submitted to him by the Board or refer them back to the Board for reconsideration.

7. Inspection and inquiry.— (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the University.

[(1a) For inspection or inquiry under subsection (1), the Patron shall refer the matter to a committee consisting of at least three members including a nominee of the Government not below the rank of an Additional Secretary, a nominee of the Punjab Higher Education Commission not below the rank of a member of the Commission and a nominee of the Chairman of the Society.]

(2) | The Patron shall communicate to the Board his views with regard to the result of the inspection or inquiry and shall, after ascertaining the views of the Board, advise the Board on the action to be taken by it.

(3) | The Board shall, within such time as may be specified by the Patron, communicate to him such action as has been taken as a result of the inspection or inquiry.

(4) | Where the Board does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he thinks fit and the Board shall comply with all such directions.

(5) If the Board fails to comply with the directions of the Patron under subsection (4), the Patron may, on the recommendations of Accreditation Committee, take any appropriate action.]

5Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.4.

®Inserted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette

(Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.5.

"Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.5.

(6) The Government may, by notification, make rules to provide detailed procedure for any action under this section.]

[(7) The Patron may, on the recommendation of Accreditation Committee, annul any decision of the Board on the ground of academic excellence, religion, culture, ideology or national integrity.]

8. Rector.— [(1) The Rector shall be an eminent scholar of repute or distinguished administrator who shall be appointed by the Government on the recommendation of the Board on such terms and conditions as the Board may determine.]

(2) | The Rector shall be the chief executive officer of the University and shall perform such functions as are assigned to him by the Board.

9. Appointments.— The University may appoint such persons in its services as may be necessary on such terms and conditions as may be determined by the Board.

10. | University fund.— There shall be a fund to be known as the Forman Christian College, Lahore Fund which shall vest in the University and to which shall be credited all sums received by the University.

11. | Budget, audit and accounts.— The budget of the University shall be approved and its accounts shall be maintained and audited in such manner as may be prescribed by the Board.

12. Authorities of the University.— The following shall be the Authorities of the University:—

(a) the Board of Governors;

(b) the Academic Council;

(c) the Board of Faculties;

(d) the Board of Advanced Studies and Research;

(e) the Selection Board;

(f) the Finance and Planning Committee; and

(g) | such other Authorities as may be prescribed by the Statutes.

13. Board of Governors.— (1) The Board of Governors of the University shall consist of the following:—

(i) the Chairman of the Society;

®Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.5.

°Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.5.

"Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.6.

"[(ii) members of the Board of Directors of the Society subject to a maximum of ten members;

(iii) | five eminent persons of national repute to be nominated by the Society other than members of its Board of Directors;]

(iv) the Chairman, Higher Education Commission or his nominee not below the rank of an Executive Director;

"I(v) Chairperson of the Punjab Higher Education Commission or his nominee not below the rank of a whole-time member of the Punjab Higher Education Commission;

(vi) three members of the Provincial Assembly of the Punjab, including at least one female member of the Assembly, to be nominated by the Speaker of the Assembly;]

"[(vii)] a Vice Chancellor of a public sector University in the Punjab nominated by the Patron;

"((viii)] the Rector; and

"I(ix)] Secretary to Government of the Punjab, "[Higher] Education Department or his nominee not below the rank of Additional Secretary.

(2) The Chairman of the Society shall be the Chairman of the Board.

(3) | The quorum for a meeting of the Board shall be one-half of the total number of members, a fraction being counted as one; provided that at least two members shall be official members.

14. Powers and duties of the Board.— (1) The administration and management of the affairs of the University shall vest in the Board.

(2) |The Board shall forward the draft of Statutes to the Patron for approval.

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 Statute, Regulation or proceeding of the Board shall be invalid by reason of any vacancy or defect in the constitution of the Board.

"Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

"Inserted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

"Renumbered by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

"Renumbered by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab

Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

¹Renumbered by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

²Inserted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.7.

16. Delegation of powers.— The Board may delegate to any person or a committee any of its powers, duties or functions.

17. | Academic Council.— (1) The Academic Council shall consist of—

(i)

(ii)

(iii)

(iv)

(v)

(vi)

"I(vii)

(viii)

(2)

(3)

the Rector (Chairman);

all the Deans;

all the Heads of the Departments/Institutes;

all Professors and Associate Professors of the University;

all full-time members of the teaching faculty who hold appointments as Assistant Professors and Lecturers, who have been on the faculty for at least one year;

any senior administrative officer of the University to be nominated by the Rector;

an expert in the field of education to be nominated by Secretary to the Government, Higher Education Department, from a panel of experts recommended by the Board; and]

the Registrar (Member/Secretary).

Members appointed by nomination shall hold office for three years.

The quorum for a meeting of the Academic Council shall be one-half of

the total number of members, a fraction being counted as one.

18. Powers and duties of Academic Council.— (1) The Academic Council shall be the academic body of the University and shall, by the Statutes, have the powers to lay down proper standards of instruction, research, publication and examination and to regulate and promote the academic life of the University.

(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 powers to—

(a)
(b)
(c)

(d)
(e)

(f)

(9)

advise the Board on academic matters;
regulate the conduct of teaching, research and publication;

regulate the admission of students to the courses of studies and
examinations in the University;

regulate the conduct and discipline of the students of the University;

propose to the Board, scheme for the constitution and organization of
Faculties and teaching departments;

consider or formulate proposals for the planning and development of
teaching and research in the University;

make Regulations prescribing the courses of studies, the syllabi and the
outlines of tests for all University examinations subject to approval of the
Board;

"Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.8.

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

(i) frame Regulations for submission to the Board;

(j) appoint or nominate members to the various Authorities in accordance with the provisions of this Act; and

(k) perform such other functions as may be prescribed by the Statutes.

19. Statutes.— Subject to the provisions of sub-section (6) of section 7 and section 21, Statutes may be made to provide for and to regulate any matter relevant to the University.

20. First Statutes Notwithstanding anything to the contrary contained in this Act, the Statutes set out in the Schedule appended to this Act shall be deemed to be the Statutes framed under section 19 of this Act and shall continue to remain in force until amended or repealed.

21. Regulations.- The Board may, by notification, make Regulations for the administration and management of the affairs of the University.

"[22. Removal of difficulties.— If any difficulty arises in giving effect to any of the provisions of this Act, the Board may give such directions, not inconsistent with the Act, as it may consider necessary for the removal of such difficulty.]

23. | Repeal.— The Forman Christian College, Lahore Ordinance, 2004 (II of 2004) is hereby repealed.

⁸Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.9.

SCHEDULE

(See section 19)

THE FIRST STATUTES OF THE FORMAN CHRISTIAN COLLEGE, LAHORE

1. Faculties.— There shall be a faculty for a teaching department or a group of teaching departments. The University shall include the following faculties and such other faculties as may be prescribed:—

Faculty of Natural Sciences;

Faculty of Social & Behavioural Sciences;

Faculty of Humanities;

Faculty of Information Technology;

Faculty of Management;

Faculty of Education; and

Faculty of Business & Commerce.

2. Board of Faculty.— (1) There shall be a Board of each Faculty which shall

consist of—

(a)
(b)

(c)

(d)

(2)

the Dean of the Faculty;

the Professors and the heads of the teaching departments in the Faculty;

one member other than Professors and head of each teaching department to be nominated by the Head of Department; and

five persons nominated by the Rector, in consultation with the Academic Council, who may be members of other faculties with insights having important bearing on the subjects assigned to the faculty, or may be experts in the field from outside the University.

The members other than ex-officio members shall hold office for a

period of three years.

(3)

The quorum for a meeting of the Board of a Faculty shall be one-half of

the total number of members, a fraction being counted as one.

(4)

The Board of each Faculty shall, subject to the general control of the

Academic Council and the Board, have the powers to—

(i)

(ii)

(iii)

co-ordinate the teaching and research work in the subjects assigned to the Faculty;

scrutinize the recommendations of the Boards of Studies comprising the Faculty with regard to the appointment of paper-setters and examiners for Graduate and Postgraduate examinations and to forward the panels of suitable paper-setters and examiners for each examination to the Rector;

consider any other academic matter relating to the Faculty and to submit its report to the Academic Council;

(iv) | prepare a comprehensive annual report regarding the performance of each department comprising the Faculty for presentation to the Academic Council; and

(v) perform such other functions as may be prescribed by the Statutes.

(5) There shall be a Dean of each Faculty who shall be the Chairman and Convener of the Board of Faculty.

(6) The Dean shall be appointed for a period of three years by the Rector from amongst the Faculty, subject to confirmation by the Board and shall be eligible for reappointment.

(7) The Dean shall present candidates for admission to degree, except honorary degrees, courses falling within the purview of the Faculty.

(8) | The Dean shall have such powers and duties as may be prescribed by the Board on the recommendations of the Rector.

3. Academic Departments and Heads of the Departments.— (1) There shall be an Academic Department for each subject or a group of subjects, as may be prescribed by the Regulations and each Academic Department shall be headed by a Head of Department.

(2) |The Head of an Academic Department shall be appointed by the Board on the recommendations of the Rector.

(3) The Head of the Department shall plan, organize and supervise the work of the department and shall be responsible to the Dean for the work of his department.

(4) | The Head of the Department shall, under the general supervision of the Rector and the Dean, exercise all administrative, financial and academic powers and such other duties or powers as may be delegated to him.

(5) The heads of the departments shall prepare a comprehensive annual report regarding the performance of department at the Graduate and Postgraduate levels, Faculty research and development and submit the report to the Dean of the Faculty for his evaluation.

4. Board of Advanced Studies and Research.— (1) The Board of Advanced Studies and Research shall consist of—

(a) the Rector (Chairman);

(b) all the Deans;

(c) one University Professor from each Faculty other than Dean to be appointed by the Board;

(d) | one member to be nominated by the Rector;

(e) | three members from the relevant field, research organizations and Government departments, to be nominated by the Board; and

(f) the Registrar (Secretary).

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

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

5. Functions of the Board of Advanced Studies and Research.— The functions of the Board of Advanced Studies and Research shall be to—

(a) advise the Authorities on all matters connected with the promotion of advanced studies and research publication in the University;

(b) consider and report to the Authorities of the research degrees in the University;

(c) propose Regulations regarding the award of research degrees;

(d) appoint supervisors for Postgraduate research students and to approve titles and synopsis of their thesis/dissertations;

(e) recommend panels of names of examiners for evaluation of their other research examinations; and

(f) perform such other functions as may be prescribed by the Statutes.

6. Selection Board.— (1) The Selection Board shall consist of —

(a) the Academic Vice President;

(b) the Dean of the Faculty concerned; and

(c) the Head of the Academic Department concerned.

(2) | The Registrar shall be the Secretary of the Selection Board.

(3) | The quorum for a meeting of the Selection Board shall be two.

(4) — The Selection Board shall reduce the pool of candidates to the three top candidates and recommend them to the Rector with an evaluation of the strengths and weaknesses of each candidate.

(5) | Whenever there is a vacancy on the faculty, the Rector, upon recommendation of the Academic Vice President and Dean of the concerned Faculty, shall appoint a Search Committee consisting of five members with at least two of them being from the Academic Department in which there is a vacancy. The Search Committee shall be responsible for identifying candidates, screening the candidates, checking references for the candidates, and establishing an interview process for the final lists in the search. The results of this process will be sent to the Selection Board.

(6) In selection of candidates the search committee shall co-opt or consult at least two experts in the subject concerned, to be nominated by the Rector from a standing list of experts for each subject approved by the Board on the recommendation of the Selection Board and revised from time to time.

(7) The Rector shall make the final selection of members of the Faculty subject to the approval of the Board of Governors. He shall make his recommendation based upon the findings of the Selection Board.

(8) | When the recommendations of the Rector for new faculty members are presented to the Board of Governors, there shall be a review of the

recommendations by the Academic Affairs Committee of the Board of Governors, which shall present its recommendations to the Board of Governors.

7. Functions of the Selection Board.— The functions of the Selection Board shall be to—

(a) consider the candidates presented to them by the Search Committee and reduce the pool of suitable candidates to the three top candidates and recommend them to the Rector with an evaluation of the strengths and weaknesses of each candidate; and

(b) recommend suitable salary for the candidate concerned.

8. Finance and Planning Committee.— (1) The Finance and Planning Committee shall consist of—

(a) the Rector;

(b) the Academic Vice President;

(c) all of the Deans;

(d) — the Bursar; and

(e) one member of the Academic Council to be nominated by the Academic Council.

(2) The term of office of the nominated members shall be three years.

(3) | The quorum for a meeting of the Finance and Planning Committee shall be five.

9. Functions of the Finance and Planning Committee.— The functions of the Finance and Planning Committee shall be to—

(a) advise and assist the Rector in the preparation of the annual statement of accounts and in developing the annual budget estimates for presentation to the Board of Governors;

(b) advise and assist the Rector in the preparation of the strategic plan for the University; and

(c) perform such other functions as may be prescribed by the Statutes.

"110. Academic Affairs Committee of the Board of Governors.— The Academic Affairs Committee of the Board of Governors shall consist of—

(a) five members of the Board nominated by the Board; and

(b) | an eminent scholar nominated by the Society.]

11. Functions of the Academic Affairs Committee of the Board of

Governors.— The functions of the Academic Affairs Committee of the Board of Governors shall be to—

"Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.10.

(a) review and make appropriate recommendations to the Board of Governors, any recommendations from the Rector concerning new academic programs; and

(b) review and make appropriate recommendations to the Board of Governors, any recommendations from the Rector concerning appointments to the Faculty of the University.

12. Academic Standards Committee— (1) The Academic Standards Committee shall consist of—

(a) | the Academic Vice President; and

(b) one senior faculty member either Professor or Associate Professor from each Faculty.

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

(3) | The quorum for a meeting of the Academic Standards Committee shall be one-half of the total number of members, a fraction being counted as one.

13. Functions of the Academic Standards Committee.— The functions of the Academic Standards Committee shall be to review the performance of each faculty member and make recommendations to the Rector regarding the promotion in rank or continued service of each faculty member.

“(14. Finance Committee of the Board of Governors.—The Finance Committee of the Board of Governors shall consist of —

(a) five members of the Board nominated by the Board;

(b) | arepresentative of the Commission; and

(c) a representative of Punjab Higher Education Commission.]

15. Functions of the Finance Committee of the Board of Governors.— The functions of the Finance Committee of the Board of Governors shall be to—

(a) review the budget proposed by the Rector and to recommend appropriate action to the Board of Governors; and

(b) advise the Board on all matters relating to finance, investments and accounts of the University.

Substituted by the Forman Christian College Lahore (Amendment) Act 2016 (LIII of 2016), published in the Punjab Gazette (Extraordinary), dated: 6 December 2016, pp. 2895-2898, s.10.