

THE EMERSON UNIVERSITY, MULTAN ACT 2021
(VIII of 2021)

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TEXT

THE EMERSON UNIVERSITY, MULTAN ACT 2021
(VIII of 2021)

[17 May 2021]

**An
Act**

to provide for establishment of Emerson University, Multan.

It is necessary in the public interest to make provisions for establishment of Emerson University, Multan; and to provide for the ancillary matters.

Be it enacted by Provincial Assembly of the Punjab as follows:

CHAPTER I
PRELIMINARY

1. Short title and commencement.— (1) This Act may be cited as Emerson University, Multan Act 2021.

(2) It shall come into force at once.

2. Definitions.— In this Act:

- (a) “Academic Council” means the Academic Council of the University;
- (b) “affiliated college” means a college or institute affiliated with the University;
- (c) “Authority” means an Authority of the University;
- (d) “Chairperson” means the head of an academic department, principal of a constituent college or director of an institute;
- (e) “Chancellor” means Chancellor of the University;
- (f) “Commission” means Higher Education Commission established under the Higher Education Commission Ordinance, 2002 (*LIII of 2002*);
- (g) “constituent college” means a college maintained and administered by the University;
- (h) “Controller of Examinations” means Controller of Examinations of the University;
- (i) “Dean” means the head of a Faculty of the University;
- (j) “department” means a teaching or research department maintained and administered by the University in the prescribed manner;
- (k) “Faculty” means an administrative and academic unit of the University consisting of one or more departments, institutes or constituent colleges;
- (l) “Government” means Government of the Punjab;
- (m) “institute” means an institute established, maintained and administered by the University;

¹This Act was passed by Provincial Assembly of the Punjab on 17 May 2021; assented to by the Governor of the Punjab on 17 May 2021; and, was published in the Punjab Gazette (Extraordinary), dated: 17 May 2021, pp.9181-9197.

- (n) “prescribed” means prescribed by the rules, the regulations or the statutes;
- (o) “Pro-Chancellor” means Pro-Chancellor of the University;
- (p) “Pro-Vice Chancellor” means Pro-Vice Chancellor of the University;
- (q) “Punjab Higher Education Commission” means Punjab Higher Education Commission established under the Punjab Higher Education Commission Act, 2014 (*I of 2015*);
- (r) “Registrar” means Registrar of the University;
- (s) “Search Committee” means the Search Committee consisting of at least three persons constituted by the Government for making recommendations for appointment of the Vice Chancellor;
- (t) “statutes”, “regulations” and “rules” respectively mean the statutes, the regulations and the rules made or deemed to have been made under this Act;
- (u) “Syndicate” means Syndicate of the University;
- (v) “Teacher” includes a Professor, Associate Professor, Assistant Professor, Lecturer, Teaching Assistant, Demonstrator and Instructor engaged whole time by the University and such other persons as may be prescribed;
- (w) “Treasurer” means Treasurer of the University;
- (x) “University” means the Emerson University, Multan; and
- (y) “Vice Chancellor” means Vice Chancellor of the University.

CHAPTER II THE UNIVERSITY

3. Incorporation.— (1) As soon as may be, after promulgation of the Emerson University, Multan Ordinance 2021 (VI of 2021), the Higher Education Department of the Government shall, by notification in the official Gazette, reconstitute Government Emerson College, Multan as Emerson University, Multan in accordance with the provisions of this Act.

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

- (3) The University shall consist of the following:
 - (a) Chancellor;
 - (b) Pro-Chancellor;
 - (c) Vice Chancellor;
 - (d) Pro-Vice Chancellor;
 - (e) members of an Authority;
 - (f) Chairpersons and Deans;
 - (g) teachers and students; and
 - (h) officers and members of the staff of the University.
- (4) The University may acquire and hold property both movable and

immoveable, and lease, sell and otherwise transfer any property vested in it, or enter into contracts for the purposes of this Act, in such manner as may be prescribed.

(5) The University, may, with the approval of the Government, open and administer a sub-campus of the University after the expiry of ten years from the establishment of the University.

(6) All properties, rights and interests of whatever kind used, enjoyed, possessed, owed or vested in Government Emerson College, Multan and all liabilities legally subsisting against the said college shall stand transferred to the University.

(7) All employees, regular or on contract basis, serving the Government Emerson College, Multan immediately before coming into force of this Act, shall be considered on deputation with the University, but they shall not be entitled to any deputation allowance and shall, subject to subsection (8), be liable to be transferred to their parent employer at any time.

(8) Subject to the procedure notified by the University, an employee serving at the Government Emerson College, Multan on deputation with the University under subsection (7), may, within three hundred and sixty five days from the date of coming into force of this Act, opt for absorption in the services of the University on such terms and conditions and in such manner as may be prescribed but such terms and conditions shall not be less favorable than those admissible to such an employee while in Government Emerson College, Multan immediately before his deputation under subsection (7).

4. Functions of the University.— (1) The University shall:

- (a) provide for education in such branches of knowledge as it may deem fit, and make provisions for research, teaching, service to the society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- (b) establish, maintain and administer a department, constituent college or an institute;
- (c) establish and support other facilities for education, training and research;
- (d) prescribe courses of studies;
- (e) decide teaching methods and strategies in order to ensure the most effective educational training programmes;
- (f) hold examinations in the prescribed manner and, if a person qualifies the examination, award degree, diploma, certificate and other academic qualification to the person;
- (g) prescribe the terms and conditions of the employment of the officers, teacher and other employees of the University;
- (h) engage, where necessary, a person on contract for the specified duration and to specify the terms of the engagement;
- (i) provide career counselling and job search services to the students and alumni;
- (j) maintain linkages with the alumni;
- (k) provide and support the academic development of the Faculty of the University;

- (l) confer degree on a person who has successfully conducted research in the prescribed manner;
 - (m) institute Professorship, Associate Professorship, Assistant Professorship and Lecture ship or any other post and may appoint a person on the post;
 - (n) create a post for research, extension, administration or other related purposes and appoint a person to the post;
 - (o) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;
 - (p) provide for the residence for the students, establish and maintain halls of residence and may approve or licence a hostel, lodging or boarding place;
 - (q) maintain order, discipline, and security in a campus of the University;
 - (r) promote extracurricular activities and recreational activities of the students and make arrangements for promoting the health and general welfare of the students;
 - (s) demand and receive such fees and other charges as it may determine; and
 - (t) perform any other prescribed or ancillary function.
- (2) The University may:
- (a) institute programmes for the exchange of students and teachers between the University and any other university, educational institution or research organization;
 - (b) develop and implement fund-raising plans;
 - (c) accept an examination and the period of study spent by a student of the University at any other university or place of learning equivalent to an examination or period of study of the University and may withdraw such acceptance;
 - (d) cooperate with a public authority, university or private organization in the prescribed manner;
 - (e) 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;
 - (f) receive and manage property transferred to it and grants, contributions given to the University and to invest any fund in such manner as it may deem fit;
 - (g) print and publish research or work;
 - (h) admit any college or other educational institution to its privileges or withdraw such privileges in the prescribed manner;
 - (i) affiliate or disaffiliate a college or any other educational institution in the prescribed manner; and
 - (j) exercise any power ancillary to the above powers or as may be prescribed.

5. Jurisdiction of the University.— The jurisdiction of the University shall extend to the Province of the Punjab.

6. University to be open to all classes and creeds.— The University shall be open to all persons irrespective of gender, religion, race, caste, creed, class or colour, and the University shall not deny its privileges to a person on any such ground.

7. Fee and other charges.— The University may prescribe and, from time to time, increase or decrease fee and other charges with the approval of the Syndicate.

8. Teaching in the University.— (1) The recognized teaching in various courses in the University, constituent colleges and affiliated colleges shall be conducted in the prescribed manner, and it may include lectures, tutorials, discussions, seminars, demonstrations as well as practical work in laboratories and workshops and other methods of instruction.

(2) The teaching of any prescribed course in the University, constituent colleges or affiliated colleges shall be organized by such Authority as may be prescribed.

(3) The courses and curricula for teaching in the University, constituent colleges or affiliated colleges shall be such as may be prescribed.

(4) A discipline to be called Islamic and Pakistan Studies shall be offered, as a compulsory subject at the Bachelor's level, in the University, constituent and affiliated colleges but the non-Muslim students may opt for Ethics and Pakistan Studies.

(5) A degree, diploma or certificate at the University shall be granted to a student who fulfils the prescribed requirements for that degree, diploma or certificate.

(6) A continuous evaluation shall be built into the system of studies.

CHAPTER III OFFICERS OF THE UNIVERSITY

9. Officers of the University.— The following shall be the officers of the University:

- (a) Vice Chancellor;
- (b) Pro-Vice Chancellor;
- (c) Deans;
- (d) Chairpersons;
- (e) Teachers;
- (f) Registrar;
- (g) Treasurer;
- (h) Controller of Examinations;
- (i) Resident Auditor;
- (j) Librarian; and
- (k) such other persons as may be prescribed.

10. Chancellor.— (1) Governor of the Punjab shall be the Chancellor of the University.

(2) The University may, subject to prior approval of the Chancellor, confer an honorary degree on a person of eminence.

(3) The Chancellor or a nominee of the Chancellor shall preside at convocation of the University.

(4) The Chancellor, may, after affording an opportunity of being heard, remove any person from the membership of an Authority if such person:

- (a) has become of unsound mind; or
- (b) has been subjected to any incapacity which prevents him from functioning as a member of such Authority; or
- (c) has been convicted by a court of law of an offence involving moral turpitude; or
- (d) does not attend five consecutive meetings of the Authority, without intimation to the Vice Chancellor; or
- (e) has accepted any assignment which involves his absence from the country for a continuous period of more than six months, without intimation to the Vice Chancellor.

(5) Subject to this Act, the Chancellor may approve the draft statutes submitted by the Syndicate or refer the statutes back to the Syndicate for reconsideration.

(6) In the performance of his functions under this Act, the Chancellor shall act and shall be bound in the same manner as the Governor of a Province under Article 105 of the Constitution of the Islamic Republic of Pakistan.

11. Inspection and inquiry.— (1) The Chancellor may direct inspection or inquiry into the affairs of the University.

(2) The Chancellor shall convey the views with regard to the result of the inspection or inquiry to the Syndicate and may, after ascertaining the views of the Syndicate, direct any remedial action to the Syndicate.

(3) The Syndicate shall, within the time specified by the Chancellor, submit report to the Chancellor about the action taken on the direction of the Chancellor.

(4) If the Syndicate fails to take action to the satisfaction of the Chancellor within the specified time, the Chancellor may issue such direction as he may deem appropriate and the Syndicate shall comply with such direction.

(5) The Chancellor may set aside a decision or action of the Syndicate, which, in his opinion, is against the law, interest of academic excellence of the University, religious or cultural ideology, or national integrity.

12. Revisional powers of the Chancellor.— The Chancellor may, on his own motion or otherwise, call for and examine the record of any proceedings in which an order has been passed by any Authority for purposes of satisfying himself as to the correctness, legality or propriety of any finding or order and may pass such orders as he may deem fit but no order shall be so passed unless the person likely to be affected thereby is afforded an opportunity of being heard.

13. Pro-Chancellor.— (1) Minister for Higher Education of the Government shall be the Pro-Chancellor of the University.

(2) The Pro-Chancellor shall perform functions under this Act and exercise such powers of the Chancellor as may be prescribed or assigned to him by the Chancellor, except the powers under sections 11 and 12 of this Act.

14. Vice Chancellor.— (1) A person who is eligible and who is not more than sixty five years of age on the last date fixed for submission of applications for the post of the Vice Chancellor may apply for the post.

(2) The Government shall determine, by notification in the official Gazette, the qualifications, experience and other relevant requirements for the post of the Vice Chancellor.

(3) The Government shall constitute, for a term of two years, a Search Committee consisting of not less than three and not more than five members for making recommendations for appointment of the Vice Chancellor.

(4) The Search Committee shall follow such procedure and criteria, for selection of the panel for the post of the Vice Chancellor, as the Government may, by notification, determine.

(5) The Search Committee shall recommend to the Chancellor, in order of merit, a panel of three persons who, in its opinion, are suitable for appointment as the Vice Chancellor.

(6) The Chancellor shall appoint the person of highest merit as Vice Chancellor from the panel recommended under subsection (5) for a term of four years unless there are cogent and justifiable reasons in writing by the Chancellor for not appointing him as such.

(7) The Government shall determine the terms and conditions of service of the Vice Chancellor.

(8) The incumbent Vice Chancellor shall not be allowed any extension in his tenure but subject to eligibility he may again compete for the post of the Vice Chancellor in accordance with the procedure prescribed by or under this section.

(9) If the office of the Vice Chancellor is vacant or the Vice Chancellor is absent or is unable to perform the functions of the Vice Chancellor owing to any cause, the Pro-Vice Chancellor shall perform the functions of the Vice Chancellor but, if at any time, the office of Pro-Vice Chancellor is also vacant or the Pro-Vice Chancellor is absent or is unable to perform the functions of the Vice Chancellor owing to any cause, the Chancellor shall make temporary arrangements for the performance of the duties of the Vice Chancellor as he may deem fit but the period of such temporary arrangements shall not exceed six months.

(10) The Pro-Vice Chancellor or any other person acting as Vice Chancellor under subsection (9) shall not, in any case, perform the functions of the Vice Chancellor for the period of more than six months and the Chancellor shall, within this period, ensure appointment of the Vice Chancellor under this section.

15. Powers of the Vice Chancellor.— (1) The Vice Chancellor shall be the chief executive and academic officer of the University and shall ensure that the provisions of this Act, rules, regulations and statutes are faithfully observed in order to promote teaching, research, technological development, publications, administration and the general efficiency and good order of the University.

(2) The Vice Chancellor shall preside over the meetings of the Authorities

of which he is the Chairman and be entitled to attend and preside over any meeting of any other Authority or body of the University.

(3) Subject to such conditions as may be prescribed, the Vice Chancellor may, in an emergency, take an action which is not otherwise in the competence of the Vice Chancellor but is in the competence of any other Authority.

(4) The Vice Chancellor shall, within seven days of taking an action under subsection (3), submit a report to the members of the Syndicate; and, the Syndicate shall, within forty five days of the action of the Vice Chancellor, pass such orders as it may deem appropriate.

(5) Subject to the general supervision and control of the Syndicate, the Vice Chancellor may:

- (a) direct a teacher, officer or other employee of the University to take up such assignment in connection with examination, administration or any other activity in relation to the University;
- (b) sanction by re-appropriation an amount for an unforeseen item not provided for in the budget of the University;
- (c) make appointments of employees of the University in BS-16 or below in such manner as may be prescribed;
- (d) take disciplinary action against a teacher, officer or any other employee of the University in the prescribed manner;
- (e) delegate, subject to such conditions as may be prescribed, any of his powers to a teacher or officer of the University; and
- (f) exercise such other powers as may be prescribed or as may be assigned by the Syndicate.

(6) The Vice Chancellor shall prepare an annual report containing information as regards the preceding academic year including disclosure of all relevant facts pertaining to academics, research, administration and finances of the University.

(7) The Vice Chancellor shall, within three months of the conclusion of an academic year, submit the annual report of the University to the Syndicate.

16. Pro-Vice Chancellor.— (1) The Chancellor shall nominate the Pro-Vice Chancellor of the University, from amongst three senior most Professors of the University, for a term of three years.

(2) A Pro-Vice Chancellor shall perform such functions as may be assigned to him under this Act, statutes, regulations or rules.

(3) The Syndicate or the Vice Chancellor may assign any other functions to the Pro-Vice Chancellor in addition to his duties as Professor.

17. Registrar.— (1) The Registrar shall be a whole time officer of the University and shall be the administrative head of the University and be responsible for the provision of the secretarial support to the Syndicate and the Vice Chancellor.

(2) The Chancellor shall not appoint a person as Registrar unless he possesses the prescribed qualifications and experience and other requirements, if any.

(3) The Syndicate shall recommend to the Chancellor, in order of merit, a panel of three persons short listed through a competitive process for appointment as

Registrar.

- (4) The Registrar shall hold office for each term of three years.
- (5) The Registrar, under the general supervision of the Vice Chancellor, shall:
 - (a) be the custodian of the Common Seal and the academic records of the University;
 - (b) maintain a register of the students and Registered Graduates in the prescribed manner;
 - (c) supervise the conduct of elections of members of various authorities in the prescribed manner;
 - (d) be the Secretary of the Syndicate, the Academic Council, the Advanced Studies and Research Board, the Selection Board and such other Committees as may be prescribed; and
 - (e) perform such other duties as may be prescribed or as the Vice Chancellor or the Syndicate may assign.
- (6) When the office of the Registrar is vacant or the Registrar is absent or unable to perform his functions owing to any cause, the Chancellor shall make temporary arrangements for the performance of duties of the Registrar but the period of such temporary arrangements shall not exceed six months, and the Registrar shall be appointed during that period.

18. Treasurer.— (1) The Treasurer shall be a whole time officer of the University.

(2) The Chancellor shall appoint a Treasurer for each term of three years in such manner and on such terms and conditions as may be prescribed.

(3) The Chancellor shall not appoint a person as Treasurer unless he possesses the prescribed qualifications and experience and other requirements, if any.

(4) The Syndicate shall recommend to the Chancellor, in order of merit, a panel of three persons short listed through a competitive process for appointment as Treasurer.

(5) The Treasurer shall be the chief financial officer of the University and shall:

- (a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;
- (b) prepare the annual and revised budget estimates of the University and present the estimates to the Syndicate;
- (c) ensure that the funds of the University are spent according to the budget or any other special arrangement;
- (d) ensure that the accounts of the University are audited annually and are available for submission to the Syndicate within six months of the end of a financial year; and
- (e) perform such other functions as may be prescribed or assigned to him by the Syndicate.
- (6) The Treasurer shall be the Secretary of the Finance and Planning Committee.

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

19. Controller of Examinations.— (1) The Controller of Examinations shall be a whole time officer of the University.

(2) No person shall be appointed as Controller of Examinations unless he possesses the prescribed qualifications, experience and other requirements, if any.

(3) The Syndicate shall recommend to the Chancellor, in order of merit, a panel of three persons short listed through a competitive process for appointment as Controller of Examinations.

(4) The Chancellor shall appoint a Controller of Examinations for each term of three years in such manner and on such terms and conditions as may be prescribed.

(5) The Controller of Examinations shall be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

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

20. Resident Auditor.— (1) The Syndicate shall appoint, on deputation, a Resident Auditor of the University from amongst the panel recommended by the Finance Department of the Government.

(2) The University shall request the High Education Department of the Government to send a panel of three Government officers qualified to be appointed as the Resident Auditor of the University.

(3) The Resident Auditor shall hold office for each term of three years.

(4) The Resident Auditor shall perform such functions as are prescribed or as the Syndicate may assign.

21. Other appointments.— Subject to the provisions of this Act, the University may appoint such other persons in its service as may be necessary on such terms and conditions and in such manner as may be prescribed.

CHAPTER IV AUTHORITIES OF THE UNIVERSITY

22. Authorities of the University.— (1) The following shall be the Authorities of the University:

- (a) Syndicate;
- (b) Academic Council;
- (c) Boards of Faculties;

- (d) Board of Studies;
- (e) Selection Board;
- (f) Board of Advanced Studies and Research;
- (g) Finance and Planning Committee;
- (h) Affiliation Committee;
- (i) Discipline Committee; and
- (j) such other Authorities as may be prescribed under the statutes.

(2) The Syndicate may constitute committees consisting of the members of the Syndicate only, or it may create committees consisting of members of the Syndicate or teachers or officers of the University or a combination of all or any of such persons.

23. Syndicate.— (1) The Syndicate shall consist of:

- (a) Pro-Chancellor who shall be its chairperson;
- (b) Vice Chancellor;
- (c) Pro-Vice Chancellor;
- (d) three members of Provincial Assembly of the Punjab, including at least one woman to be nominated by the Speaker of the Assembly;
- (e) Secretary to the Government, Higher Education Department or his nominee;
- (f) Secretary to the Government, Finance Department or his nominee;
- (g) Secretary to the Government, Law and Parliamentary Affairs Department or nominee;
- (h) one Principal of an affiliated college to be nominated by the Chancellor;
- (i) chairperson of the Commission or his nominee not below the rank of a whole-time member of the Commission;
- (j) chairperson of the Punjab Higher Education Commission or his nominee not below the rank of a whole-time member of the Commission;
- (k) one Vice Chancellor of any University in the public sector in the Punjab to be nominated by the Chancellor;
- (l) five persons of eminence, including at least two women to be nominated by the Chancellor; and
- (m) two Deans to be nominated by the Chancellor.

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

(3) The members of the Syndicate, other than *ex-officio* members shall be appointed for a period of three years but they shall serve during the pleasure of the 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 Pro-Chancellor may nominate any member of the Syndicate to preside over a meeting of the Syndicate in absence of the Pro-Chancellor.

(6) The Syndicate shall take decisions by majority of the votes of members present and voting and the Registrar shall clearly reflect in the minutes of the meeting the dissent, if any, along with the reasons of such dissent.

24. Powers and duties of the Syndicate.— (1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Act and the statutes, take effective measures to raise the standard of teaching, research, technological development, publication and other academic pursuits and exercise general supervision over the affairs of the University and management of the property of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act, the Syndicate may:

- (a) hold, control and administer the properties and funds of the University;
- (b) govern and regulate, with due regard to the advice of the Finance and Planning Committee, the finances, accounts and investments of the University and for that purpose, to appoint such agents as it may deem fit;
- (c) consider and approve the annual report, the annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another;
- (d) transfer and accept transfer of movable or immovable property on behalf of the University;
- (e) enter into, vary, carry out or cancel contracts on behalf of the University;
- (f) cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (g) invest any money belonging to the University including any unapplied income in any of the securities described in section 33 of the Punjab Trusts Act 2020 (XXI of 2020), or in the purchase of immovable property or in such other manner, as it may determine, with the like power of varying such investments;
- (h) receive and manage any property transferred, grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University;
- (i) determine the form, custody and regulation of the use of the common seal of the University;
- (j) provide buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (k) establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (l) affiliate or disaffiliate colleges and institutes;
- (m) admit educational institutions to the privileges of the University and withdraw such privileges;
- (n) arrange for the inspection of the academic departments;
- (o) institute Professorships, Associate Professorships, Assistant Professorships, Lectureships and other posts and to suspend or

abolish such posts;

- (p) create, suspend or abolish such administrative, technical, research, extension or other posts as may be necessary;
- (q) appoint University teachers and other officers on the recommendation of the Selection Board for teaching and other managerial posts;
- (r) confer, with prior approval of the Chancellor, an honorary degree on a person of eminence;
- (s) prescribe the duties of the officers, teachers and other employees of the University and of those working in the University on deputation or on contract;
- (t) appoint members to the various Authorities, committees and bodies in the prescribed manner;
- (u) remove any person from the membership of any Authority if such person has accepted any assignment which involves absence from the University for a continuous period of six months or more;
- (v) regulate, determine and administer, all other matters concerning the University and to this end exercise all necessary powers not specifically mentioned in this Act and statutes but not inconsistent with the provisions of this Act;
- (w) appoint Professor Emeritus on such terms and conditions as may be prescribed;
- (x) suspend, punish and remove from service in the prescribed manner officers, teachers and employees whom it is empowered to appoint;
- (y) consider and approve regulations recommended by the Academic Council;
- (z) approve statutes and recommend those drafts of the statutes for approval of the Chancellor, which pertain to terms and conditions of service of the University employees; and
- (aa) perform such other functions as may be assigned to it under this Act and the statutes.

(3) The Syndicate may delegate any of its functions to an Authority or officer or a committee or sub-committee except the following functions:

- (a) approval of statutes or recommendation of the drafts of the statutes to the Chancellor;
- (b) approval of regulations;
- (c) approval of annual budget of the University, annual report, the annual and revised budget estimates and re-appropriation of funds from one major head of expenditure to another;
- (d) approval of investment or purchase of immovable property by the University; and
- (e) transfer of immovable property of the University.

25. Academic Council.– (1) The Academic Council shall consist of:

- (a) Vice Chancellor (Chairperson);
- (b) Pro-Vice Chancellor;

- (c) Deans;
- (d) Director, Board of Advanced Studies and Research;
- (e) two senior most Professors, other than *ex-officio* members, from each academic department;
- (f) all Professors Emeritus;
- (g) Chairpersons of the academic departments;
- (h) four University teachers, other than Professors, two from each category of Associate professors and Assistant Professors, to be appointed by the Syndicate;
- (i) three persons eminent in sciences, social sciences and Arts, of whom one shall be from each category and shall include at least one woman from any of the categories, to be nominated by the Chancellor in consultation with the Vice-Chancellor;
- (j) Secretary to Government, Higher Education Department or his nominee not below the rank of Deputy Secretary;
- (k) Director Public Instructions (Colleges) of the Government;
- (l) Librarian of the University;
- (m) Controller of Examinations;
- (n) five experts in the field of education, to be nominated by the Chancellor; and
- (o) Registrar (member/Secretary).

(2) A member of the Academic Council appointed by nomination shall hold office for three years.

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

26. Powers and duties of the Academic Council.– (1) The Academic Council shall be the academic body of the University and may lay down proper standards of instruction, research, publication and examination and regulate and promote the academic life of the University and affiliated colleges.

(2) In particular and without prejudice to the generality of the foregoing provision, the Academic Council may:

- (a) advise the Syndicate on academic matters;
- (b) regulate teaching, research and examinations;
- (c) regulate the admission of students to the courses of studies and examinations of the University and affiliated colleges;
- (d) regulate the award of studentships, scholarships, medals and prizes;
- (e) regulate the conduct and discipline of students of the University and affiliated colleges;
- (f) propose to the Syndicate schemes for the constitution and organization of faculties, institutes and other academic bodies;
- (g) propose regulations on the recommendations of the Boards of Faculties and the Boards of Studies for consideration and approval of the Syndicate;

- (h) propose for each academic year, on the recommendations of the Boards of Studies, regulations prescribing the courses of studies, the syllabi and the outlines of tests for all examinations:
provided that, if the recommendations of a Board of Faculties or the Board of Studies are not received by the prescribed date, the Academic Council may, subject to the approval of the Syndicate, permit such regulations to continue for the following years;
- (i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;
- (j) appoint members to the Authorities in accordance with the provisions of this Act; and
- (k) perform such other functions as may be prescribed by the statutes or assigned by the Syndicate.

27. Board of Faculty.– (1) There shall be a Board of Faculty for each Faculty which shall consist of:

- (a) Dean of the Faculty (Chairperson);
- (b) Professors and the chairpersons in the Faculty;
- (c) two teachers to be nominated by the Academic Council on the basis of their specialized knowledge of the subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty;
- (d) two experts, in the field from outside the University to be appointed by the Syndicate; and
- (e) one member to be nominated by the Vice Chancellor.

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

(3) The quorum for a meeting of a Board of Faculty shall be one half of the total number of members, a fraction being counted as one.

(4) A Board of Faculty, subject to the general control of the Syndicate and Academic Council, may:

- (a) co-ordinate the teaching and research work in the subjects assigned to the Faculty;
- (b) scrutinize the recommendations of a Board of Studies comprising a 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 Vice Chancellor;
- (c) consider any other academic matter relating to the Faculty and submit its report to the Academic Council;
- (d) prepare a comprehensive annual report regarding the performance of each department, constituent college or institute in the Faculty for presentation to the Academic Council; and
- (e) perform such other functions as may be prescribed by the statutes.

28. Dean.– (1) There shall be a Dean of each Faculty and the Dean shall be the Chairperson and Convener of the Board of Faculty.

(2) The Chancellor shall appoint the Dean of a Faculty from amongst the three senior most Professors in the Faculty for a period of three years and he shall be eligible for re-appointment:

provided that if no Professor is available in the Faculty, a Professor from some other Faculty may act as Dean till a Professor of the Faculty itself is appointed.

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

(4) The Dean shall exercise such administrative and academic powers as may be delegated to him.

29. Teaching departments and Chairpersons.– (1) There shall be a teaching department or an institute for each subject or a group of subjects, as may be prescribed by the regulations and each teaching department or an institute shall be headed by the Chairperson.

(2) The Chairperson of a teaching department or an institute shall be appointed by the Syndicate on the recommendation of the Vice-Chancellor from amongst the three senior most Professors of the department or, as the case may be, the institute for a period of three years and shall be eligible for re-appointment but if, in a department or institute, three Professors are not available, the appointment shall be made from amongst the three senior most Professors and Associate Professors of the department or institute:

provided that if there is no Professor or Associate Professor in a department or in an institute, no such appointment shall be made and the department or institute shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of the department or the institute.

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

30. Board of Advanced Studies and Research.– (1) The Board of Advanced Studies and Research shall consist of:

- (a) Vice Chancellor(Chairperson);
- (b) all the Deans;
- (c) Controller of Examinations;
- (d) one University Professor from each Faculty to be nominated by the Syndicate;
- (e) one member to be nominated by the Vice Chancellor;
- (f) three members, including at least one woman from the relevant field, research organizations and Government, to be nominated by the Syndicate; and
- (g) 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.

31. Functions of the Board of Advanced Studies and Research.— The Board of Advanced Studies and Research shall:

- (a) advise an Authority on all matters connected with the promotion of advanced studies and research publication in the University;
- (b) consider and report to an Authority with regard to a research degree of the University;
- (c) propose regulations regarding the award of a research degree;
- (d) appoint supervisors for a postgraduate research student and to approve title and synopsis of a thesis or dissertation;
- (e) recommend panels of names of examiners for evaluation of a research examination; and
- (f) perform such other functions as may be prescribed by the statutes.

32. Boards of Studies.— (1) There shall be a separate Board of Studies for each subject or group of subjects as may be prescribed by regulations.

(2) A Board of Studies shall consist of:

- (a) All the teachers of the department concerned;
- (b) experts and teachers, not less than three but not more than five, other than University teachers, to be determined and appointed by the Syndicate according to the need of each Board; and
- (c) not more than five teachers of the affiliated colleges teaching graduate and post-graduate courses in that subject to be nominated by the Academic Council.

(3) The term of office of members of a Board of Studies other than *ex-officio* members shall be three years.

(4) The quorum for meeting of the Board of Studies shall be one-half the number of members, a fraction being counted as one.

(5) The Chairperson of the concerned department or institute shall be the Chairperson of the Board of Studies.

33. Functions of Boards of Studies.— A Board of Studies shall:

- (a) advise the Authorities on all academic matters connected with instruction, publication, research and examination in the subject or subjects concerned;
- (b) propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;
- (c) suggest a panel of names of paper setters and examiners in the subject or subjects concerned; and
- (d) Perform such other functions as may be prescribed by regulations.

34. Selection Board.— (1) The Selection Board shall consist of:

- (a) Vice Chancellor(Chairperson);

- (b) Representative of, Higher Education Department or a nominee not below the rank of Deputy Secretary;
- (c) Dean of the Faculty concerned;
- (d) Chairperson concerned;
- (e) one member of the Syndicate to be nominated by the Syndicate;
- (f) one eminent scholar to be nominated by the Syndicate;
- (g) two experts, to be nominated by the Government; and
- (h) Registrar (Secretary).

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

(3) Five members including at least one expert shall constitute the quorum for a meeting of the Selection Board.

(4) No member who is a candidate or whose family member is a candidate, for a post to which appointment is to be made, shall take part in the proceedings of the Selection Board for selection of a candidate on such post.

(5) In selection of candidates for the post of Professor or Associate Professor, the Selection Board shall co-opt or consult three experts in the subject and in selecting candidates for any other teaching post, two experts in the subject, to be nominated by the Vice Chancellor from a standing list of experts for each subject approved by the Syndicate.

(6) The Syndicate may approve or revise the standing list of experts of a subject on the recommendation of the Selection Board.

35. Functions of the Selection Board.— The Selection Board shall:

- (a) consider the applications and recommend to the Syndicate, the names of suitable candidates for appointment to teaching and other posts and recommend suitable salary for the selected candidate; and
- (b) consider all cases of promotion of officers of the University and recommend the names of suitable candidates for such promotion or selection to the Syndicate.

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

- (a) Vice Chancellor (Chairperson);
- (b) all the Deans;
- (c) one member of the Syndicate to be nominated by the Syndicate;
- (d) one member of the Academic Council to be nominated by the Academic Council;
- (e) one representative each from Higher Education Department and Finance Department of the Government not below the rank of a Deputy Secretary;
- (f) Director Planning or any other nominee of the Commission;
- (g) Registrar; and
- (h) Treasurer (Secretary).

- (2) The term of office of the nominated members shall be three years.
- (3) Six members of the Finance and Planning Committee shall constitute the quorum for a meeting of the Finance and Planning Committee.

37. Functions of the Finance and Planning Committee.— The Finance and Planning Committee shall:

- (a) prepare the annual statement of accounts and propose annual budget estimates and make recommendations to the Syndicate;
- (b) review periodically the financial position of the University;
- (c) advise the Syndicate on all matters relating to finance, investments and accounts of the University; and
- (d) Perform such other functions as may be prescribed by the statutes.

38. Affiliation Committee.— (1) The Affiliation Committee shall consist of:

- (a) the Chairperson to be nominated by the Syndicate;
- (b) two Professors to be nominated by the Academic Council;
- (c) two teachers to be nominated by the Syndicate; and
- (d) a representative of the Higher Education Department not below the rank of Deputy Secretary.

(2) The term of office of the members of the Committee, other than *ex-officio* members, shall be two years.

(3) The Affiliation Committee may co-opt not more than three experts who shall be counted for the quorum or an inspection by the Affiliation Committee.

(4) The quorum for a meeting of, or an inspection by, the Affiliation Committee shall be three.

(5) The Deputy Registrar dealing with the affiliation cases, or such other person as may be designated by the Vice Chancellor for this purpose, shall act as Secretary of the Committee.

39. Functions of the Affiliation Committee.— The Affiliation Committee shall:

- (a) inspect the educational institution seeking affiliation with, or admission to, the privileges of the University and to advise the Syndicate thereon;
- (b) inquire into complaints alleging breach of conditions of affiliation by the affiliated colleges and to advise the Syndicate thereon; and
- (c) perform such other functions as may be prescribed by the regulations.

40. Discipline Committee.— (1) The Discipline Committee shall consist of:

- (a) the Chairperson to be nominated by the Vice-Chancellor;
- (b) two Professors to be nominated by the Academic Council;
- (c) two Professors to be nominated by the Syndicate; and
- (d) the teacher or officer-in-charge of students' affairs, by whatever name called (member/secretary).

(2) The term of office of the members of the Committee, other than *ex-officio* members, shall be two years.

(3) The quorum for a meeting of Discipline Committee shall be four members.

41. Functions of the Disciplines Committee.— The Discipline Committee shall:

- (a) propose regulations to the Academic Council relating to the conduct of University students, maintenance of discipline and breach of discipline; and
- (b) perform such other functions as may be prescribed by statutes.

42. Appointment of Committees by Authorities.— Any Authority may constitute such standing, special or advisory committees as it may deem fit, and may appoint on such committees such persons as are not the members of such Authority.

CHAPTER V STATUTES, REGULATIONS AND RULES

43. Statutes.— (1) Subject to the provisions of this Act, the Syndicate may make statutes to provide or regulate all or any of the following matters:

- (a) scales of pay, method of recruitment and other terms and conditions of service of officers, teachers and other employees of the University and the constitution of their pension, insurance, gratuity, provident fund and benevolent fund;
- (b) conduct and discipline of the officers, teachers and other employees of the University;
- (c) constitution, powers and duties of the Authorities and conduct of elections to such Authorities and related matters;
- (d) affiliation and disaffiliation of colleges, institutes and related matters;
- (e) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
- (f) establishment of institutes, faculties, colleges, departments and academic divisions;
- (g) powers and duties of officers, teachers and employees of the University;
- (h) conditions for appointment of Professors Emeritus;
- (i) conditions on which the University may enter into arrangements with public bodies or other organizations for purposes of research and advisory services;
- (j) general scheme of studies including the duration of courses, the system of examinations and the number of subjects and papers for examinations;
- (k) award of honorary degrees;
- (l) maintenance of register of students and registered graduates;
- (m) conduct of elections for membership of Authorities of the University and related matters; and
- (n) all other matters which are to be prescribed or regulated by the statutes.

(2) The Syndicate shall propose the draft of statutes under clause (a) of subsection (1) to the Chancellor who may approve it with or without any modification or may refer it back to the Syndicate for reconsideration or may reject it:

provided that:

- (a) the statutes affecting the constitution or powers of any Authority shall not be proposed or approved until such Authority has been given an opportunity of expressing its opinion in writing on the proposal; and
- (b) the statutes under clause (a) of subsection (1) shall not be effective until they have been approved by the Chancellor.

44. Regulations.— (1) Subject to the provisions of this Act and the statutes, the regulations may be framed for any of the following matters:

- (a) courses of study for degrees, diplomas and certificates of the University;
- (b) manner in which the recognized teaching referred to in subsection (1) of section 4 shall be organized and conducted;
- (c) admission of students to the University;
- (d) conditions under which students shall be admitted to the courses and examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;
- (e) conduct of examinations;
- (f) fees and other charges to be paid by the students for admission to the courses of study and the examinations of the University;
- (g) conduct and discipline of students;
- (h) conditions of residence of the students including the levying of fee for residence in halls of residence and hostels;
- (i) approval and licensing of hostels and lodgings;
- (j) conditions under which a person should conduct research to entitle him to a degree;
- (k) institution of fellowships, scholarships, exhibitions, medals and prizes;
- (l) institution of stipends and free and half-free studentship;
- (m) academic costumes;
- (n) use of the library; and
- (o) establishment of academic departments.

(2) The Academic Council shall prepare and submit the regulations to the Syndicate and the Syndicate may approve them with or without modifications or refer them back to the Academic Council for reconsideration or reject them:

provided that after promulgation of this Act and prior to the constitution of Academic Council under section 25, the Syndicate may grant approval for adoption of the regulations of any public sector University in the Punjab on the matters enumerated in subsection (1).

45. Rules.— (1) An Authority or a body of the University may make rules consistent with this Act, statutes and regulations, to regulate the conduct of its business.

(2) The Syndicate may direct any Authority or body of the University to amend or repeal any rules made by the Authority or body.

CHAPTER VI UNIVERSITY FUND

46. University Fund.– (1) The University shall have a fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, contributions, grants and all other sources.

(2) The University may accept donations in the shape of land, vehicles, equipment or any other items that may facilitate the functioning of the University and all such donations shall be used, maintained and disposed of by the University in the prescribed manner.

47. Budget, audit and accounts.– (1) The accounts of the University shall be maintained in such form and in such manner as may be prescribed.

(2) No expenditure shall be made from the University Fund unless a bill for payment has in the prescribed manner, been audited by the Resident Auditor in conformity with the statutes, regulations and rules.

(3) The accounts of the University shall be audited in the prescribed manner once in a year by an auditor appointed by the Government in this behalf.

(4) The Syndicate may delegate the power of appropriation or re-appropriation of funds to an officer of the University.

(5) The annual statement of accounts of the University signed by the Treasurer and the Resident Auditor shall be submitted to the Government within six months of the closing of the financial year.

(6) The accounts of the University together with audit objections, if any, and the observations of the Resident Auditor and the Treasurer shall, in the prescribed manner, be presented to the Syndicate with the remarks of the Finance and Planning Committee.

CHAPTER VII MISCELLANEOUS

48. Appeal.– (1) Subject to subsection (2) and subsection (3), where an order is made punishing any officer, other than the Vice Chancellor, teacher or other employee of the University, or altering or interpreting to his disadvantage the prescribed terms and conditions of his service, he shall, where the order is made by the Vice Chancellor or any other officer or teacher of the University, have the right to appeal to the Syndicate, against such order, and where the order is made by the Syndicate, have the right to appeal to the Chancellor for review of that order, within thirty days of the receipt of the order.

(2) An appeal to the Chancellor under subsection (1) shall be submitted to the Vice Chancellor and he shall present it to the Chancellor with his comments.

(3) An order under this section shall not be passed unless the person to be affected thereby is afforded an opportunity of being heard.

49. Tripartite mobility.– (1) Any employee of the University, on the recommendation of the Syndicate, may be directed to serve in any post in any other university under the Government or in any educational research institution.

(2) The Chief Minister may, in consultation with the Selection Board, place the services of an employee of the Government or of any other university or of an educational or research institution at the disposal of the University in the public interest.

(3) The terms and conditions offered to a person appointed under this section shall not be less favourable than those enjoyed by him immediately before his services are placed at the disposal of the University or any other research institution; and, full benefit of his previous service shall continue to remain in force until altered in accordance with law.

50. Transition.— A Chancellor's Committee shall be constituted by the Chancellor on the recommendations of the Government to exercise the powers assigned to the Syndicate under this Act till such time the Syndicate is constituted in accordance with the provisions of this Act.

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

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

53 Repeal.— The Emerson University, Multan Ordinance 2021 (VI of 2021) is hereby repealed.