

[AS PASSED BY THE NATIONAL ASSEMBLY]

A
BILL

Passed on
2-8-23

An Act to provide for the establishment of The Falcon University of Sciences & Technology.

Preamble: whereas it is expedient to provide for the establishment of The Falcon University of Sciences & Technology in the private sector and matters connected therewith and ancillary thereto;

It is enacted as follows:-

CHAPTER-I
PRELIMINARY

1. **Short title and commencement.**—(1) This Bill may be cited as the Falcon University of Sciences & Technology, Bill 2023.

(2) It shall extend to whole of Pakistan.

(3) It shall come into force at once.

2. **Definitions.**— In this Act, unless the context otherwise requires, the following expressions, shall have the meanings hereby respectively assigned to them, that is to say:-

- i. "Academic Council" means the Academic Council of the University;
- ii. "Act" means The Falcon University of Sciences & Technology, Act 2023;
- iii. "Administrative Department" means the ministry of Federal Education & Professional Training, Islamabad;
- iv. "Authority" means any of the Authority of the University specified in terms of section 20;
- v. "Board of Directors" means the Board of Directors (BoD) of the Company;
- vi. "Board" means the Board of Governors of the University;
- vii. "Chairman" means the Chairman of the Board;
- viii. "Chairperson" means the head of an academic department and includes the Principal of a constituent college or Director of a constituent institute;
- ix. "Commission" means Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- x. "Company" means Oyster Education System (Private) Limited" a non-profit incorporated in Pakistan and registered under Companies Act, 2017 (XIX of 2017);
- xi. "constituent college" or "constituent institute" means a college or institute established, owned, maintained and administered by the University;
- xii. "Controller of Examinations" means the Controller of Examinations of the University;
- xiii. "Dean" means the head of a Faculty of the University;

- xiv. "department" means a teaching or research department maintained and administered, or recognized by the University in the manner as may be prescribed by Regulations;
- xv. "Director" means Head of an Institute established as a Constituent institute/college by the University;
- xvi. "Executive Committee" means Executive Committee of the University;
- xvii. "Faculty" means an administrative and academic unit of the University consisting of one or more teaching departments or constituent colleges or constituent institutes as may be prescribed by Regulations;
- xviii. "Government" means Federal Government of the Pakistan;
- xix. "Officer" means an Officer of the University;
- xx. "Patron" means the President of the Pakistan;
- xxi. "prescribed" means prescribed by the Rules or Regulations made under the Act;
- xxii. "Principal" means the head of a constituent college/institute of the University;
- xxiii. "Pro-Rector" means the Pro-Rector of the University;
- xxiv. "Rector" means the Rector of the University;
- xxv. "Registrar" means the Registrar of the University;
- xxvi. "Rules" and "Regulations" respectively mean the Rules and the Regulations made or deemed to have been made under the Act;
- xxvii. "Representation Committees" mean the Representation Committees constituted under section 31;
- xxviii. "Review Panel" means the Review Panel set up by the Patron or Chairman in accordance with the provisions of section 12;
- xxix. "Student" means a student of the University;
- xxx. "Search Committee" means the Search Committee constituted by the Board for making recommendations for the appointment of Rector;
- xxxi. "Teacher" means a Professor, an Associate Professor, an Assistant Professor, a Lecturer, teaching assistant, demonstrator or instructor, engaged whole time by the University and includes any other person declared by Regulations as teacher;
- xxxii. "Treasurer" means the Treasurer of the University;
- xxxiii. "University" means The Falcon University of Sciences & Technology; and
- xxxiv. "University Fund" means there shall be fund of The Falcon University of Sciences & Technology.

CHAPTER-II THE UNIVERSITY

3. Establishment of the University.— (1) There shall be established a University to be called The Falcon University of Sciences & Technology, located at Islamabad, in the Private sector.

(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.

(3) The University shall consist of the following: —

- (a) Patron;
- (b) Chairman, and Members of the Board;
- (c) Rector;
- (d) Pro-Rector;
- (e) The Members of Executive Committee;
- (f) Members of Authorities;
- (g) Deans and Chairpersons;
- (h) Teachers and students of the University; and
- (i) Officers and members of the staff of the University.

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

(5) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this act and the Higher Education Commission Ordinance, 2002 (LIII of 2002). In particular, and without prejudice to the authority granted to the Commission by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Board of Governors in the annual budget of the University.

4. Powers and functions of the University.— The University shall have the powers to:-

- i. provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine. Provided that the Board shall be competent to approve faculties and departments on the recommendation of Academic Council as it may determine, subject to the approval of the relevant statutory body of a professional education, where applicable. Make provisions for the virtual and distance learning educational programs;
- ii. prescribe courses of studies to be conducted by it and the constituent colleges/institutes;
- iii. offer joint degree programs in collaboration with national and international universities and educational institutions subject to prior approval of the Commission;
- iv. establish programs for the exchange of students and teachers between the University and other universities, educational institutions and research organization, inside as well as outside Pakistan;
- v. accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;
- vi. establish, maintain and administer departments, constituent colleges, constituent institutes, centers of excellence, laboratories, workshops, offices

- and other facilities for the development of teaching and research and technological development as the Board may, on the recommendation of Academic Council, determine;
- vii. make provisions for teaching, training, research, service to community and for the application, advancement and dissemination of knowledge in such manner as it may determine;
 - viii. decide teaching methods and strategies to provide for effective educational and training programs;
 - ix. hold examinations in the prescribed manner and, if a person qualifies the examination, award degree, diploma, certificate and other academic distinction to the person;
 - x. provide for such instruction for persons not being students of the University as it may prescribe, and to grant certificates and diplomas to such persons;
 - xi. confer degree on a person who has successfully conducted research in the prescribed manner;
 - xii. award, in the prescribed manner, an honorary degree to such a person as the Patron, on the recommendations of the Board, may approve;
 - xiii. prescribe the terms and conditions of employment of the officers, teachers and other employees of the University;
 - xiv. create posts in connection with teaching, research, development of technology, administration, and for any other purpose related thereto and to make appointments in the prescribed manner;
 - xv. institute University Professorship, Associate Professorship, Assistant Professorship and Lectureship or any other post and to appoint persons thereto;
 - xvi. engage, where necessary, a person on contract for a specified duration and specify the terms of the engagement;
 - xvii. provide for and support the continuous professional development of the faculty of the University;
 - xviii. award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;
 - xix. provide for the residence of the students, establish and maintain halls of residence and may approve or license a hostel, lodging or boarding place;
 - xx. promote the co-curricular and recreational activities of the students and to make arrangements for promotion of health and general welfare of the students;
 - xxi. take disciplinary action against, and impose penalty on, students in the prescribed manner;
 - xxii. demand and receive such fees and other charges from the students as it may determine;
 - xxiii. provide career counseling and job-search services to the students and alumni;
 - xxiv. maintain linkages with alumni;
 - xxv. maintain order, discipline and security in campuses of the University and the constituent colleges and constituent institutions;
 - xxvi. develop and implement fund-raising plans;
 - xxvii. maintain effective coordination with stakeholders on the establishment and enhancement of Endowment Fund contributions for the University in the prescribed manner;

- xxviii. affiliate and disaffiliate educational colleges/institutions under prescribed conditions;
- xxix. inspect colleges and other educational institutions affiliated or seeking affiliation with the University;
- xxx. admit educational institutions to its privileges and to withdraw such privileges under prescribed conditions;
- xxxi. receive and manage property (acquired or transferred), grants, bequests, trusts, gifts, donations, endowments and other contributions, made to the University, and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions, and to convert one kind of property into another in such manner as it may deem fit;
- xxxii. make provision for research, advisory or consultancy services and to collaborate and enter into arrangements with other universities, research and educational institutions, and commercial or industrial organizations, in the public or private sector, or other public authorities in such manner and for such purposes as it may determine;
- xxxiii. cooperate with a public authority, university or private organization in the manner and for such purpose as may be prescribed;
- xxxiv. provide for the printing, recording, broadcasting, publication and distribution of teaching material, research reports, papers and other works which may be issued by the University;
- xxxv. establish a grievance redressal mechanism in such a manner as may be prescribed by Regulations; and
- xxxvi. do all other acts, whether incidental to the powers aforementioned or not, as may be requisite in order to further the objectives of the University as a knowledge house and place of education, learning, research and service to community.

5. Jurisdiction.—(1) The jurisdiction of the University shall extend to the whole of Pakistan.

(2) The principal seat of the University shall be at Islamabad, and it may set up any number of campuses, at such places in Pakistan or abroad as the Board of Governors may determine.

6. University open to all.—(1) Subject to the reasonable restrictions as may be prescribed, the University shall be open to all persons and admission to the University shall not be denied on the basis of gender, nationality, religion, race, creed, colour or domicile.

(2) The University shall institute financial aid programmes for students in need, to the extent considered feasible by the Board of Governors given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay: Provided that the University may institute self-finance schemes not covering more than ten percent of the total number of candidates in any on-campus taught course or research-based programme of study.

7. Teaching at the University.—(1) All recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other

methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.

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

CHAPTER - III
OFFICERS OF THE UNIVERSITY

8. Officers of the University.— The following shall be the Officers of the University:

- (a) Patron;
- (b) Chairman;
- (c) Rector;
- (d) Pro-Rector;
- (e) Deans;
- (f) Chairpersons;
- (g) Registrar;
- (h) Treasurer;
- (i) Controller of Examinations;
- (a) Director, Quality Enhancement Cell;
- (j) Director, Office of Research, Innovation and Commercialization;
- (k) Librarian; and
- (l) such other persons as may be prescribed by Regulations to be the Officers of the University.

9. Patron.—(1) The Patron or his nominee shall preside over a convocation of the University.

(2) The University may confer an honorary degree with the prior approval of the Patron.

10. Inspection and Inquiry.—(1) The Patron may cause inspection or inquiry into the affairs of the University.

(2) The Patron shall convey his views with regard to the result of 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 a report to the Patron about the action taken on the recommendations 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 directions as he thinks fit and the Board shall comply with all such directions.

Provided that no action under subsection (4) shall be taken unless the Chairman of the Board is afforded an opportunity of being heard.

11. Chairman.—(1) The Chairman of the Board shall be appointed by the Board of Directors for a renewable period of four (05) years, as the Board of Directors may determine.

(2) The Chairman shall, preside over the meetings of the Board.

12. Removal from the Board of Governors.—(1) The Chairman may, upon the recommendation of the Review Panel, remove any person from the membership of the Board of Governors on the ground that such person:

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

(2) The Chairman shall remove any person from the membership of the Board of Governors on a resolution calling for the removal of such person supported by at least three-fourths of the membership of the Board of Governors:

Provided that before passing such resolution the Board of Governors shall provide the member concerned a fair hearing.

13. Rector.—(1) The Board of Directors of the Company shall, on the recommendations of the Board, appoint a person as Rector.

(2) The Board shall constitute a Search Committee for making recommendations for the appointment of Rector.

(3) The Board shall determine the terms and conditions of service of the Rector.

(4) The Rector shall be the person who possesses the prescribed qualifications and experience.

(5) The Rector shall perform such functions as are given in the Act or as may be prescribed or assigned to him by the Board.

14. Powers and duties of the Rector.—(1) The Rector shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of the Act, Rules and Regulations are observed in all affairs of the University.

(2) The Rector may attend a meeting of any Authority or body of the University.

(3) The Rector may, in an emergency that in his opinion requires immediate

action ordinarily not in the competence of the Rector, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Board of Governors, to be set up by Statute, The Emergency Committee may direct such further action as is considered appropriate.

(4) The Subject to the general supervision and control of the Board, the Rector 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 activities in the University as he may consider necessary;
- b) sanction by re-appropriation an amount for an unforeseen item not provided for in the budget of the University;
- c) make appointments of such categories of employees of the University and in such manner as may be prescribed by Regulations;
- d) suspend, punish or remove, in the prescribed manner, an officer, teacher or employee of the University except those appointed by the Board;
- e) take disciplinary action against a teacher, officer or any other employee of the University in the prescribed manner;
- f) relax Regulations in favour of a student in a case of real hardship and report the action to the Board in its immediate next meeting;
- g) delegate, subject to such conditions as may be prescribed, any of his powers to a teacher or officer of the University; and
- h) exercise such other powers as may be prescribed or as may be assigned to him by the Board from time to time.

(5) The Rector 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 for the information of the Board.

(6) The Rector shall, within three months of the conclusion of an academic year, submit the annual report of the University to the Board.

15. Pro-Rector.—(1) There shall be a Pro-Rector of the University to be appointed by the Board on such terms and conditions as the Board may determine.

(2) The Pro-Rector shall be deemed to be the officiating Rector to look after the office of the Rector only when the regular Rector is on leave for an academic visit abroad or for any other purpose duly granted by the Board or when the post is vacant due to any reason which does not require appointment of a regular Rector.

(3) The Pro-Rector shall be deemed to be the Acting Rector to perform all the functions and powers of the Rector, in case of expiration of the tenure of the regular Rector or in any other case which requires appointment of a regular Rector.

(4) The Pro-Rector shall perform such functions as may be assigned to him under the Act, Regulations, or by the Rector or the Board from time to time.

16. Dean.—(1) There shall be a Dean of each Faculty or a group of Faculties, as may be prescribed by the Act, Rules or Regulations, who shall be the Convener of the Board of Faculty constituted in such manner as may be prescribed by the Act, Rules or Regulations.

(2) The Dean of each Faculty or a group of Faculties shall be appointed by the Board from amongst the three senior most Professors in the Faculty or a group of Faculties, as the case may be, for such period as may be prescribed by the Board, and shall be eligible for re-appointment:

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

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

(4) The Dean shall exercise such other administrative and academic powers and perform such other functions as may be prescribed by Regulations.

17. Chairperson.—(1) The Chairperson of a teaching or research department, Principal of a constituent college/institute or Director of a constituent college/institute shall be appointed by the Board on the recommendation of the Rector.

(2) The Chairperson of a teaching or research department, Principal of a constituent college/institute or Director of a constituent college/institute shall be appointed from amongst the three senior most Professors of a teaching or research department, constituent college or constituent institute for such period as may be prescribed by the Board, and shall be eligible for re-appointment but if, in a teaching or research department, constituent college or constituent institute, no Professor is available, the appointment shall be made from amongst the three senior most Associate Professors of a teaching or research department, constituent college or constituent institute:

Provided that in a teaching or research department, constituent college or constituent institute, where there is no Professor or Associate Professor is available, no such appointment shall be made and a teaching or research department, constituent college or constituent institute shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of a teaching or research department, constituent college or constituent institute.

(3) The Chairperson shall plan, organize and supervise the work of a teaching or research department, constituent college or constituent institute, as the case may be, and shall be responsible to the Dean for the work assigned to him.

18. Registrar.—(1) The Board shall appoint a Registrar of the University.

(2) The experience, professional and academic qualifications necessary for appointment to the post of Registrar, method and manner of appointment as well as terms and conditions of appointment shall be as may be prescribed by Regulations.

(3) The Board shall not appoint a person as Registrar unless he possesses the prescribed qualifications and experience and other requirements of the post.

(4) The Registrar shall be a full-time officer of the University and shall:

- a) be the administrative head of the secretariat of the University and be responsible for the provision of secretarial support to the Board and the Rector;
- b) be the custodian of the common seal and the academic records of the University;
- c) maintain a register of the students and graduates in the prescribed manner;
- d) prepare and update the Handbook of Rules and Regulations approved by Authorities, bodies or committees from time to time, and make them available to public, all respective members of the Authorities and Officers of the university;
- e) authenticate records on behalf of the University;
- f) supervise the process of appointment or nomination of a member to an Authority or body of the University in the prescribed manner; and
- g) perform such other duties as may be prescribed or as may be assigned to him by the Rector or the Board from time to time.

(5) When the office of the Registrar is vacant or the Registrar is absent or unable to perform his functions owing to any cause, the Board shall make temporary arrangements for the performance of the duties of Registrar.

19. Controller of Examinations.—(1) The Board shall appoint a Controller of Examinations of the University.

(2) The experience, professional and academic qualifications necessary for appointment to the post of Controller of Examinations, method and manner of appointment as well as terms and conditions of appointment shall be as may be prescribed by Regulations.

(3) The Board shall not appoint a person as Controller of Examinations unless he possesses the prescribed qualifications and experience and other requirements of the post.

(4) The Controller of Examinations shall be a full-time officer of the University and shall be responsible for all matters connected with the conduct of examinations, maintenance of evaluation and assessment records, and perform such other duties as may be prescribed or assigned to him by the Rector or the Board from time to time.

(5) When the office of the Controller of Examinations is vacant or the Controller of Examinations is absent or unable to perform his functions owing to any cause, the Board shall make temporary arrangements for the performance of the duties of Controller of Examinations.

20. Functions and Powers of the Board of Directors.—(1) The Board of Directors shall be responsible for financial viability of the University including responsibility for ensuring effectiveness of its operations and their continuity including:

- (a) provide strategic leadership and guidance to the University;
- (b) determine policy framework for investment of unapplied income of the university in securities and acquisition of immovable property; and
- (c) appointment of the Chairman and determine the terms and conditions of his/her appointment and removal;
- (d) In absence of Chairman of the Board, there shall be a Deputy Chairman who shall be appointed on such terms and conditions as may be prescribed by the Board of Directors. The Deputy Chairman of the Board shall preside at the meetings of the Board and perform all the functions and powers of the Chairman in his absence.
- (e) hire a firm of Chartered Accountants for audit of the University accounts.

21. Treasurer.—(1) The Board shall appoint a Treasurer of the University.

(2) The experience, professional and academic qualifications necessary for appointment to the post of Treasurer, method and manner of appointment as well as terms and conditions of appointment shall be as may be prescribed by Regulations.

(3) The Board shall not appoint a person as Treasurer unless he possesses the prescribed qualifications and experience and other requirements of the post.

(4) 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 Board;
- (c) ensure that the funds of the University are expended on the purposes for which they are provided;
- (d) ensure that the accounts of the University are audited annually and are available for submission to the Board within six months of the close of a financial year; and
- (e) perform such other functions and duties as may be prescribed or assigned to him by the Rector or the Board from time to time.

(5) When the office of the Treasurer is vacant or the Treasurer is absent or unable to perform his functions owing to any cause, the Board shall make temporary arrangements for the performance of the duties of Treasurer.

22. Appointments.—The University may employ such other persons in its service as may be necessary, on such terms and conditions as may be determined by the Board or prescribed by Regulations, as the case may be.

CHAPTER-IV
AUTHORITIES OF THE UNIVERSITY

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

- (a) Board of Governors;
- (b) the Executive Committee;
- (c) Academic Council;
- (d) Faculties;
- (e) Boards of Faculties;
- (f) Board of Advanced Studies and Research;
- (g) Boards of Studies;
- (h) Departments;
- (i) Selection Board;
- (j) Finance and Planning Committee;
- (k) Discipline Committee;
- (l) the Representation Committees for appointment to the Board of Governors, the Executive Committee and the Academic Council; and
- (m) Such other Authorities as may be prescribed by Regulations.

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

- (a) A Director of the Company, to be nominated by the BoD, shall be the Chairman of the Board;
- (b) Directors of the Company subject to a maximum of three Directors to be nominated by the Company;
- (c) Two persons from academia and industry each one of whom is an expert in any of the fields of knowledge to be nominated by the Chairman of the Board;
- (d) Secretary to the Government, Federal Education Department or his nominee;
- (e) Chairman of the Commission or his nominee;
- (f) A Vice Chancellor of a Federal university of Pakistan to be nominated by the Patron;
- (g) Rector of the University;
- (h) Pro-Rector of the University; and
- (i) Registrar (Secretary).

(2) Members of the Board other than *ex-officio* members shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(3) The quorum for a meeting of the Board shall be one-half of the total number of members with at least two *ex-officio* members, a fraction being counted as one.

(4) The Secretary shall, with the approval of the Chairman of the Board, call a meeting of the Board.

(5) In the absence of Chairman of the Board, the Deputy Chairman of the Board shall preside at the meetings of the Board and perform all the functions and powers of the Chairman.

(6) The Board shall meet at least once in a calendar year.

(7) Unless otherwise prescribed by this Act, all decisions of the Board shall be taken on the basis of the opinion of majority of the members present. In the event of the members being evenly divided on any matter, the Chairman of the Board shall have a casting vote.

(8) The Company may fill a casual vacancy occurring because of death or resignation of a member of the Board nominated by the Company to the extent of the remainder of the term of the former member.

25. Powers and duties of the Board.—(1) The administration and management of the affairs of the University shall vest in the Board. The Board shall have the power of general supervision over the University and shall hold the Officers and Authorities of the University accountable for all the functions of the University.

(2) Without prejudice to the generality of the foregoing powers, the Board of Governors shall have the following powers:—

- (a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
- (b) to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
- (d) to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;
- (e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;
- (f) to approve strategic plans;
- (g) to invest any money belonging to the University.
- (h) to approve financial resource development plans of the University;
- (i) to consider the drafts of Statutes and Regulations proposed by the Executive Committee and the Academic Council and deal with them in the manner as provided for in sections 27 and 30, as the case may be:

Provided that the Board of Governors may frame a Statute with respect to any matter in its power or with respect after calling for the advice of the Executive Committee as the case may be.

- (a) to annul by order in writing the proceedings of any Authority or officer if the Board of Governors is satisfied that such proceedings are not in accordance with the provisions of the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;
- (b) to recommend to the Chairman removal of any member of the Board of Governors in accordance with the provisions of the Act;
- (c) to make appointment of members of the Executive Committee, other than ex-officio members, in accordance with the provisions of the Act;

- (d) to make appointment of members of the Academic Council, other than ex-officio members, in accordance with the provisions of the Act;
- (e) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
- (f) to remove any person from the membership of any Authority if such person:
 - i. has become of unsound mind; or
 - ii. has become incapacitated to function as member of such Authority; or
 - iii. has been convicted by a court of law for an offence involving moral turpitude; and
- (g) to determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Board may, subject to the provisions of this Act, delegate all or any of its powers and functions to any Authority, Committee or Officer except the following:

- a) approval of Regulations;
- b) recommend any action to the Patron;
- c) appointment of Registrar, Controller of Examination and Treasurer; and
- d) approval of annual budget and consideration of audit reports.

26. 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 Regulations and until so prescribed, as may be determined by the Board.

(2) The Regulation or proceeding of the Board shall not be invalid by reason of any vacancy or defect in the constitution of the Board.

27. The Executive Committee.—(1) There shall be an Executive Committee of the University consisting of the following:—

- (a) the Rector; who shall be its Chairperson;
- (b) the Pro-Rectors;
- (c) the Deans of the Faculties of the University;
- (d) three professors from different departments;
- (e) Directors of the constituent colleges;
- (f) Principals of the constituent colleges/institutions;
- (g) the Registrar; who shall be its Secretary;
- (h) the Treasurer; and
- (i) the Controller of Examinations.

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

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

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

28. Powers and duties of the Executive Committee.—(1) The Executive Committee shall be the executive body of the University and shall, subject to the provisions of the Act and the Statute, exercise general supervision over the affairs and management of the University.

- (a) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statute and directions of the Board of Governors, the Executive Committee shall have the following powers:
- (b) to consider the annual report, the annual and revised budget estimates and to submit these to the Board of Governors;
- (c) to transfer and accept transfer of movable property on behalf of the University;
- (d) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (e) to 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;
- (f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
- (g) to administer any funds placed at the disposal of the University for specified purposes;
- (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (j) to recommend to the Board of Governors for admission of educational institutions to the privileges of the University and withdraw such privileges;
- (k) to arrange for the inspection of colleges and the departments;
- (l) to establish Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;
- (m) to create, suspend or abolish such administrative or other posts as may be necessary;
- (n) to prescribe the duties of officers, teachers and other employees of the University;
- (o) to report to the Board of Governors on matters with respect to which it has been asked to report;
- (p) to appoint members to various Authorities in accordance with the provisions of the Act;
- (q) to propose drafts of Statutes for submission to the Board of Governors;
- (r) to regulate the conduct and discipline of the students of the University;

- (s) to take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;
- (t) to delegate any of its powers to any Authority or officer or a committee; and
- (u) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

29. Representation Committees.—(1) There shall be a Representation Committee constituted by the Board of Governors through Statute for recommendation of persons for appointment to the Board of Governors in accordance with the provisions of section 24.

(2) There shall also be a Representation Committee constituted by the Board of Governors through Statute for the recommendation of persons for appointment to the Executive Committee and the Academic Council in accordance with the provisions of sections 27 and 28.

(3) Members of the Representation Committee for appointments to the Board of Governors shall consist of the following:—

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

(4) The Representation Committee for appointments to the Executive Committee and the Academic Council shall consist of the following:

- (a) two members of the Board of Governors who are not University Teachers;
- (b) three persons nominated by the University Teachers from amongst themselves in the manner prescribed;

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

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

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

30. Academic Council.—(1) The Academic Council shall consist of:

- a) Rector (Convener);
- b) Pro-Rector;

- c) all Deans;
- d) Principals and Directors of constituent colleges and constituent institutes;
- e) Director, Quality Enhancement Cell;
- f) Director, Office of Research, Innovation and Commercialization;
- g) Chairpersons of the academic and research departments;
- h) three persons, including at least one female, eminent in sciences, social sciences and arts, of whom one shall be from each category, to be nominated by the Chairman of the Board;
- i) all Professors of the University;
- j) four University teachers, other than Professors, two from each category of Associate professors and Assistant Professors, to be appointed by the Board;
- k) Secretary to Government, Higher Education Department or his nominee;
- l) Director Academics of the Commission;
- m) Controller of Examinations;
- n) Librarian; and
- o) Registrar (Member/Secretary).

(2) Members of the Academic Council other than *ex-officio* members shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(3) The quorum for a meeting of the Academic Council shall be one-third of the total number of members with at least two *ex-officio* members, a fraction being counted as one.

(4) The Academic Council shall meet at least once in six months.

31. Powers and duties of Academic Council.—(1) The Academic Council shall be the academic body of the University and may, subject to Regulations, lay down proper standards of instruction, research, publication and examination and 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 the Act, Rules and Regulations, the Academic Council may:

- (a) advise the Board on academic matters;
- (b) regulate the conduct of teaching, research and publication;
- (c) regulate the admission of students to the courses of study and examinations in the University;
- (d) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (e) regulate the conduct and discipline of the students of the University;
- (f) propose to the Board, schemes for the constitution and organization of faculties, teaching departments, constituent colleges, constituent institutes and other academic bodies;
- (g) recommend policies and procedures pertaining to the quality of academic programs to the Board;
- (h) consider or formulate proposals for the planning and development of teaching and research in the University;
- (i) recommend to the Board, the Regulations prescribing the courses of studies, the syllabi and outlines of tests for examinations;

- (j) recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;
- (k) frame Regulations for submission to the Board;
- (l) institute programs for the continuous professional development of university teachers at all levels;
- (m) prepare an annual report on the academic performance of the University for the information of Board;
- (n) appoint or nominate members to various Authorities in accordance with the provisions of the Act; and
- (o) perform such other functions as may be prescribed by Regulations or assigned by the Board.

32. Faculties.—(1) There shall be a Faculty or a group of Faculties for a teaching department or a group of teaching departments as may be prescribed by the Act, Rules or Regulations.

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

- (a) Dean of the Faculty (Convener);
- (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 Board; and
- (e) one member from amongst the Officers of the University to be nominated by the Rector.

(2) The members other than ex-officio members of a Board of Faculty shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(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 Board 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 Rector;
- (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 or constituent college or institute comprising the Faculty for presentation to the Academic Council; and

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

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

- (a) Rector (Convener);
- (b) all Deans;
- (c) all Principals and Directors of constituent colleges and institutes;
- (d) Controller of Examinations;
- (e) one University Professor from each Faculty other than Dean to be nominated by the Academic Council;
- (f) three members from the relevant field, research organizations and Government, to be nominated by the Board;
- (g) one member from amongst the Officers of the University to be nominated by the Rector; and
- (h) Registrar (Secretary).

(2) The members other than ex-officio members of the Board of Advanced Studies shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(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.

35. 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 Regulations.

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

(2) Each Board of Studies shall consist of:

- (a) the Chairperson of the teaching department (Convener);
- (b) all the teachers of the teaching department; and
- (c) a maximum of three experts or teachers, other than University teachers, to be appointed by the Rector according to the need of each Board of Studies.

(3) The members other than ex-officio members of the Board of Studies shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

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

37. Functions of Boards of Studies.—A Board of Studies shall perform the following functions:

- (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) undertake such other functions as may be prescribed by Regulations.

38. Teaching Departments.—(1) There shall be a Teaching Department or an Institute for each subject or a group of subjects, as may be prescribed by Regulations and each Teaching Department or an Institute shall, as the case may be, headed by the Chairperson.

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

- a. Rector; (Convener);
- b. Dean of the Faculty concerned;
- c. Chairperson concerned;
- d. Two experts in the subject to be nominated by the Rector;
- e. One eminent scholar to be nominated by the Company; and
- f. Registrar (Secretary).

(2) The members other than ex-officio members of the Selection Board shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(3) Four members of the Selection Board 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 concerned and in selecting candidates for any other teaching post, 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.

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

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

- (a) consider the applications and recommend to the Board, the names of suitable candidates for appointment to teaching and other posts and recommend suitable salary for the selected candidate;

- (b) consider all cases of promotion of officers of the University and recommend the names of suitable candidates for such promotion to the Board; and
- (c) consider all cases of honoraria, allowances, incentives for teaching and other posts and submit specific recommendations to the Board for its consideration.

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

- (a) Rector (Convener);
- (b) All the Deans;
- (c) One nominee of the Company;
- (d) One member of the Board to be nominated by the Board;
- (e) Director Planning of the Commission;
- (f) Director, Office of Research, Innovation and Commercialization;
- (g) Registrar; and
- (h) Treasurer (Secretary)

(2) The members other than ex-officio members of the Finance and Planning Committee shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(3) Four members of the Finance and Planning Committee shall constitute the quorum for a meeting of the Finance and Planning Committee.

42. 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 advise the Board thereon;
- (b) review periodically the financial position of the University;
- (c) advise the Board on all matters relating to fee structure, finance, investments and accounts of the University; and
- (d) perform such other functions as may be prescribed by the Regulations.

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

- (a) the Convener to be nominated by the Rector;
- (b) two Professors to be nominated by the Board;
- (c) two Associate Professors to be nominated by the Academic Council; and
- (d) the teacher or officer-in-charge of students' affairs, by whatever name called (Member/Secretary).

(2) The members other than ex-officio members of the Discipline Committee shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

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

44. Functions of the Discipline Committee.—The functions of the Discipline Committee shall be to:

- (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.

45. Appointment of Committees by certain Authorities.—(1) The Board, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such committee persons who are not members of the Authorities appointing the Committees.

(2) The constitution, functions and powers of the Authorities for which no specific provision has been made in this Act shall be such as may be prescribed by Regulations.

CHAPTER-V **FINANCIAL PROVISIONS**

46. University Fund.—(1) The Board shall establish a Fund to be known as The Falcon University of Sciences & Technology Fund which shall vest in the University and to which shall be credited all sums received by the University.

(2) The University may accept donations in the shape of money, land, vehicles, equipment or any other item 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 budget of the University shall be approved and its accounts shall be maintained and audited in such manner as may be determined by the Board.

(2) The Board may approve the budget of the University, appropriations of accounts of the University and settle an audit para relating to the audit of the University.

CHAPTER-VI **STATUTES, REGULATIONS AND RULES**

48. First Statutes.—(1) Subject to the provisions of the Act, Statutes, to be published in the University's Gazette, may be made to regulate or prescribe all or any of the following matters:—

- (a) the contents of and the manner in which the annual report to be presented by the Rector before the Board of Governors shall be prepared;
- (b) the University fees and other charges;
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (e) the maintenance of the register of registered graduates;
- (f) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
- (g) the establishment of Faculties, departments, University, colleges and other academic divisions;
- (h) the powers and duties of officers and teachers;
- (i) conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (j) conditions for appointment of Emeritus Professors and award of honorary degrees;
- (k) efficiency and discipline of University employees;
- (l) the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;
- (m) the constitution and procedure to be followed by the Search Committee for appointment of the Rector;
- (n) constitution, functions and powers of the Authorities of the University; and
- (o) all other matters which by this Act are to be or may be prescribed or regulated by Statutes.

(2) The draft of Statutes shall be proposed by the Executive Committee to the Board of Governors which may approve or pass with such modifications as the Board of Governors may think fit or may refer back to the, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (1) of sub-section (1) shall be initiated and approved by the Board of Governors, after seeking the views of the Executive Committee:

Provided further that the Board of Governors may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of the Act and approve such Statute after seeking the views of the Executive Committee.

49. Regulations.—(1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, to be published in the University's Gazette, for all or any of the following matters:—

- (a) the courses of study for degrees, diplomas and certificates of the University;
- (b) the manner in which the teaching referred to in sub-section (1) of section 07 shall be organized and conducted;
- (c) the admission and expulsion of students to and from the University;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;
- (e) the conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;
- (g) the institution of fellowships, scholarships, exhibitions, medals and prizes;
- (h) the use of the Library;
- (i) the formation of Faculties, departments and board of studies; and
- (j) all other matters which by the Act or the Statutes are to be or may be prescribed by Regulations.

(2) Regulations shall be proposed by the Academic Council and shall be submitted to the Board of Governors which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Board of Governors.

(3) Regulations regarding or incidental to matters contained in sub- clauses (g) and (i) shall not be submitted to the Board of Governors without the prior approval of the Executive Committee.

50. Amendment and repeal of Statutes and Regulations.—The procedure for adding to, amending or repealing the Statutes and the Regulations shall be the same as that prescribed respectively for framing or making Statutes and Regulations.

51. Rules.—(1) The Authorities and the other bodies of the University may make Rules, to be published in the University's Gazette, consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the University which has not been provided for by the Act or that is not required to be regulated by Statutes or Regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

(2) Rules shall become effective upon approval by the Board of Governors.

CHAPTER-VII GENERAL PROVISIONS

52. Opportunity to show cause.—Except as otherwise provided by law no officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

53. Appeal to the Executive Committee and the Board of Governors.—Where an order is passed punishing any officer (other than the Chairman and Rector), teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he/she shall, where the order is passed by any officer or teacher of the University other than the Chairman and Rector, have the right to appeal to the Executive Committee against the order, and where the order is passed by the Chairman or Rector, have the right to appeal to the Board of Governors.

54. Benefits and Insurance.—(1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

55. Removal of difficulties. —(1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Patron and Higher Education Commission (HEC) whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Patron may make such order after obtaining the views of the Board of Governors, not inconsistent with the provisions of the Act, as may appear to him to be necessary for removing the difficulty.

(3) Where the Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom, or the time at which, or the manner in which, it shall be done, then it shall be done by such authority, at such time, or in such manner as the Patron may direct after obtaining the views of the Board of Governors.

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

STATEMENT OF OBJECTS AND REASONS

The purpose and objects of the establishment of the Falcon University of Sciences & Technology, is to promote and disseminate the knowledge and to provide education, training, research, demonstration and scholarship in such branches of learning, as it may determine. For this purpose, the application and advancement as well as dissemination of knowledge in field of Engineering & Sciences, Computing and Information Technology, Textile Sciences and Engineering Technologies, Health and Medical Sciences, Allied Health and Sciences, Agriculture and Allied Science, Pharmacy, Applied Sciences, Architecture and Urban Sciences, Business Administration, Public Administration, Media Studies, Education, Social Sciences, Law, Linguistics, Medicine, Commerce and other Faculties as may be prescribed by the Statutes. To determine courses for study at the under graduate and higher levels in its constituents units and institutions shall be obtained and liaison with other research or academic organizations shall be made to achieve the targets. Further, Industry and the relevant organizations or institutions to promote public private partnership, innovation and research, development, industrialization for the purpose of education, training development shall be made. This Bill seeks to achieve the aforesaid objectives.



Wajiha Qamar
Member, National Assembly