

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for establishment of the University of Islamabad

WHEREAS it is expedient to provide for establishment of the University of Islamabad, Islamabad and for the matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

CHAPTER I PRELIMINARY

1. **Short title and commencement.**— (1) This Act may be called the University of Islamabad Act, 2020.
- (2) It shall come into force at once.
2. **Definitions.**— In this Act unless there is anything repugnant in the subject or context,
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "Authority" means any of the Authorities of the University specified or set up in terms of section 16;
 - (c) "Board of Governors" means the Board of Governors of the University;
 - (d) "Chancellor" means the Chancellor of the University;
 - (e) "Controller Examinations" means controller of examinations of the University;
 - (f) "Commission" means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (LIII of 2002);
 - (g) "Constituent College" means an educational institution, by whatever name described, maintained and administered by the University within the jurisdiction of its Principal seat;
 - (h) "Dean" means the head of a Faculty or the head of an academic body granted the status of a Faculty by this Act or by the Statutes or Regulations;
 - (i) "Department" means a teaching department maintained and administered, or recognized by the University in the manner prescribed;
 - (j) "Director" means the head of an institute established as a constituent institution by the University by Statutes or Regulations in terms of the powers delegated by this Act;
 - (k) "Executive Committee" means the Executive Committee of the University;
 - (l) "Faculty" means an administrative and academic unit of the University consisting of one or more departments, as prescribed;
 - (m) "Foundation" means Foundation for the Advancement of Innovation, Research and Education (FAIRE);
 - (n) "Government" means the Federal Government;
 - (o) "Patron" means the Patron of the University;
 - (p) "Prescribed" means prescribed by Statutes, Regulations or Rules made under this Act;
 - (q) "Principal" means the head of a College;
 - (r) "Registrar" means the Registrar of the University;
 - (s) "Representation Committees" means the Representation Committees constituted under section 24;
 - (t) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of section 9;
 - (u) "Search Committee" means the Search Committee set up by the Board of Governors under section 12;

- (v) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
- (w) "Treasurer" means treasurer of the University;
- (x) "Teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a constituent college and such other persons as may be declared to be teachers by Regulations;
- (y) "University" means the University of Islamabad, Islamabad;
- (z) "University Teacher" means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and
- (aa) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II

THE UNIVERSITY

3. **Establishment and Incorporation of the University.**—(1) There shall be established a University to be called "The University of Islamabad" in accordance with the provisions of this Act with the principal seat at Islamabad.

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

- (a) the Patron, the Chancellor, the members of the Board of Governors and the Vice Chancellor;
- (b) the members of the authorities of the University established under section 16; and
- (c) all University teachers, employees and persons recognized as students of the University in accordance with terms prescribed from time to time; and all full-time officers and members of the staff of the University.

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

(4) The principal seat of the University shall be at Islamabad and it may set up its campuses, colleges, institutes, offices, research or study centers and other facilities at such places in Pakistan as well as abroad as the Board of Governors may determine. However additional campuses shall be set up in other parts of country/abroad only after their evaluation by the Higher Education Commission to determine whether they meet the eligibility criteria fixed by the Commission.

(5) 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 in a manner as prescribed.

(6) 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 and conditions as may be prescribed, subject to the provisions of this Act. 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 Purposes of the University.**—The University shall have the following powers, namely:—

- i. to provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine in accordance with the guidelines of the Professional Accreditation Councils;

- ii. to prescribe courses of studies to be conducted by it and its constituent colleges;
- iii. to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;
- iv. to prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to government servants in general;
- v. to engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;
- vi. to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- vii. to 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;
- viii. to institute programmes for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan in keeping with the guidelines of the professional accreditation councils;
- ix. to provide career counseling and job search services to students and alumni;
- x. to maintain linkages with alumni;
- xi. to develop and implement fund-raising plans;
- xii. to provide and support the academic development of the faculty of the University;
- xiii. to confer degrees on persons who have carried on independent research under prescribed conditions;
- xiv. to 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;
- xv. to co-operate with other Universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- xvi. to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
- xvii. to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- xviii. to recognize selected members of the teaching staff of constituent colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;
- xix. to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- xx. to institute academic as well as professional degree programmes allowing intake of international students including children/wards of overseas Pakistanis as much as possible;
- xxi. to establish teaching departments, schools, colleges, faculties, institutes, museums and other centres of learning for the development of teaching and research in University campuses and to make such arrangements for their maintenance, management and administration as it may prescribe;
- xxii. to provide for the residence of the students of the University and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- xxiii. to maintain order, discipline and security on the campuses of the University and the colleges;
- xxiv. to promote the extracurricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
- xxv. to demand and receive such fees and other charges as it may determine;

- xxvi. to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;
- xxvii. to enter into, carry out, vary or cancel contracts;
- xxviii. to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- xxix. to provide for the printing and publication of research and other works; *and*
- xxx. to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the University as a place of education, learning, and research.

5. **University open to all classes, creeds, etc.**— (1) The University shall be open to all persons of either gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the University on the grounds of religion, race, caste, creed, class, colour or domicile.

(2) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor.

(3) 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.

6. **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

PRINCIPAL OFFICERS OF THE UNIVERSITY

7. **Principal Officers.**— The following shall be the principal officers of the University, namely:—

- a. the Patron;
- b. the Chancellor;
- c. the Vice-chancellor;
- d. the Registrar;
- e. the Deans;
- f. the Principals of the constituent colleges;
- g. the Chairpersons of the teaching departments;
- h. the Treasurer;
- i. the Controller of Examinations; *and*
- j. such other persons as may be prescribed by the Statutes or Regulations to be the principal officers of the University.

8. **Patron.**— (1) The Minister for Education shall be the Patron of the University.

(2) The Patron, or in his absence, the Chancellor shall preside at the convocation of the University.

(3) Every proposal to confer an honorary degree shall be subject to confirmation by the Patron.

However the honorary degree shall be offered only in the faculties available with the University.

(4) The Patron shall have the powers to cause a visitation to be made on the request of the Higher Education Commission (HEC) in respect of any matter concerned with the affairs of the University and shall, from time to time, direct any person or persons to inquire into or carry out inspection of the University.

9. **Chancellor.**— (1) The Chancellor of the University shall be nominated by the Board of Directors of Foundation for the Advancement of Innovation, Research and Education (FAIRE) for a renewable period of five years through a resolution passed with two third majority. However, the term of the office of the Chancellor may be reduced through a joint resolution of Directors of the Foundation depending on such reasons as availability, health conditions, resignation etc.

(2) The Chancellor shall, when present, preside at the meetings of the Board of Governors of the University.

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

(4) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may, —

- (a) as regards proceedings of the Board of Governors, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed he may, after calling upon the Board of Governors to show cause in writing, appoint a five member Review Panel to examine and report to the Chancellor on the functioning of the Board of Governors;

The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Board of Governors, direct the Board of Governors to exercise powers under section 20.

10. **Removal from the Board of Governors.**— (1) The Chancellor 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 has,—

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

(2) The Chancellor shall remove any person from the membership of the 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.

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

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

(2) The Vice-Chancellor shall be the chief executive officer and principal accounting officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of the Act, Statutes, Regulations and Rules are faithfully observed in order to promote the general efficiency and good order of the University. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.

(3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any Authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the Chancellor. The Chancellor may direct such further action as is considered appropriate.

(5) The Vice-Chancellor shall also have the following powers to,—

- (a) direct teachers, officers and other employees of the University to take up such assignments in connection with examination, administration and such other activities in the University as he may consider necessary for the purposes of the University;
- (b) sanction by re-appropriation an amount not exceeding an amount prescribed by the Board of Governors for an unforeseen item not provided for in the budget and report it to the Board of Governors at the next meeting;
- (c) make appointments of such categories of employees of the University and in such manner as may be prescribed by the Statutes;
- (d) suspend, punish and remove, in accordance with prescribed procedure, from service officers, teachers and other employees of the University except those appointed by or with the approval of the Board of Governors;
- (e) delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the University; *and*
- (f) exercise and perform such other powers and functions as may be prescribed.

(6) The Vice-Chancellor shall preside at the convocation of the University in the absence of the Chancellor.

(7) The Vice-Chancellor shall present an annual report before the Board of Governors within three months of the close of the academic year. The annual report shall present such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to,—

- (a) academics;
- (b) research;
- (c) administration; *and*
- (d) finances

(8) The Vice-Chancellor's annual report shall be made available, prior to its presentation before the Board of Governors, to all officers and University teachers and shall be published in such numbers as are required to ensure its wide circulation.

12. **Appointment and Removal of the Vice-Chancellor.**— (1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Board of Governors.

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Board of Governors on the date and in the manner prescribed by the Statutes and shall consist of one eminent member of society nominated by the Chancellor, who shall be appointed the Convener, two members of the Board of Governors and one academic of eminence not employed by the University.

The Search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice-Chancellor shall be considered by the Board of Governors and of these a panel of three, in order of priority, shall be recommended by the Board of Governors to the Chancellor:

Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendation being sought by the Chancellor the Search Committee shall make a proposal to the Board of Governors in the prescribed manner.

(4) The Vice-Chancellor shall be appointed for a renewable tenure of five years on terms and conditions prescribed by Statutes. The tenure of an incumbent Vice-Chancellor shall be renewed by the Chancellor on receipt of a resolution of the Board of Governors in support of such renewal:

Provided that the Chancellor may call upon the Board of Governors to reconsider such resolution once.

(5) The Board of Governors may, pursuant to a resolution in this behalf passed by three-fourths of its membership, recommend to the Chancellor the removal of the Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor may make a reference to the Board of Governors stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice. After consideration of the reference the Board of Governors may, pursuant to a resolution in this behalf passed by two-thirds of its membership, recommend to the Chancellor the removal of the Vice-Chancellor:

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

(6) A resolution recommending the removal of the Vice-Chancellor shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order removal of the Vice-Chancellor or return the recommendation to the Board of Governors.

(7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

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

(2) The experience as well as the professional and academic qualifications necessary for appointment to the post of the Registrar shall be as may be prescribed.

(3) The Registrar shall be a full-time officer of the University and shall,—

- (a) be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the Authorities of the University;
- (b) be the custodian of the common seal and the academic records of the University;
- (c) maintain a register of registered graduates in the prescribed manner;
- (d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and
- (e) perform such other duties as may be prescribed.

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

Provided that the Board of Governors may, on the advice of the Vice Chancellor, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

14. **Treasurer.**—(1) There shall be a Treasurer of the University to be appointed by the Board of Governors on the recommendation of the Vice Chancellor, on such terms and conditions as may be prescribed.

(2) The experience and the professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

- (3) The Treasurer shall be the chief financial officer of the 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 them to the Executive Committee or a committee thereof for approval and incorporation in the budget to be presented to the Board of Governors;
 - (c) ensure that the funds of the University are expended on the purposes for which they are provided;
 - (d) have the accounts of the University audited annually so as to be available for submission to the Board of Governors within six months of the close of the financial year, and
 - (e) perform such other duties as may be prescribed.
- (4) The term of office of the Treasurer shall be a renewable period of three years:

Provided that the Board of Governors may, on the advice of the Vice Chancellor, terminate the appointment of the Treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.

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

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

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

(4) The Controller of Examinations shall be appointed for a renewable term of three years:

Provided that the Board of Governors may, on the advice of the Vice Chancellor, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

16. **Authorities.**— (1) The following shall be the Authorities of the University, namely:—

- (a) Sponsor:—
 - (i) Foundation for the Advancement of Innovation, Research and Education (FAIRE) shall be the sponsor of the University; and
 - (ii) It would endeavor to ensure that purposes of the University are achieved as laid down in this Act through Chancellor and Board of Governors of the University;
- (b) Authorities established by the Act,—
 - (i) the Board of Governors;
 - (ii) the Executive Committee; and
 - (iii) the Academic Council;
- (c) Authorities to be established by the Statutes, —

- (i) Graduate and Research Management Council;
- (ii) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level of the department, the Faculty or the University;
- (iii) Career Placement and Internship Committee of each Faculty;
- (iv) Search Committee for the appointment of the Vice Chancellor;
- (v) the Representation Committees for appointment to the Board of Governors, Executive Committee and the Academic Council;
- (vi) Faculty Council; *and*
- (vii) Departmental Council.

(2) The Board of Governors, the Executive Committee and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through Statutes or Regulations as appropriate. Such committees or sub-committees shall be Authorities of the University for the purposes of this Act.

17. **Board of Governors.**— (1) The body responsible for the governance of the University shall be described as the Board of Governors, and shall consist of the following, namely:—

- (a) the Chancellor who shall be the Chairperson of the Board of Governors;
- (b) the Vice-Chancellor;
- (c) one member of the Government not below the rank of Joint Educational Advisor/Joint Secretary from the Ministry concerned;
- (d) two persons nominated by the Chairman of the Foundation;
- (e) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering such that the appointment of these persons reflects a balance across the various fields;

Provided that the special focus or affiliation of the University, to be declared in the manner prescribed, may be reflected in the number of persons of distinction in an area of expertise relevant to the University who are appointed to the Board of Governors;

- (f) one person from amongst the alumni of the University;
- (g) two persons from the academic community of the country, other than an employee of the University, at the level of professor or principal of a college;
- (h) two University Teachers; *and*
- (i) one person nominated by the Commission.
- (j) Registrar who shall also act as the secretary of the Board of Governors.

(2) The number of the members of the Board of Governors described against clauses (f) to (i) of sub-section (1) may be increased by the Board of Governors through Statutes subject to condition that the total membership of the Board of Governors does not exceed twenty one, with a maximum of five University Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1).

(3) All appointments to the Board of Governors shall be made by the Chancellor. Appointments of persons described in clauses (f) to (g) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of section 24 and in accordance with procedure as may be prescribed:

Provided that effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Board of Governors.

Provided that as regards the University Teachers described in clause (h) of sub-section (1) the Board of Governors shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University Teachers:

Provided further that the Board of Governors may alternatively prescribe that appointment of University Teachers to the Board of Governors shall also be in the manner provided by this sub-section for the persons described in clauses (f) to (g) of sub-section (1).

(4) Members of the Board of Governors, other than *ex officio* members, shall hold office for three years. One-third of the members, other than *ex officio* members, of the first Board of Governors, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than *ex officio* members, of the first Board of Governors, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than *ex officio* members, shall retire from office on the expiration of the third year.

Provided that no person, other than an *ex officio* member, may serve on the Board of Governors for more than two consecutive terms:

Provided further that the University Teachers appointed to the Board of Governors may not serve for two consecutive terms.

(5) The Board of Governors shall meet at least twice in a calendar year.

(6) Service on the Board of Governors shall be on honorary basis:

Provided that actual expenses may be reimbursed as prescribed.

(7) In the absence of the Chancellor meetings of the Board of Governors shall be presided over by such member, not being an employee of the University or the Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Board of Governors.

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

(9) The quorum for a meeting of the Board of Governors shall be two thirds of its membership, a fraction being counted as one.

18. Powers and functions of the Board of Governors.— (1) The Board of Governors shall have the power of general supervision over the University and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the University. The Board of Governors shall have all powers of the University not expressly vested in an Authority or officer by the Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions.

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

- (a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
- (b) to hold, control and lay down policy for the administration of the property, funds and investments of the 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 approve financial resource development plans of the University;
- (h) 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 26, 27 and 28, as the case may be:

Provided that the Board of Governors may frame a Statute or Regulation on its own initiative and approve it after calling for the advice of the Executive Committee or the Academic Council as the case may be;

- (i) 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;
- (j) to recommend to the Chancellor removal of any member of the Board of Governors in accordance with the provisions of the Act;
- (k) to make appointment of members of the Executive Committee, other than *ex officio* members, in accordance with the provisions of the Act;
- (l) to make appointment of members of the Academic Council, other than *ex officio* members, in accordance with the provisions of the Act;
- (m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
- (n) 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*

- (o) to determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Board of Governors may, subject to the provisions of the Act delegate all or any of the powers and functions of any Authority, officer or employee of the University at its main campus, to any Authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus, and for this purpose the Board of Governors may create new posts or positions at the additional campus.

19. **Visitation.**— The Board of Governors may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the University.

20. **Executive Committee.**— (1) There shall be an Executive Committee of the University consisting of the following, namely:—

- (a) the Vice-Chancellor who shall be its Chairperson;
- (b) the Registrar;
- (c) the Deans of the Faculties of the University;

- (d) two Professors from different departments, who are not members of the Board of Governors, to be elected by the University Teachers in accordance with procedure to be prescribed by the Board of Governors;
- (e) two Principals/Directors of the constituent colleges/institutes; , who are not members of the Board of Governors, to be elected in accordance with procedure to be prescribed by the Board of Governors;
- (f) the Treasurer;
- (g) the Controller of Examinations;
- (h) the Director Academics/Quality Enhancement Cell (QEC).

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

(3) As regards the two professors described in clause (d) of sub-section (1) the Board of Governors may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of section 24. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Vice Chancellor.

(4) 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.

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

21. 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 Statutes, exercise general supervision over the affairs and management of the University.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statutes and directions of the Board of Governors the Executive Committee shall have the following powers, namely:—

- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Board of Governors;
- (b) to transfer and accept transfer of movable property on behalf of the University;
- (c) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (d) 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;
- (e) to invest any money belonging to the University including any unapplied income in any of the securities, or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
- (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 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 institute 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/Regulations.

22. **Academic Council.**— (1) There shall be an Academic Council of the University consisting of the following, namely:—

- (a) the Vice Chancellor who shall be its Chairperson;
- (b) the Registrar;
- (c) the Deans of Faculties and such Heads of departments as may be prescribed;
- (d) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Board of Governors;
- (e) two Principals or Directors of affiliated colleges or institutes;
- (f) five Professors including Emeritus Professors;
- (g) the Controller of Examinations;
- (h) the Director Academics;
- (i) the Director QEC; and
- (j) the Librarian.

(2) The Board of Governors shall appoint the members of the Academic Council, other than the *ex officio* and the elected members, on the recommendation of the Vice Chancellor: Provided that as regards the five professors and the members representing the departments, institutes and the constituent colleges the Board of Governors may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of section 24. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Vice Chancellor.

(3) Members of the Academic Council other than *ex officio* shall hold office for three years.

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

(5) The quorum for meetings of the Academic Council shall be one half of the total number of members, a fraction being counted as one.

23. **Powers and functions of the Academic Council.**— (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of the Act and the Statutes, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University and the colleges.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Academic Council shall have the power to,—

- (a) approve the policies and procedures pertaining to the quality of academic programmes;
- (b) approve academic programmes;
- (c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;
- (d) approve the policies and procedures assuring quality of teaching and research;

- (e) propose to the Executive Committee schemes for the constitution and organization of Faculties, teaching departments and boards of studies;
- (f) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;
- (g) institute programmes for the continued professional development of University Teachers at all levels;
- (h) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;
- (i) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (j) frame Regulations for submission to the Board of Governors;
- (k) prepare an annual report on the academic performance of the University; and
- (l) perform such functions as may be prescribed by Regulations.

24. **Representation Committees.**— (1) There shall be a Representation Committee constituted by the Board of Governors through Statutes for recommendation of persons for appointment as members of the Board of Governors in accordance with the provisions of section 17.

(2) There shall also be a Representation Committee constituted by the Board of Governors through Statutes for the recommendation of persons for appointment as members of the Executive Committee and the Academic Council in accordance with the provisions of sections 20 and 22.

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

- (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, namely:—

- (a) two members of the Board of Governors who are not University Teachers; and
- (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.

25. **Appointment of Committees by certain Authorities.**— (1) The Board of Governors, the Executive Committee, 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 Statutes or Regulations.

CHAPTER V

STATUTES, REGULATIONS AND RULES

26. **Statutes.**— (1) Subject to the provision of the Act, Statutes, may be made to regulate or prescribe all or any of the following, namely:—

- (a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor 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, institutes, 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 Vice Chancellor;
- (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 Executive Committee, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (l) 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.

27. **Regulations.**— (1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, for all or any of the following matters, namely:—

- (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 6 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.

28. **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.

29. **Rules.**— (1) The Authorities and the other bodies of the University may make Rules, to be published in the official 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 Executive Committee.

CHAPTER VI

UNIVERSITY FUND

30. **University Fund.**— The University shall have a fund to which shall be credited its income from fees, charges, donations, trusts, bequests, endowments, contributions, grants and all other sources.

31. **Audits and Accounts.**— (1) The Accounts of the University shall be maintained in such form and in such manner as may be prescribed.

(2) All funds generated by a teaching department, constituent college or other unit of the University through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by Statute, to the teaching department, constituent college or other unit for its development. A part of the funds so generated may be shared with the University Teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by Statutes.

(3) No expenditure shall be made from the funds of the University, unless a bill for its payments has been issued in accordance with the relevant financial regulations and the Treasurer has verified that the payment is provided for in the approved budget.

(4) Provision for an internal audit of the finances of the University shall be made and prescribed in the Statutes.

(5) The annual audited statement of accounts of the University shall be prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer.

(6) The observations of the Auditor, if any, together with such annotations as the Treasurer may make, shall be considered by the Executive Committee and shall be placed before the Board of Governors within six months of closing of the financial year.

CHAPTER VII

GENERAL PROVISIONS

32. **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.

33. **Appeal to the Executive Committee and the Board of Governors:**— Where an order is passed 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 or conditions of his service, he shall, where the order is passed by any officer or teacher of the University other than the Vice-Chancellor, have the right to appeal to the Executive Committee against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Board of Governors.

34. **Service of the University.**— (1) All persons employed by the University in accordance with the terms and conditions of service prescribed by relevant statutes shall be persons in the service of University.

(2) An officer, teacher or other employee of the University shall retire from service on the attainment of such age or tenure of service as may be prescribed in the statutes in accordance with the provisions of employment contract prescribed.

(3) No adverse change shall be made in the terms and conditions of employment of any University employee in the employment of the University on the date of enforcement of the Act.

35. **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.

(2) Where any provident fund or gratuity scheme has been constituted under this Act, its governing rules shall be approved by the Board of Governors.

36. **Commencement of term of office of members of Authority.**— (1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under this Act, shall commence from the date of his/her appointment by the competent authority which will also be notified accordingly..

(2) Where a member who has accepted any other assignment or for any other similar reason remains absent from the University for a period of not less than six months, provided that the reasons for his absence were not beyond his control, he shall be deemed to have resigned and vacated his seat.

(3) A member of an Authority may resign from his membership by applying to the Chairperson of the authority. His seat shall fall vacant from the date his resignation is accepted by the competent authority i.e the appointing authority.

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

38. **Flaws in the constitution of Authorities.**— Where there is a flaw in the constitution of an Authority, as constituted by this Act, the Statutes or the Regulations on account of the abolition of a specified office or because an organization, institution or other body outside the University has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Board of Governors may direct.

39. **Proceedings of Authorities not invalidated by the vacancies.**— No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.

40. **First Statutes and Regulations.**— Notwithstanding anything to the contrary contained in the Act, the Board of Governors shall promulgate the First Statutes and Regulations which shall be deemed to be Statutes and Regulations framed under section 26 and 27 and shall continue to remain in force until amended or replaced or till such time as new Statutes and Regulations are framed in accordance with the provisions of the Act.

41. **Transitory Provisions.**— (1) Notwithstanding the provision of this Act, as regards the University set up on the commencement of this Act, the members of the first Board of Governors, except the University teachers, shall be appointed by the chancellor in accordance with the numbers and criteria for membership provided under this Act. The first Board of Governors so constituted shall initiate, as soon as possible, the process for the recruitment of University Teachers and appointment of the members of the Executive Committee and the Academic Council in accordance with the requirement of this Act.

(2) Notwithstanding the provisions of this Act, the first Vice Chancellor shall be appointed by the Chancellor.

42. **Management of Existing Colleges or Institutes:** On the commencement of this Act, colleges/ institutes established by the Foundation for the Advancement of Innovation, Research and Education (FAIRE) shall become constituent institutions of the University of Islamabad (UOI) and their earlier affiliation if any with any other University shall cease accordingly.

43. **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 Chancellor whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor 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 Chancellor may direct after obtaining the views of the Board of Governors.

44. **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 the Act

STATEMENT OF OBJECTS AND REASONS

The University of Islamabad, a private sector entity, is a project of Foundation for Advancement of Innovation, Research and Education (FAIRE) duly registered with Security Exchange Commission of Pakistan (SECP) as a non-profit organization for establishing a new University at Bahria Golf City, Murree Expressway, Islamabad. Education plays a pivotal role in the development of vital human resource required for the economic development. Foundation for Advancement of Innovation, Research and Education has come forward to augment Government initiatives to develop Education Institutions at all levels and particularly in Higher Education. The University of Islamabad will be a comprehensive University offering programs in Management Science, Computer Science, International Relations and Mathematics. It brings immense social benefits for the local population of Islamabad and Rawalpindi and adjoining areas.

The Bill seeks to achieve the aforesaid objects through the above University in a private sector.

Shafqat Mahmood
Minister for Federal Education and
Professional Training