



THE PAKISTAN GLOBAL INSTITUTE ACT, 2023



CONTENTS

1. Short title and commencement.
2. Definitions.
3. Establishment and incorporation of the Institute.
4. Powers and functions of the Institute.
5. Jurisdiction.
6. Institute open to all classes, creeds, etc.
7. Teaching at the Institution.
8. Principal officers.
9. Patron.
10. Visitation.
11. Chancellor.
12. Removal from the Senate.
13. Vice-Chancellor.
14. Appointment and removal of the Vice-Chancellor.
15. Registrar.
16. Treasurer.
17. Controller of Examinations.
18. Authorities.
19. Senate.

THE PAKISTAN CODE

20. Powers and functions of the Senate.
21. Syndicate.
22. Powers and duties of the Syndicate.
23. Academic Council.
24. Powers and functions of the Academic Council.
25. Representation Committees.
26. Appointment of committees by certain Authorities.
27. Statutes.
28. Regulations.
29. Amendment and repeal of statutes and regulations.
30. Rules.
31. First statutes and regulations.
32. Institute fund.
33. Audits and accounts.
34. Opportunity to show cause.
35. Appeal to the Syndicate and the Senate.
36. Benefits and insurance.
37. Removal of difficulties.
38. Indemnity.



THE PAKISTAN GLOBAL INSTITUTE ACT, 2023

ACT NO. XI OF 2023

[14th March, 2023]

AN

ACT

to provide for establishment of the Pakistan Global Institute

WHEREAS it is expedient to provide for establishment of the Pakistan Global Institute and for matters, connected therewith and ancillary thereto;

It is hereby enacted as follows:—

CHAPTER-I

PRELIMINARY

1. Short title and commencement.—(1) This Act shall be called the Pakistan Global Institute Act, 2023.

(2) This Act 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 Institute;
- (b) “Authority” means any of the Authorities of the Institute specified or set up under section 18;
- (c) “Chancellor” means the Chancellor of the Institute;
- (d) “Chairperson” means the Chairperson of a teaching department;
- (e) “college” means an educational institution, other than constituent college;
- (e) “constituent college” means an educational institution, by whatever name described, maintained and administered by the Institute;
- (g) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (h) “Dean” means the head of a Faculty or the head of an academic body granted the status of a Faculty under this Act or by the statutes or regulations;
- (i) “Department” means a teaching department maintained and administered or recognized by the Institute in the manner as may be prescribed;

- (j) “Faculty” means an administrative and academic unit of the Institute consisting of one or more departments, as may be prescribed;
- (k) “Government” means the Federal Government
- (l) “prescribed” means prescribed by statutes, regulations or rules made under this Act;
- (m) “Principal” means the head of a constituent college;
- (n) “Representation Committee” means the Representation Committee constituted under section 26;
- (o) “Review Panel” means the Review Panel set up by the Chancellor in accordance with the provisions of section 11;
- (p) “Schedule” means a Schedule to this Act;
- (q) “Search Committee” means the Search Committee set up by the Senate under section 14;
- (r) “Senate” means the Senate of the institute;
- (s) “statutes”, “regulations” and “rules” mean respectively the statutes, the regulations and the rules made under this Act and for the time being in force;
- (t) “Syndicate” means the Syndicate of the Institute;
- (u) “teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole time by the Institute or by a constituent college and such other persons as may be declared by regulations to be teachers;
- (v) “Institute” means the Pakistan Global Institute;
- (w) “Patron” means the patron of the Institute; and
- (x) “Vice-Chancellor” means the Vice-Chancellor of the Institute.

CHAPTER-II

THE INSTITUTE

3. Establishment and incorporation of the Institute.—(1) There stands established an Institute to be called the Pakistan Global Institute.

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

- (a) the Patron, Chancellor, the members of the Senate and the Vice-Chancellor;

- (b) the members of the Authorities of the Institute established under section 18;
- (c) all Institute teachers and persons recognized as students of the institute in accordance with such terms as may be prescribed from to time; and
- (d) all other full-time officers and members of the staff of the Institute.

(3) The Institute shall be a body corporate having perpetual succession and a common seal and may sue and be sued by the said name.

(4) The Institute 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 Institute 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 this Act and the Higher Education Commission Ordinance, 2002 (LIII of 2002).

4. Powers and functions of the Institute.—The Institute shall have the following powers and functions, 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;
- (ii) to prescribe courses of studies to be conducted by the Institute and the constituent colleges and other colleges affiliated by the Institute;
- (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 Institute 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 contract of specified duration and to specify the terms of each such engagement;
- (vi) to confer honorary degrees or other distinctions on approved persons in the manner as may be prescribed;
- (vii) to provide for such instruction for persons not being students of the Institute as it may prescribe and to grant certificates and diplomas to such persons;
- (viii) to establish programs for the exchange of students and teachers between the Institute and other universities, educational institutions and research organizations, inside as well as outside Pakistan;

- (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 Institute;
- (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 Institute at other universities, institutions and places of learning equivalent to such examinations and periods of study in the Institute, as it may prescribe and to withdraw such acceptance;
- (xv) to co-operate with other institutions, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- (xvi) to establish 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 institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xix) to establish teaching departments, schools, constituent colleges, faculties, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xx) to provide for the residence of the students of the Institute and the constituent colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxi) to maintain order, discipline and security on the campuses of the Institute and the constituent colleges;
- (xxii) to promote extra-curricular and recreational activities of students and to make arrangements for promoting their health and general welfare;
- (xxiii) to demand and receive such fees and other charges as it may determine;
- (xxiv) 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;

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

(xxvi) to receive and manage property transferred and grants, contributions made to the Institute and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;

(xxvii) to provide for the printing and publication of research and other works;

(xxviii) 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 Institute as a place of education, learning, and research; and

(xxix) to affiliate or dis-affiliate other colleges, institutions, etc.

5. Jurisdiction.—The jurisdiction of the Institute shall extend to the whole of Pakistan and abroad.

6. Institute open to all classes, creeds, etc.— (1) The Institute shall be open to all persons of all genders and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the Institute 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 Institute shall institute financial aid programs for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the institute and the various opportunities provided by it to be based on merit rather than ability to pay:

7. Teaching at the Institute.—(1) All recognized teaching in various courses shall be conducted by the Institute and the constituent colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations 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 INSTITUTE

8. Principal officers.—The following shall be the principal officers of the Institute, namely:—

- (a) Patron;
- (b) Chancellor;
- (c) Vice-chancellor;
- (d) Deans;
- (e) Principals of the constituent colleges;
- (f) Chairpersons of the teaching departments;
- (g) Registrar;
- (h) Treasurer;
- (i) Controller of Examinations; and
- (j) such other persons as may be prescribed by statutes or regulations.

9. Patron.—(1) The Federal Minister for Education and Professional Training shall be the Patron of the Institute.

(2) The Patron shall, when present, preside at the convocation of the institute. In absence of the Patron, the Syndicate may request a person of eminence or the Chancellor to preside over the convocation of the Institute.

10. Visitation.—(1) The Patron may, in accordance with the terms and procedures as may be prescribed, cause an inspection or inquiry to be made on his own motion or at the request of the Commission in respect of any matter connected with affairs of the Institute and shall, from time to time, direct any person or persons to inquire into or carry out inspection of—

- (a) the Institute, its building, laboratories, libraries and other facilities;
- (b) any institution, department or hostel maintained by the Institute;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination and other matters of the Institute; and
- (e) such other matters as the Patron may specify.

(2) The Patron shall communicate his views to the Senate with regard to the result of visitation and shall, after ascertaining the views of the Senate, advise the Chancellor on the action to be taken by him.

(3) The Chancellor shall, within such time as may be specified by the Patron, communicate to him such action, if any, as has been taken or may be proposed to be taken upon the results of visitation.

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

11. Chancellor.—(1) There shall be a Chancellor of the Institute who through majority voting, be elected by the board of governors of the THMC Education System Private Limited incorporated under the company law.

(2) The members of the Senate, except the 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 under this Act and the statutes, as the case may be.

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

(4) If the Chancellor is satisfied that serious irregularity or mis-management with respect to affairs of the Institute has occurred, he may,—

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

Provided that if the Chancellor is satisfied that either no re-consideration has been carried out or that the re-consideration has failed to address the concern expressed, he may, after calling upon the Senate to show cause in writing, appoint a five-member Review Panel to examine and report to the Chancellor on the functioning of the Senate. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy or administration and the report of the Review Panel shall be submitted within such time as may be specified by the Chancellor; and

- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority, other than the Senate, direct the Senate to exercise powers under this Act.

12. Removal from the Senate.—(1) The Chancellor may, upon the recommendation of the Review Panel, remove any person from the membership of the Senate, excluding the Chancellor, on the ground that such person has—

- (a) by a medical board declared to be of un-sound mind;
- (b) by a competent court of law declared as un-discharged insolvent;
- (c) been by a court of law convicted for an offence involving moral turpitude;
- (d) absented himself from two consecutive meetings of the senate without just cause; or
- (e) been guilty of misconduct, including use of position for personal advantage of any kind or gross in-efficiency in the performance of his functions.

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

Provided that before passing such resolution, the Senate shall provide the member concerned a fair hearing:

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

13. Vice-Chancellor.—(1) There shall be a Vice-Chancellor of the Institute 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 of the Institute responsible for all administrative and academic functions of the Institute and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed in order to promote the general efficiency and good order of the Institute. The Vice-Chancellor shall have all powers prescribed for this purpose including administrative control over the officers, teachers and other employees of the Institute.

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

(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 members of the emergency committee of the Senate, to be set up by statutes. The emergency committee may direct such further action as is considered appropriate.

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

- (a) to direct teachers, officers and other employees of the Institute to take up such assignments in connection with examination, administration and such other activities in the Institute as he may consider necessary for the purposes of the Institute;
- (b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an un-foreseen item not provided for in the budget and report it to the Senate at the next meeting;
- (c) to make appointments of such categories of employees of the Institute and in such manner as may be prescribed by statutes;
- (d) in accordance with prescribed procedure, to suspend, punish and remove, from service officers, teachers and other employees of the Institute except those appointed by or with approval of the Senate;

- (e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or offices of the Institute; and
- (f) to exercise and perform such other powers and functions as may be prescribed.

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

(7) The Vice-Chancellor shall present an annual report before the Senate 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 Senate, to all officers and Institute teachers and shall be published in such numbers as are required to ensure its wide circulation.

14. Appointment and removal of the Vice-Chancellor.—(1) subject to the provision of sub-section (2) of section 11, the Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Senate.

(2) A search committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed the convener, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academic of eminence not employed by the Institute. The two distinguished Institute teachers shall be selected by the Senate through a process, to be prescribed by statutes, that provide for recommendation of suitable names by the Institute teachers in general. The search committee shall remain in existence till such time that 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 Senate and of these a panel of three, in order of priority, shall be recommended by the Senate 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 Senate in the prescribed manner.

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

Provided that the Chancellor may call upon the Senate to re-consider such resolution once.

(5) The Senate 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 Senate 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 Senate 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 Senate.

(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 Senate shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

15. Registrar.—(1) There shall be a Registrar of the Institute to be appointed by the Senate on 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 institute and shall—

- (a) be the administrative head of the secretariat of the Institute and be responsible for the provision of secretariat support to the Authorities of the Institute;
- (b) be the custodian of the common seal and the academic records of the Institute;
- (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 Senate may, on advice of the Vice-Chancellor, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

16. Treasurer;—(1) There shall be a Treasurer of the Institute to be appointed by the Senate on recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

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

(3) The Treasurer shall be chief financial officer of the Institute and shall—

- (a) manage the assets, liabilities, receipts, expenditures, funds and investments of the Institute;
- (b) prepare annual and revised budget estimates of the Institute and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;
- (c) ensure that the funds of the Institute are expended on the purposes for which allocated;
- (d) have the accounts of the Institute audited annually so as to be available for submission to the Senate 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 Senate may, on advice of the Vice-Chancellor, terminate appointment of the Treasurer on grounds of in-efficiency or misconduct in accordance with prescribed procedure.

17. Controller of Examinations.—(1) There shall be a Controller of Examinations, to be appointed by the Senate on 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 Institute and shall be responsible for all matters connected with the conduct of examinations and shall 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 Senate may, on advice of the Vice-Chancellor, terminate appointment of the Controller of Examinations on grounds of in-efficiency or misconduct in accordance with prescribed procedure.

CHAPTER-IV

AUTHORITIES OF THE INSTITUTE

18. Authorities.—(1) The following shall be the Authorities of the Institute, namely;—

(a) Authorities established under this Act shall be—

- (i) the Senate;
- (ii) the Syndicate; and
- (iii) the Academic Council; and

(b) Authorities to be established by the statutes, shall be—

- (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 Institute;
- (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 Senate, Syndicate and the Academic Council;
- (vi) board of studies
- (vii) faculty council; and
- (viii) departmental council.

(2) The Senate, the Syndicate 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 the case may be. Such committees or sub-committees shall be Authorities of the Institute for the purposes of this Act.

19. Senate.—(1) The body responsible for the governance of the Institute shall be described as the Senate and shall consist of the following, namely:—

- (a) the Chancellor who shall be the Chairperson of the Senate;
- (b) the Vice-Chancellor;
- (c) one member of the Government not below the rank of Additional Secretary from the Division allocated with business of education or any other department relevant to the special focus of the Institute; and

- (d) 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 or engineering such that the appointment of these persons reflects a balance across the various fields:

Provided that the special focus of the Institute, 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 Institute who are appointed to the Senate;

- (e) one person from amongst the alumni of the Institute;
- (f) two persons from the academic community of the country, other than an employee of the Institute, at the level of professor or principal of a college;
- (g) four Institute teachers; and
- (h) one person nominated by the Commission.

(2) The numbers of the members of the Senate described against clauses (e) to (h) of sub-section (1) may be increased by the Senate through statutes subject to the condition that the total membership of the Senate does not exceed twenty one, with a maximum of five Institute teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (1).

(3) Subject to the provision of sub-section (1) of section 11, all appointments to the Senate shall be made by the Chancellor. Appointments of persons described in clauses and 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 26 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 Senate:

Provided further that as regards the Institute teachers described in clause (g) of sub-section (1) the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of Institute teachers:

Provided also that the Senate may alternatively prescribe that appointment of Institute Teachers to the Senate shall also be in the manner prescribed for the persons described in clauses (e) to (f) of sub-section (1).

(4) Members of the Senate, other than *ex-officio* members, shall hold office for three years. One-third of the members, other than *ex-officio* members, of the first re-structured Senate, 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 re-structured Senate, 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 Senate for more than two consecutive terms:

Provided further that the Institute teachers appointed to the Senate shall not serve for two consecutive terms.

(5) The Senate shall meet at least twice in a calendar year.

(6) Service on the Senate shall be on honorary basis:

Provided that actual expenses may be re-imbursed as may be prescribed.

(7) The Registrar shall be the secretary of the Senate.

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

(9) Unless otherwise prescribed by this Act, all decisions of the Senate 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.

(10) The quorum for a meeting of the Senate shall be two-thirds of its membership, a fraction being counted as one.

(11) First Senate shall be constituted by the Patron on recommendation of the board of governor of the THMC education system (Private) limited.

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

(2) Without prejudice to the generality of the foregoing powers, the Senate 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 accounts;
- (b) to hold, control and lay down policy for administration of the property, funds and investments of the Institute, including the approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee the quality and relevance of the Institute's academic programmes and to review the academic affairs of the Institute in general;
- (d) to approve the appointment of the Deans, Professors, Associate Professors, Assistant 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 Institute;
- (f) to approve strategic plans;
- (g) to approve financial resource development plans of the Institute;
- (h) to consider the drafts of statutes and regulations proposed by the syndicate and the Academic Council respectively and deal with them in the manner as provided for in sections 28 and 29, as the case may be:

Provided that the senate may frame a statute or regulation on its own initiative and approve it after calling for the advice of the syndicate 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 Senate, is satisfied that such proceedings are not in accordance with the provisions of this 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 Senate in accordance with the provisions of this Act;
- (k) to make appointment of members of the Syndicate, other than *ex-officio* members, in accordance with the provisions of this Act;
- (l) to make appointment of members of the Academic Council, other than *ex-officio* members, in accordance with the provisions of this 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 un-sound mind; or
 - (ii) has been declared by a competent of court of law to be an un-discharged insolvent; 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 Institute.

(3) The Senate may, subject to the provisions of this Act, delegate all or any of the powers and functions of any Authority, officer or employee of the Institute 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 Senate may create new posts or positions at the additional campus.

21. Syndicate.—(1) There shall be a Syndicate of the Institute consisting of the following, namely:—

- (a) the Vice-Chancellor; who shall be its Chairperson;
- (b) the Deans of Faculties of the Institute;
- (c) three professors from different departments, who are not members of the Senate, to be elected by the Institute teachers in accordance with procedure to be prescribed by the Senate;
- (d) principals of the constituent colleges;
- (e) the Registrar;
- (f) the Treasurer; and
- (g) the Controller of Examinations.

(2) Members of the Syndicate, other than er-officio members, shall hold office for a term of three years.

(3) As regards the three professors described in clause (c) of sub-section (1), the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee setup in terms of section 25 Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

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

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

(6) First Syndicate shall be constituted by the Patron on recommendation of the board of governors of the THMC education system (Private) limited.

22. Powers and duties of the Syndicate.—(1) The Syndicate shall be the executive body of the Institute and shall, subject to the provisions of this Act and statutes, exercise general supervision over the affairs and management of the Institute.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act, statutes and directions of the Senate, the Syndicate shall have the following powers, namely:—

- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;
- (b) to transfer and accept transfer of movable property on behalf of the Institute;

- (c) to enter into, vary, carry out and cancel contracts on behalf of the Institute;
- (d) to cause proper books of account to be kept for all sums of money received and expended by the Institute and for the assets and liabilities of the Institute;
- (e) to invest any money belonging to the Institute including any on-applied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act II of 1882), 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 Institute;
- (g) to administer any funds placed at the disposal of the Institute for specified purposes;
- (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the Institute;
- (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 senate admission of educational institutions to the privileges of the Institute 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 create suspend or abolish such posts;
- (m) to create, up-grade, down-grade, 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 Institute;
- (o) to report to the senate 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 this Act;
- (q) to propose drafts of Statutes for submission to the senate;
- (r) to regulate the conduct and discipline of the students of the Institute;
- (s) to take actions necessary for the good administration of the Institute 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 this Act or may be assigned to it by the statutes.

23. Academic Council.—(1) There shall be an Academic Council of the Institute consisting of the following, namely:—

- (a) the Vice-Chancellor, who shall be its Chairperson;
- (b) the Deans of Faculties and such heads of departments as may be prescribed;
- (c) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Senate;
- (d) five Professors including emeritus Professors;
- (e) the Registrar;
- (f) the Controller of Examinations; and
- (g) the Librarian.

(2) The senate 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 Senate 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 25. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

(3) Members of the Academic Council 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.

24. Powers and functions of the Academic Council.—(1) The Academic Council shall be the principal academic body of the Institute and shall, subject to the provisions of the statutes and the rules, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the Institute and the constituent 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 programs;

- (b) approve academic programs including online, distance learning and others;
- (c) approve the policies and procedures pertaining to student related function including admissions, expulsions, punishments, examinations and certification;
- (d) approve the policies and procedures assuring quality of teaching and research;
- (e) propose to the Syndicate 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 Institute after receiving panels of names from the relevant authorities;
- (g) establish programmes for the continued professional development of Institute teachers at all levels;
- (h) recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the Institute;
- (i) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (j) frame regulations for submission to the senate;
- (k) prepare an annual report on the academic performance of the Institute; and
- (l) perform such functions as may be prescribed by Regulations.

25. Representation Committees.—(1) There shall be a Representation Committee constituted by the Senate through statutes for recommendation of persons for appointment to the Senate in accordance with the provisions of this Act.

(2) There shall also be a Representation Committee constituted by the Senate through statutes for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of this Act.

(3) Members of the Representation Committee for appointment to the Senate shall consist of the following, namely:—

- (a) three members of the Senate who are not Institute teachers;
- (b) two persons nominated by the Institute teachers from amongst themselves in the manner prescribed;
- (c) one person from the academic community, not employed by the Institute, at the level of professor or college principal to be nominated by the Institute 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 Senate.

(4) The Representation Committee for appointment to the Syndicate and the Academic Council shall consist of the following, namely:—

- (a) two members of the Senate who are not Institute teachers; and
- (b) three persons nominated by the Institute 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 Institute as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the Institute.

26. Appointment of committees by certain Authorities.—(1) The Senate, the Syndicate, 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

27. Statutes.— (1) Subject to the provisions of this Act, statutes, to be published in the official Gazette, may be made to regulate or prescribe all or any of the following matters, namely:—

- (a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor before the senate shall be prepared;
- (b) the Institute fees and other charges
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for Institute employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other Institute employees;
- (e) the maintenance of the register of registered graduates;

- (f) admission of educational institutions to the privileges of the Institute 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 Institute 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 Institute 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 authorities of the Institute; 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 Syndicate to the Senate which may approve or pass with such modifications as the Senate think fit or may refer back to the Syndicate, as the case may be, for re-consideration of the proposed draft:

Provided that the Senate may initiate Statutes with respect to any matter in its power or with respect to which statutes may be framed in terms of this Act and approve such statutes after seeking the views of the Syndicate.

28. Regulations.—(1) Subject to the provisions of this 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 Institute;
- (b) the manner in which the teaching referred to in sub-section (1) of section 7 shall be organized and conducted;
- (c) the admission and expulsion of students to and from the Institute;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the Institute 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 this 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 Senate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulations proposed by the Academic Council shall not be effective unless it receives the approval of the Senate.

(3) Regulations regarding or incidental to matters contained in sub-clauses (g) and (i) of sub-section (1) shall not be submitted to the Senate without the prior approval of the Syndicate.

29. Amendment and repeal of statutes and regulations.—The procedure for adding to, amending or repealing the statutes, regulations and rules shall be same as that prescribed respectively for framing or making statutes, regulations and rules.

30. Rules.—(1) The Authorities and other bodies of the Institute may make rules, consistent with this Act, statutes or the regulations, made thereunder to regulate any matter relating to the affairs of the Institute which has not been provided for by this 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 Syndicate.

31. First statutes and regulations.—Notwithstanding anything to the contrary contained in this Act, the Chancellor shall make the first statutes and regulations which shall be deemed to be the statutes and regulations framed under sections 27 and 28 respectively and shall continue remain in force until amended or replaced or till such time new statutes and regulations are framed in accordance with the provisions of this Act.

CHAPTER-VI

INSTITUTE FUND

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

33. Audits and accounts.—(1) The accounts of the Institute shall be maintained in such form and in such manner as may be prescribed;

(2) The teaching departments, constituent colleges or institutes and all other bodies designated as such by the Syndicate in terms of statutes shall be independent cost centres of the Institute with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it:

Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the statutes.

(3) All funds generated by a teaching department, constituent college or other unit of the Institute 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 Institute teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by statute.

(4) No expenditure shall be made from the funds of the Institute, unless a bill for its payments has been issued by the head of the cost centre concerned in accordance with the relevant statutes and the Treasurer has verified that the payment is provided for in the approved budget of the cost center, subject to the authority to re-appropriate funds available to the head of the cost center.

(5) Provision shall be made for an internal audit of the finances of the Institute.

(6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force, the annual audited statement of accounts of the Institute shall be prepared in conformity with the generally accepted accounting principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor-General of Pakistan for his observations.

(7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

CHAPTER-VII

GENERAL PROVISIONS

34. Opportunity to show cause.—Except as otherwise provided by this Act, no officer, teacher or other employee of the Institute 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.

35. Appeal to the Syndicate and the Senate.—Where an order is passed punishing any officer (other than the Chancellor and Vice-Chancellor), teacher or other employee of the Institute 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 Institute other than the Chancellor and

Vice- Chancellor, have the right to appeal to the Syndicate against the order and where the order is passed by the Chancellor or Vice-Chancellor, have the right to appeal to the Senate.

36. Benefits and insurance.—(1) The Institute 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 has been constituted under this Act, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such funds as if it were the Government provident fund.

37. Removal of difficulties.—(1) If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Patron whose decision thereon shall be final.

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

(3) Where this 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 senate.

38. Indemnity.—No suit or legal proceedings shall lie against the Institute or any Authority, officer or employee of the Institute or any person in respect of anything which is done or deemed to have been done in good faith under this Act.



THE PAKISTAN CODE