REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, TUESDAY, MARCH 6, 2012

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 6th March, 2012

No. F. 9(3)/2012-Legis.—The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 2nd March, 2012, is hereby published for general information:—

ACT NO. VII OF 2012

An Act to provide for the establishment of Shifa Tameer-e-Millat University, Islamabad

WHEREAS it is expedient to provide for the establishment of Shifa Tameer-e-Millat University at Islamabad, and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

Price : Rs. 20.50

[2243(2012)/Ex.Gaz.]

CHAPTER I

PRELIMINARY

1. **Short title, and commencement.**—(1) This Act may be called the Shifa Tameer-e-Millat University Act, 2012.

(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 15;

(c) "Chancellor" means the Chancellor of the University;

(d) "college" means a constituent college;

(e) "Commission" means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (LIII of 2002);

(f) "constituent college" means an educational institution by whatever name described, maintained and administered by the University;

(g) "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;

(h) "department" means a teaching department maintained and administered, or recognized by the University in the manner as may be prescribed;

(i) "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;

(j) "Faculty" means an administrative and academic unit of the University 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 college;

(n) "Representation Committees" means the Representation Committees constituted under section 23;

(o) "Review Panel means the Review Panel set up by the Chancellor in accordance with the provisions of section 8;

(p) "Search Committee" means the Search Committee set up by the Senate under section 11;

(q) "Senate" means the Senate of the University;

(r) "statutes", "regulations" and "rules" mean respectively the statutes, the regulations and the rules made under this Act and for the time being in force;

(s) "Syndicate" means the Syndicate of the University;

(t) "University teachers" include Professors, Associate Professors, Assistant Professors, Lecturers, Demonstrators and Instructors engaged whole-time by the University or by a constituent college and such other persons as may be declared to be teachers by regulations;

(u) "University" means Shifa Tameer-e-Millat University; and

(v) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II

THE UNIVERSITY

3 **Incorporation.**—(1) There shall be established at Islamabad a University to be called Shifa Tameer-e-Millat University, Islamabad which shall be a non-profitable University.

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

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

(b) the members of the Authorities established under section 15;

(c) all University teachers, researchers and persons recognized as students of the University in accordance with terms prescribed from to time; and

(d) all other full-time officers and members of the staff of the University.

(3) The University shall be a body corporate by the name of Shifa Tameer-e-Millat University having perpetual succession and a common seal, and may sue and be sued by the said name.

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

(5) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the 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 Senate 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;

(ii) to prescribe courses of studies to be conducted by it and the 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 as may be 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 organisations;

(ix) to provide career counselling 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 organisations 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 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 establish teaching departments, schools, constituent colleges, faculties, institutes, academies, museums and other centres of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;

(xxi) to provide for the residence of the students of the University and the constituent colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;

(xxii) to maintain order, discipline and security on the campuses of the University;

(xxiii) to promote the extra curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

(xxiv) to demand and receive such fees and other charges as it may determine;

(xxv) to make provision for research, advisory or consultancy services and with these objectives to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;

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

(xxvii) 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;

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

(xxix) 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% annum on an annualised 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 Senate 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.

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, fields and other governmental or private organizations.

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

CHAPTER III

OFFICERS OF THE UNIVERSITY

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

(a) the Chancellor;

(b) the Vice-chancellor;

(c) the Deans;

(d) the Principals of the Constituent colleges or institutes;

(e) the Chairpersons of the teaching departments;

(f) the Registrar;

(g) the Treasurer;

(h) the Controller of Examinations; and

(i) such other persons as may be prescribed by the statutes or regulations to be the principal officers of the University.

8. **Chancellor.**—(1) There shall be the Chancellor of the University the Chancellor Election Council from amongst its members by two-third majority, in which fraction will be counted as one. The following shall be the composition of the Chancellor Election Council namely:—

(a) all members of the Board of Governors of Shifa Foundation;

(b) all members of the Board of Governors of Tameer-e-Millat Foundation;

(c) one representative from the Board of Directors of Shifa International Hospital nominated by the Board; and

(d) one representative of the Board of Trustees of the Endowment Fund of the university nominated by the same board.

(2) The term of office of the Chancellor shall be for a period of seven years.

(3) The Chancellor shall, when present, preside at the meetings of the Senate and the Convocation of the University. In the absence of the Chancellor the Vice-Chancellor shall preside over the meetings of the Senate and the Convocation of the University and in the absence of both, the Chancellor may nominate any member of the Senate, not being employee of the University or the Government, to preside over the meetings of the Senate and the Convocation of the University.

(4) The members of the Senate 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 this Act and the statutes, as the case may be, along with those elected.

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

(6) 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 Senate, 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 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 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 Senate, direct the Senate to exercise powers under section 17.

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

(a) has become of unsound mind;

(b) has become incapacitated to function as member of the Senate;

(c) has been convicted by a court of law for an offence involving moral turpitude;

(d) has absented himself from two consecutive meetings without just cause; or

(e) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

(2) The 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 Vice-Chancellor in his capacity as a member of the Senate.

10. **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 of the University responsible for all administrative and academic functions of the University

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 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 members of the Emergency Committee of the Senate, to be set up by statute. 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 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) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen 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 University and in such manner as may be prescribed by the statutes;

(d) to 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 Senate;

(e) to 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) to exercise and perform such other powers and functions as may be prescribed.

(6) 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.

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

11. **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 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 the statutes and shall consist of two eminent members of society nominated by the Chancellor, of whom one shall be appointed the Convenor, two members of the Senate, two distinguished University Teachers who are not members of the Senate and one academic of eminence not employed by the University. The two distinguished University Teachers shall be selected by the Senate through a process, to be prescribed by Senate that provides for the recommendation of suitable names by the University Teachers in general. 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 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 terms and conditions prescribed by statute. 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 reconsider 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, 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 but he shall not be called upon to cast his vote.

(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 once for reconsideration.

(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.

12. **Registrar.**—(1) There shall be a Registrar of the University to be appointed by the Senate 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 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 Senate 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.

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

(2) The experience, 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 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 University are expended on the purposes for which they are provided;

(d) get the accounts of the University 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 the advice of the Vice-Chancellor, terminate the appointment of the Treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.

14. **Controller of Examinations.**—(1) There shall be a Controller of Examinations, to be appointed by the Senate 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, shall be the custodian of the academic records, 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 Senate 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

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

(a) Authorities established by this Act,

(i) the Senate;

(ii) the Syndicate; and

(iii) the Academic Council.

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

(i) Graduate Studies and Research Management Council;

(ii) Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff whether at the level of the department, college, institute, 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 Senate, Syndicate and the Academic Council;

(vi) Faculty Council; and

(vii) 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 may be appropriate. Such committees or sub-committees shall be Authorities of the University for the purposes of this Act.

16. **Senate.**— (1) The body responsible for the governance of the University 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 Ministry of Education or any other department relevant to the special focus of the University;

(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 and engineering such that the appointment of these persons reflects a balance across the various fields:

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 Senate;

(e) one person from amongst the alumni of the University;
(f) 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;

(g) four University Teachers; and

(h) one person nominated by the Commission.

(2) The numbers of the members of the Senate described in clauses (e) to (h) of sub-section 1 may be increased by the Senate through statutes subject to condition that the total membership of the Senate 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 Senate shall be made by the Chancellor. Appointments of persons described in clauses (e) and (f) 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 23 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 University 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 University Teachers. Provided also that the Senate may alternatively prescribe that appointment of University Teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (e) and (f) of sub-section (1).

(4) Members of the Senate, other than *ex-officio* members, shall hold office for a period of three years. One-third of the members, other than ex-*officio* members, of the first 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 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 University Teachers appointed to the Senate may 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 reimbursed as prescribed.

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

(8) Unless otherwise prescribed under this Act, all decisions of the Senate shall be taken oh 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 Senate shall be two-thirds of its membership, a fraction being counted as one.

17. **Powers and functions of the Senate.**—(1) The Senate 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 Senate shall have all powers of the University not expressly vested in an Authority or officer by this 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 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 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 Syndicate and the Academic Council and deal with them in the manner as provided for in sections 26 and 27, 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 then *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 unsound mind;

(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 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 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 Senate may create new posts or positions at the additional campus.

18. **Visitation.**—The Senate 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.

19. **Syndicate.**— (1) There shall be a Syndicate of the University consisting of the following namely:—

(a) the Vice-Chancellor who shall be its Chairperson;

(b) the Deans of the Faculties of the University;

(c) three professors from different departments, who are not members of the Senate, to be elected by the University 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 *ex-officio* members, shall hold office for a period 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 set up in terms of section 23. 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.

20. **Powers and duties of the Syndicate.**—(1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Act and the statutes, 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 this Act, the 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 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 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, 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 prdvide 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 Senate 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 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 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 this Act or may be assigned to it by the statutes.

21. **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 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* members 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 23. 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, other than *ex-officio* members, shall hold office for a period of three years.

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

(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.

22. **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 this 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 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 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) propose regulations for submission to the Senate;

(k) prepare an annual report on the academic performance of the University; and

(l) perform such functions as may be prescribed by regulations.

23. **Representation Committees.**—(1) There shall be a Representation Committee constituted by the Senate through statute for recommendation of persons for appointment to the Senate in accordance with the provisions of section 16.

(2) There shall also be a Representation Committee constituted by the Senate through statute for proposing persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 19 and 21, respectively.

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

(a) three members of the Senate who are not University Teachers;

(b) two persons nominated by the University Teachers from amongst themselves in the manner as may be 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 as may be 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 appointments to the Syndicate and the Academic Council shall consist of the following namely:—

(a) two members of the Senate who are not University Teachers; and

(b) three persons nominated by the University Teachers from amongst themselves in the manner as may be 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.

24. **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

25. **Statutes.**—(1) Subject to the provisions of this Act, statutes 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 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 Syndicate to the Senate which may approve or pass with such modifications as the Senate may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

Provided that statutes concerning any of the matters mentioned in clauses (a) and (k) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

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

26. **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 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 assigned under the provisions of this Act or may be prescribed by statutes or 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 regulation 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) shall not be submitted to the Senate without the prior approval of the Syndicate.

27. **Rules.**—(1) Subject to sub-section (2), the Authorities and the other bodies of the University may make rules consistent with this Act, statutes or the regulations, to regulate any matter relating to the affairs of the University 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 be made with the approval of the Syndicate.

CHAPTER VI

UNIVERSITY FUND

28. **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.

29. **Audits and accounts.**—(1) The Accounts of the University 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 University 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, institute 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, institute 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 statute.

(4) No expenditure shall be made from the funds of the University, 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 centre, subject to the authority to re-appropriate available funds to the head of the cost centre.

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

(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 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.

CHAPTER VII

GENERAL PROVISIONS

30. **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.

31. **Appeal to the Syndicate and the Senate.**—Where an order is passed punishing any officer other than the Vice-Chancellor or University teacher 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 Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate.

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

33. **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 at well as health and life insurance while in service.

(2) Where any provident fund has been constituted under this Act, its governing rules are to be approved by the Senate.

34. **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 such date as may be prescribed.

(2) Where a member who has accepted any other assignment without approval of the concerned official or for any other similar reason remains absent from the University for a period of not less than six months he shall be deemed to have resigned and vacated his seat.

35. **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.

36. **Flaws in the constitution of Authorities.**—In case of any 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 for any other similar reason, such flaw shall be removed in such manner as the Senate may direct.

37. **Proceedings of Authorities not to be 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 defacto member of the Authority, whether present or absent.

38. **First statutes and regulations.**—Notwithstanding anything to the contrary contained in this Act, the Senate shall make the first statutes and regulations which shall be deemed to have been made under section 25 and 26 of this Act.

39. **Transitory provision.**—(1) Notwithstanding the provisions of this Act, as regards the University set up on the commencement of this Act, the members of the first Senate, 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 Senate so constituted shall initiate, as soon as possible, the process for the recruitment of University Teachers and appointment of the members of the Syndicate and the Academic Council in accordance with the requirements of this Act.

(2) Notwithstanding the provisions of this Act, the first Vice-Chancellor shall be appointed by the Chancellor for a period of three years.

40. **Management of existing constituent colleges.**—(1) On the commencement of this Act, the existing Shifa College of Medicine and Shifa College of Nursing shall be deemed to be part of the University and terms and conditions of their employees shall not be less favourable than those admissible to them prior to establishment of the University.

(2) Without prejudice to the foregoing, everything done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships, studentship, or exhibitions instituted and orders issued under any instrument shall, if not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken, incurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under this Act.

41. **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 Chancellor who decides the same keeping in view the provisions of the Act, 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 Chancellor may direct after obtaining the views of the Senate.

42. **Indemniy.**—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 any thing which is done in good faith under this Act.

IFTIKHAR ULLAH BABAR,
Secretary.

PRINTED BY THE MANAGER, PRINTING CORPORATION OF PAKISTAN PRESS, ISLAMABAD.
PUBLISHED BY THE DEPUTY CONTROLLER, STATIONERY AND FORMS, UNIVERSITY ROAD, KARACHI.