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PART III

Other Notifications, Orders, etc.

SENATE SECRETARIAT

Islamabad, the 18th January, 2022

The following Bills were introduced in the Senate on 17th January, 2022:-

SENATE BILL NO. I OF 2022

A

BILL

further to amend the Code of Criminal Procedure, 1898

WHEREAS it is expedient further to amend the Code of Criminal Procedure, 1898 (V of 1898), in its application to the Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

Short title and commencement.—(1) This Act may be called the Code of Criminal Procedure (Amendment) Act, 2021.,

79(1—51)

Price: Rs. 80.00

[7115(2022)/Ex. Gaz.]

(2) It shall come into force at once.

2. **Amendment of section 4, Act V of 1898.**—In the Code of Criminal Procedure, 1898 (V of 1898), hereinafter referred to as the Code, in section 4,-

- (i) in paragraph (ma), the words “and includes a Special Judicial Magistrate” shall be omitted and for figure “14” the figure and alphabet “14A” shall be substituted,-
- (ii) after paragraph (u) the following new paragraph (v) shall be inserted, namely:

“(v) Summary Court” means the court established under section 14, of this Act.”

3. **Substitution of section 14, Act V of 1898.**—In the Code, for section 14, the following shall be substituted, namely:-

“14. **Summary Courts.**—(1) The Federal Government on the recommendation of Islamabad High Court, shall establish as many Summary Courts in Islamabad Capital Territory, as they may deem necessary, to try offences in respect to particular cases or to particular class or particular classes of cases, or in regard to cases generally in any local area.

- (2) Such courts shall be called Summary Courts and shall be established for such term as the Federal Government, may in consultation with the Islamabad High Court, by general or special order, direct“.

4. **Substitution of section 14A, Act V of 1898.**—In the Code, for section 14A, the following shall be substituted, namely:

“14A. **Appointment of Summary Court Magistrates.**—Notwithstanding anything contained in this Code or any other law for the time being in force or any judgment of any court including superior courts, the Federal Government, may designate any Judicial Magistrate exclusively for the trial of offences relating to price control under any law for the time being in force.

- (2) The Islamabad High Court in this behalf may, from time to time, define local areas within which such Judicial Magistrates may exercise all or any of the powers with which they may respectively be invested under any law relating to price control.“

5. **Amendment of section 408, Act V of 1898.**—In the Code, in section 408, the words and comma “Special Magistrate,” shall be omitted.

6. **Amendment of section 414A, Act V of 1898.**—In the Code, in section 414A, for the words, “Special Magistrate” the words “Judicial Magistrate” shall be substituted.

STATEMENTS OF OBJECTS AND REASONS

The Constitutions of Pakistan in Article 175(3) says “The Judiciary shall be separated progressively from Executive within fourteen years from commencing day“. The said Article guarantees independence and separation of the judiciary from the Executive Branch of the Government. Originally, the Constitution provided a period of three years for the separation but later the period was enhanced to fourteen years through Constitutional amendments. Yet there are certain provisions in the prevailing legal system compromising the spirit of the said Article, in which Special Judicial Magistrates are among them. The Special Judicial Magistrates being the executive are conferred with judicial power impedes the impartial administration of justice.

2. Amendments in various sections of Criminal Procedure Code seek to separate Judiciary from the Executive through substitution of the Special Judicial Magistrates with Judicial Magistrates designated for the trial of petty offences in the Summary Courts. Under the provision of section 14 and 14A of the Criminal Procedure Code, the Special Judicial Magistrates being representative of the executive, were empowered to exercise judicial functions and conduct summary trials of minor offences which are in contravention of the contours of separation of judiciary from the executive as safeguarded in the Constitution of Pakistan.

3. The bill seeks to achieve the above said purpose.

SENATOR IRFAN-UL-HAQ SIDIQI,
Member In Charge.

SENATE BILL NO. II OF 2022

A

BILL

further to amend the Guardians and Wards Act, 1890

WHEREAS it is expedient further to amend the Guardians and Wards Act, 1890 (VIII of 1890) in its application to the extent of Islamabad Capital Territory;

It is hereby enacted as follows:-

1. **Short title and commencement.**—(1) This Act may be called the Guardians and Wards (Amendment) Act, 2022.

(2) It shall come into force at once.

2. **Amendment of section 19, Act VIII of 1890.**—In the Guardians and Wards Act, 1890 (VIII of 1890), in section 19, after clause (a), the following new clause (aa) shall be inserted, namely:

“(aa) of a minor, other than a married female, whose father is either deceased or, in the opinion of the court, unfit to be guardian of the person of the minor and mother is living and is not, in the opinion of the court, unfit to be guardian of the minor:

Provided that the provisions of this clause shall not apply in any case where the mother marries to any other person; or.

STATEMENT OF OBJECTS AND REASONS

Law and Justice Commission of Pakistan in its annual report 2007-2009 proposed to amend Section 19 of the Guardians and Wards Act, 1890, as it excludes the mother despite having a right to lawful custody of the minor. Further, there is no provision regarding guardianship of the minor, whose father is either deceased or unfit to be guardian of the person of the minor and the mother is alive and in the opinion of the Court fit to be guardian. Hence, it is proposed that 'mother' should also be entitled to being appointed guardian of minor where father is either deceased or unfit to be guardian in the opinion of the Court.

SENATE BILL NO. III OF 2022

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Constitution (Amendment) Act, 202/.....

(2) It shall come into force at once.

2. **Amendment of Article 175A of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as “the Constitution“, in Article 175A, in clause (3), after the words “Chief Justice of Pakistan“ the words “and other Judges of the Supreme Court in accordance with their seniority which shall be determined with reference to their dates of appointment as a Judge of the. High Court and in case the dates of appointment are the same with reference to their age.“ shall be inserted.

3. **Amendment of Article 181 of the Constitution.**—In the Constitution, in Article 181, after the words “clause (1) of Article 177“ the words “and subject to confirmation by the Parliamentary Committee“ shall be inserted.

4. **Amendment of Article 182 of the Constitution.**—In the Constitution, in Article 182

(a) in paragraph (a) after the words “the President,“ the words “and subject to confirmation by the Parliamentary Committee“ be inserted; and

(b) in paragraph (b) after the words “require a Judge“ the words “or Chief Justice“ be inserted.

5. **Amendment of Article 183 of the Constitution.**—In the Constitution, in Article 183;

(a) in clause (1), the words, commas, figure and brackets “ , subject to clause (3),“ shall be omitted; and

(b) clause (3) shall be omitted.

6. **Amendment of Article 184 of the Constitution.**—In the Constitution, in Article 184, in clause (3), for the full-stop “.” at the end, a colon “:“ shall be substituted and thereafter the following provisos shall be inserted, namely:

“Provided that such an order shall be made by a bench of three judges of the Supreme Court and an appeal therefrom, filed within thirty days, shall be heard by a bench of five Judges of the Supreme Court to be decided within sixty days:

Provided further that if an appeal against an order under this Article has been made, the order appealed against shall not be implemented pending decision of the appeal.”

7. **Amendment of Article 195 of the Constitution.**—In the Constitution, in Article 195, for the words “sixty-two years“, the words “sixty-five years“ shall be substituted.

8. **Amendment of Article 196 of the Constitution.**—In the Constitution, in Article 196, for the words and comma “one of the other judges of the High Court, or may request one of the Judges of the Supreme Court“, the words “the senior most Judge of the High Court“ shall be substituted.

9. **Amendment of Article 197 of the Constitution.**—In the Constitution, in Article 197, in paragraph (c), after the words “the President may“, the words and comma “subject to confirmation by the Parliamentary Committee,“ shall be inserted.

10. **Amendment of Article 209 of the Constitution.**—In the Constitution, in Article 209, in clause (3), for the full-stop at the end “.” A colon “:“ shall be substituted and thereafter the following proviso shall be inserted, namely:

“Provided that the Council shall inquire into the capacity or conduct of a Judge to remain as such within a period of ninety days from the receipt of information from any source or the President of Pakistan and thereafter forward its report to the President in accordance with clause (6).“

STATEMENT OF OBJECT AND REASONS

The amendment in Article 175A pertains to the appointment of Judges to the Supreme Court which is purposed to be done in according with their seniority calculated from their date of appointment as a Judge of the High Court. Articles 181 and 182 have also been amended to ensure that the input of the Parliamentary Committee is present during the appointment of Acting and Ad-hoc Judges. The amendment in Article 183(1) updates the transitory provision and Article 183(3) has been omitted being now redundant. The amendment in

Article 184(3) provides a mechanism for an appeal against an order passed under the said Article. The amendment in Article 195 further removes the discrimination between the ages of retirement of a Supreme Court and High Court Judge. The amendments in Articles 196 and 197 provide for clarity in appointment of an acting Chief Justice and additional Judges and include the role of the Parliamentary Committee. The amendment in Article 209 provides for a time limit for the decision of the Supreme Judicial Council. All of the above is in furtherance of principles of policy to ensure a fair and organized system of Judicial Appointments and in turn to improve the Justice system in Pakistan.

SENATOR FAROOQ HAMID NAEK,
Member-In Charge.

SENATE BILL NO. IV OF 2022

A

BILL

further to amend the Constitution of the Islamic Republic of Pakistan

WHEREAS it is expedient further to amend the Constitution of the Islamic Republic of Pakistan, for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the Constitution (Amendment) Act, 2022.,

(2) It shall come into force at once.

2. **Amendment of Article 1 of the Constitution.**—In the Constitution of the Islamic Republic of Pakistan, hereinafter referred to as the Constitution, in Article 1, in clause (2), for paragraph (a) the following shall be substituted, namely:

“(a) the Provinces of Bahawalpur, Balochistan, Southern Punjab, Khyber Pakhtunkhwa, the Punjab and Sindh;

Explanation:—The Province of Bahawalpur shall comprise the existing administrative Division of Bahawalpur and the Province of

Southern Punjab shall comprise the existing administrative Divisions of Dera Ghazi Khan and Multan. The Bahawalpur, Dera Gahzi Khan and Multan Divisions shall stand excluded from the Province of Punjab.”

3. **Amendment of Article 51 of the Constitution.**—In the Constitution, in Article 51,

(a) in clause (3) for the table, the following shall be substituted, namely:-

	General seats	Women seats	Total seats
Bahawalpur	15	3	18
Balochistan	16	4	20
Khyber Pakhtunkhwa	45	10	55
Punjab	95	22	117
Sindh	61	14	75
Southern Punjab	31	7	38
Federal Capital	3	--	3
Total	266	60	326

(b) for clause (3A) the following shall be substituted, namely:-

“(3A) Notwithstanding anything contained in clause (3) or any other law for the time being in force the members of the National Assembly elected from the Federally Administered Tribal Areas in the general elections, 2018 and women elected on reserved seats from the Punjab to the National Assembly shall continue till dissolution of the on-going National Assembly and thereafter this clause shall stand omitted.”

4. **Amendment of Article 59 of the Constitution.**—(1) In the Constitution, in Article 59, in clause (1),

(a) for the words “ninety-six” the words “one hundred and forty-two” shall be substituted;

(b) in paragraph (f), for the word “four” the words “six” shall be substituted;

(2) in clause (3), in paragraph (f) and proviso thereto, for the word “two” occurring thrice, the word “three” shall be substituted.

(3) after clause (3A) the following new clauses (3B) and (3C) shall be inserted, namely:

“(3B) Notwithstanding the provisions of clause (3) or any other law for the time being in force, of the members elected by the Provincial Assemblies of the new Provinces of Bahawalpur and Southern Punjab,

- (a) Under paragraph (a), seven shall retire in March, 2024 and seven shall retire in March, 2027;
- (b) Under paragraph (d), two shall retire in March, 2024 and two shall retire in March, 2027;
- (a) Under paragraph (e), two shall retire in March, 2024 and two shall retire in March, 2027; and
- (d) Under paragraph (f), one shall retire in March, 2024 and one shall retire in March, 2027;

(3C) Notwithstanding the provision of clauses (1) and (3) or any other law for the time being in force. Members elected from the Province of the Punjab prior to the creation of the new Provinces of Bahawalpur and Southern Punjab shall complete their respective terms of the office and thereafter this clause and clause (35) shall stand omitted.”

5. Amendment of Article 106 of the Constitution.—In the Constitution, in Article 106,—

- (a) in clause (1), for tile Table the following shall be substituted, namely:-

	General seats.	Women	Non-Muslims	Total seats
Bahawalpur	31	7	1	39
Balochistan	51	11	3	65
Khyber Pakhtunkhwa	115	26	4	145
Punjab	202	45	5	252
Sindh	130	29	9	168
Southern Punjab	64	14	2	80

- (b) after clause (1) amended as aforesaid, the following new clause (1A) shall be inserted, namely:-

“(1A) Notwithstanding anything contained in clause (1) or any other law for the time being in force, members of the Provincial Assembly of the Punjab elected in the general elections, 2018 on reserved seats for women and Non-Muslims shall continue

till dissolution of the Provincial Assembly and thereafter this clause, including the proviso shall stand omitted:

Provided that a woman member or a Non-Muslim member elected on a reserved seat to the Provincial Assembly of the Punjab having a domicile in Bahawalpur or Southern Punjab Province may opt to be a member of the Provincial Assembly of that Province.”

6. Amendment of Article 154 of the Constitution.—In the Constitution, in Article 154, after. clause (1), the following new clauses shall be added, namely:—

“(1A) As and when new Province or territories are included -in the territories comprising Pakistan under Article 1, the. Council shall determine, within three months. The apportionment, distribution, adjustment, allocation and transfer among the Federal Government -and Provincial Government of the existing and new Provinces: or territories;

- (a) water and other natural resources;
- (b) present employees’ and future job bureaucracy;
- (c) physical, monetary and other assets and liabilities and rights; and
- (d) other ancillary matters.

(1B) The determination under clause (1) shall be based on recommendations of a national Commission for New Provinces comprising eminent and reputable technical, financial, legal and other experts to be constituted by the Speaker, National Assembly in consultation with Chairman Senate and Leaders of the House and Leaders of the Opposition, for this purpose and for consideration of proposals for new Provinces referred thereto by resolutions of the both Houses.”

7. Amendment of Article 175A of the Constitution.—In the Constitution, in Article 175A, after clause (6), the following new clause (6A) shall be inserted, namely:

“(6A) For initial appointment of the Chief Justice and Judges of the Bahawalpur and Southern Punjab High Courts, the Chief

Justice of the Lahore High Court shall also be a member of the Commission.”

8. **Amendment of Article 198 of the Constitution.**—In the Constitution, in Article 198,

(a) after clause (1A), the following new clause (16) shall be inserted, namely:

“(1B) The High Court for Bahawalpur shall have its principal seat at Bahawalpur, and the High Court for Southern Punjab shall have its principal seat at Multan.”

(b) in clause (3), For the words “each at Bahawalpur, Multan and” the word “at” shall be substituted.

9. **Amendment of Article 218 of the Constitution.**—In the Constitution, in Article 218, in clause (2), in sub-clause (b) for the word “four” the word “six” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

On 9th May, 2012, the Provincial Assembly of the Punjab had passed two separate Resolutions for the restoration of the Provincial status of Bahawalpur and creation of a new province of Southern Punjab. These Resolutions were supported by members from political parties on both sides of the House.

2. The people from the erstwhile state of Bahawalpur and from Southern Punjab continue to press for the establishment of new provinces of Bahawalpur and Southern Punjab respectively. This Constitutional amendment Bill seeks to meet their very genuine demand for restoring the provincial status of Bahawalpur (comprising the existing administrative division of Bahawalpur) and creating the province of Southern Punjab (Comprising the existing administrative divisions of Dera Ghazi Khan and Multan).

The Bill seeks to achieve the above objectives.

SENATOR RANA MAHMOOD UL HASSAN,
Member-In-Charge.

SENATE BILL NO. V OF 2022

A

BILL

to provide for establishment of Prime University of Nursing, Sciences and Technology (PUNST)

WHEREAS it is expedient in public interest to provide the provisions for the establishment of a Federal Chartered University, for the purposes hereinafter appearing;

It is enacted as follows:

**CHAPTER-I
PRELIMINARY**

1. **Short title, extent and commencement.**— (1) This Act may be called the Prime University of Nursing, Sciences and Technology (PUNST) Islamabad Act, 2021.,

(2) It shall extend to the Islamabad Capital Territory.

(3) 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 24;

(c) **“Advisor”** means Advisor to the Chairman of the University;

(d) **“Board of Directors”** means the Board of Directors (BoD) of the Prime Institute of Health Sciences (Private) Limited being a Limited Liability Partnership (LLP) registered under Section 32 of the Companies Ordinance 1984 (XLVII of 1984) with Securities and Exchange Commission of Pakistan vide Registration No. 0104397 dated 22-12-2016;

- (e) **“Board of Governors”** means Board of Governors of the University;
- (f) **“Chairman”** means Chairman of Prime University of Nursing, Sciences and Technology (PUNST) who shall also be the Chairman of Board of Directors of Prime Institute of Health Sciences (Private) Limited;
- (g) **“Chairperson”** means the Head of a Teaching Department;
- (h) **“College”** means a constituent educational institution by whatever name described, maintained and administered by the University;
- (i) **“Commission”** means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (j) **“Controller”** means Head of the Examination Department of the University;
- (k) **“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;
- (l) **“Department”** means a teaching department maintained and administered or recognized by the University in the manner prescribed;
- (m) **“Director”** means Head of an Institute established as a Constituent Institute / college by the University;
- (n) **“Executive Committee”** means Executive Committee of the University;
- (o) **“Faculty”** means an administrative and academic unit of the University consisting of one or more departments, as prescribed;
- (p) **“Government”** means the Federal Government of Pakistan;
- (q) **“Officer”** means an Officer of the University specified in section 8 of this Act;
- (r) **“Prescribed”** means prescribed by Statutes, Regulations and Rules made under this Act;

- (s) **“Patron”** means Patron of the University;
- (t) **“Pro-Rector”** means Pro-Rector of the University;
- (u) **“Principal”** means the head of a constituent college / Unit of the University;
- (v) **“Professor Emeritus”** means a retired Professor working in a Faculty in the capacity of an Emeritus Professor;
- (w) **“Representation Committees”** mean the Representation Committees constituted under section 32;
- (x) **“Review Panel”** means the Review Panel set up by the Patron or Chairman in accordance with the provisions of section 11;
- (y) **“Rector”** means the Rector of the University;
- (z) **“Registrar”** means Registrar of the University:
 - (i) **“Schedule”** means a Schedule to the Act;
 - (ii) **“Search Committee”** means the Search Committee set up by the Board of Governors under section 15;
 - (iii) **“Statutes”** “Regulations” and “Rules” mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
 - (iv) **“Sponsoring body”** means Prime Institute of Health Sciences (Private) Limited, (LLP);
 - (v) **“Teachers”** include Professors, Associate Professors, Assistant Professors lecturers-, Tutors engaged whole-time by the University or by a constituent College and such other persons as may be declared to be teachers by Regulations;
 - (vi) **“University”** means the Prime University of Nursing, Sciences and Technology (PUNST), Islamabad established under this Act;
 - (vii) **“University Teacher”** means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and
 - (viii) **“Vice Chairman”** means Vice-Chairman of the University.

CHAPTER-II
THE UNIVERSITY

3. **Establishment and Incorporation of the University.**— (1) There shall be established a University to be called the Prime University of Nursing, Sciences and Technology (PUNST) located at Islamabad, in the Private sector.

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

- (a) The Patron, Chairman, Vice-Chairman, the members Board of Governors, the members of Executive Committee, the Rector, the Deans and such other officers as may be prescribed;
- (b) The members of the authorities of the University established under section 24;
- (c) All University teachers 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 the Prime University of Nursing, Sciences and Technology (PUNST), Islamabad and shall have 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 terms of this act and the Higher Education Commission Ordinance, 2002 (LIII 2002). In particular, and without prejudice to the authority granted to the Commission by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Board of Governors in the annual budget of the University.

(6) All properties, rights and Interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in Private Limited Company by or for any of its constituent colleges shall pass to the University established under this Act.

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. Provided that in case of medical, engineering and other professional education, approval of the relevant Accreditation councils / forums shall be a pre-requisite;
- (ii) To prescribe courses of studies to be conducted by it and the constituent colleges;
- (iii) To hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;
- (iv) To prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to Government servants in general;
- (v) To engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;
- (vi) To confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (vii) To provide for such instruction for persons not being students of the University as it may prescribe, and to grant certificates and diplomas to such persons;
- (viii) To establish programmes for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (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 University, 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 University, Colleges and Institutes and to maintain halls of residence and to approve or license hostels and lodging;
- (xxi) To maintain order, discipline and security on the campuses of the University and the Colleges;
- (xxii) To promote the extra-curricular and recreational activities of such 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 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;
- (xxvii) To provide for the printing and publication of research and other works: and
- (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 University as a place of education, learning, and research.

5. **Head Office of the University.**— The head office of the University shall be at Islamabad, and it may set up any number of campuses, in Islamabad and abroad as the Board of Governors may determine and with prior approval of Higher Education Commission.

6. **University opens to all classes, creeds. Etc.**— (1) The University 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 University on the grounds of religion, race, caste, creed, class, colour or domicile.

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

(3) The University shall institute financial aid programmes for students in need; to the extent considered feasible by the Board of Governors given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay:

Provided that the University may institute self-finance schemes not covering more than ten percent of the total number of candidates in any on-campus taught course or research-based programme of study.

7. **Teaching at the University.**— (1) all recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.

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

CHAPTER-III OFFICERS OF THE UNIVERSITY

8. **Principal Officers.**—The following shall be the Principal Officers of the University, namely:

- (a) the Patron;
- (b) the Chairman;
- (c) the Vice Chairman;
- (d) the Rector;
- (e) the Advisor;
- (f) the Pro-Rectors;
- (g) the Deans;
- (h) the Principals of the constituent colleges;
- (i) the Chairpersons / Heads of the teaching and research departments;
- (j) the Registrar;
- (k) the Treasurer;
- (l) the Controller of Examinations; and

- (m) such other persons as may be prescribed by the Statutes or Regulations to be the principal officers of the University.

9. **Patron.**— (1) The President of Pakistan shall be the Patron of the University.

(2) The Patron shall, when present, preside at the convocation of the University or he/she may authorize the Chairman or any other person of eminence to preside over the convocation of the University.

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

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 the affairs of the University and shall, from time to time, direct any person or persons to inquire into or carry out inspection of:

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

(2) The Patron shall communicate to the Board of Governors his views with regard to the result of visitation and shall, after ascertaining the views of the Board of Governors, advise the Chairman on the action to be taken by it.

(3) The Chairman 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 Board of Governors 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 Board of Governors shall comply with all such directions.

11. **Chairman.**—(1) The Chairman of the University shall be

appointed by the Board of Directors for a renewable period of four (04) years, as the Board of Directors may determine.

(2) The Chairman shall, in absence of the Patron preside over the meetings of the Board of Governors and the Convocation of the University.

(3) The members of the Board of Governors as well as the Rector shall be appointed by the Chairman in the prescribed manner.

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

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

Provided that, if the Chairman is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he may after calling upon the Board of Governors to show cause in writing, appoint a five (05) member Review Panel to examine and report to the Chairman on the functioning of the Board of Governors. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration and the report of the Review Panel shall be submitted within such time as may be specified by the Chairman; and

- (b) As regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Board of Governors direct the Board of Governors to exercise powers under section 18.

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

- (a) has become of unsound mind; or
- (b) has become Incapacitated to function as member of the Board of Governors; or
- (c) has been convicted by a court of law for an offence involving moral turpitude; or

- (d) has absented himself from two consecutive meetings without just cause; or
- (e) has been guilty of misconduct, including use of position for personal advantage of any kind or gross inefficiency in the performance of functions.

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

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

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

13. **Vice-Chairman.**— (1) There shall be a Vice-Chairman 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 by the Board of Directors.

(2) The Vice Chairman shall preside over at the convocation of the University and meeting of Board of Governors in the absence of the Chairman.

(3) In the absence of Chairman, the Vice Chairman shall exercise powers of Chairman.

14. **Rector.**— (1) There shall be a Rector 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 by the Board of Governors.

(2) The Rector shall be the Chief Executive Officer (CEO) of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of the Act, Statutes, Regulations and Rules are faithfully observed in order to promote the general efficiency and good, order of the University. The Rector shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University and entrusted to him by the Patron, the Board, the Committee and the Council.

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

(4) The Rector may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Rector, take such action and forward, within seventy two hours, a Report of the action taken is provided to the members of the Emergency Committee of the Board of Governors, to be set up by the Statute. The Emergency Committee may direct such further action as is considered appropriate.

(5) The Rector 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 Board of Governors for an unforeseen item not provided for in the budget and report it to the Board of Governors at the next meeting;
- (c) 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 Board of Governors;
- (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 Rector shall preside at the convocation of the University in the absence of the Vice Chairman.

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

- (a) academics;

- (b) research;
- (c) administration: and
- (d) finances.

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

15. Appointment and Removal of the Rector.—

(1) The Rector shall be appointed by the Chairman on the basis of recommendations made by the Board of Governors.

(2) A Search Committee for the recommendation of persons suitable for appointment as Rector, shall be constituted by the Board of Governors on the date and in the manner prescribed by the Statutes and shall consist of Two eminent members of society nominated by the Chairman of whom one shall be appointed the Convener, Two members of the Board of Governors, Two distinguished University Teachers who are not members of the Board of Governors and One academic of eminence not employed by the University. The Two distinguished University Teachers shall be selected by the Board of Governors through a process, to be prescribed by Board of Governors 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 Rector has been made by the Chairman.

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

Provided that the Chairman 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 Chairman, the Search Committee shall make a proposal to the Board of Governors in the prescribed manner.

(4) The Rector shall be appointed for a renewable tenure of four (04) years on terms and conditions prescribed by Statute. The tenure of an incumbent Rector shall be renewed by the Chairman on receipt of a Resolution of the Board of Governors in support of such renewal only once:

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

(5) The Board of Governors may, pursuant to a Resolution, in this behalf passed by three-fourths of its membership, recommend to the Chairman the removal of the Rector 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 Chairman may make a reference to the Board of Governors stating the Instances of Inefficiency, moral turpitude or physical or mental Incapacity or gross misconduct on the part of the Rector that have come to his notice. After consideration of the reference, the Board of Governors may pursuant to a resolution in this behalf passed by two-thirds of its membership recommend to the Chairman the removal of the Rector:

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

(6) A Resolution recommending the removal of the Rector shall be submitted to the Chairman forthwith. The Chairman may accept the recommendation and order removal of the Rector or return the recommendation to the Board of Governors.

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

16. **Advisor.**—The Advisor to Chairman BOG shall be appointed by the Chairman for a period of four years for further extendable of another term on such terms and conditions as determined by Chairman. Advisor shall advise the Chairman BOG on following issues:

- i. To advise Chairman BOG on academic and operational issues
- ii. To advise on support and encourage the board member in carrying out the vision, mission and values of the institution.
- iii. To advise Chairman BOG for proper conduct of the Board's Business and regarding meetings of the Board of Governors.

17. **The Pro-Rector (Administration and Finance).**—(1) There shall be a Pro-Rector (Administration and Finance) of the University and shall be appointed on such terms and conditions as may be prescribed by the Board of Governors.

(2) Subject to the overall supervision of the Rector, the Pro-Rector (Administration and Finance) shall be in charge of the administrative and financial affairs of the University and shall formulate and recommend to the committee, the council and Rector for approval of rules and regulations relating to financial and administrative matters of the University:

(3) The Pro-Rector (Administration and Finance) shall have following power:

- (a) To liaise with government, agencies, local bodies and other authorities in connection with financial and administrative affairs of the University;
- (b) To administer the financial resources of the University;
- (c) To administer the residences of the students, teachers, and other staff members of the University;
- (d) To supervise the extra-curricular and recreational activities of the University including the matters of the health and general welfare;
- (e) To maintain discipline in the University;
- (f) To sanctions expenditures provided for the approved budget in accordance with the rules;
- (g) To perform such other functions and exercise such other powers as may be entrusted to delegated to him by the Board, the committee, the council or the Rector; and
- (h) To delegate any of his power to appropriate level of management subject to such conditions as may deem fit.

18. **The Pro-Rector (Academics and Research).**—(1) There shall be a Pro-Rector (Academics and Research) of the University and shall be appointed on such terms and conditions as may be prescribed by the Board of Governors.

(2) The Pro-Rector (Academic and Research) shall assist the Rector on matters relating to teaching, research academic program, extension and other development projects.

(3) Subject to the overall supervision of the Rector, he / she shall formulate and recommend to the committee or the council for approval rules and regulations relating to the academic and research matters of the University

(4) The Pro-Rector (Academics and Research) shall have following powers:

- (a) To liaise with other universities, learning institutions, industry and research organization for apprenticeship and placement of the students, training of the teachers and other academic and research activities;
- (b) To submit recommendations to the council on the courses of study to be taught In the University giving due consideration to the advice of the advisory board constituted for the purpose;
- (c) To supervise the admission of the students, to the courses of the study and examination of the University;
- (d) To co-ordinate the award of fellowships, stipends, medals, and prizes;
- (e) To arrange convocations;
- (f) To make such arrangements of the scrutiny of the papers marks and results as he may consider necessary;
- (g) To co-ordinate the teaching and the research work of the schools or faculties of the University;
- (h) To control and manage the publications and circulation of periodicals magazines, journals, and books and dissemination of scientific technological and other related Information;
- (i) To perform such other functions and exercise such other powers as may be entrusted or delegated to him by the board, the committee, the council or the rector and; and
- (j) To delegate any of his/her power(s) to appropriate level of management subject to such conditions as may deem fit.

19. **Dean.**— (1) There shall be a Dean of each faculty/Institution or center to be appointed by the Board of Governors on recommendation of the Rector, on such terms and conditions as may be prescribed.

(2) The Dean shall be In-charge of the faculty and shall assist the Rector on the matters related to teaching, research, academic program and extension of other development projects.

(3) Subject to overall supervision of the Rector, the Dean shall formulate and recommend to the Academic Council, rules and regulations relating to academic and research matters of the faculty.

(4) The Dean shall also have the following powers, namely;

- (a) to collaborate with universities, industry and other research organizations;
- (b) to formulate recommendations to the Academic Council on the courses of study to be taught in different departments of the faculty;
- (c) to co-ordinate the award of fellowships, stipends, medals and prizes;
- (d) to co-ordinate the teaching and research work of the faculty;
- (e) to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board or the Rector; and
- (f) to delegate any of his powers to appropriate levels of management subjects to such conditions as he may deem fit.

20. **Registrar.**— (1) There shall be a Registrar of the University to be appointed by the board of Governors on the recommendation of the Rector, on such terms and conditions as May be prescribed.

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

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

- (a) be the administrative Head of the secretariat of the University and be responsible for the provision of secretariat support to the Authorities of the University;
- (b) be the custodian of the common seal and the academic records of the University;
- (c) maintain a register of registered graduates in the prescribed manner;
- (d) supervise the process of election, appointment or nomination of

members to the various authorities and other bodies in the prescribed manner; and

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

(4) The term of office of the Registrar shall be a renewable period of three (03) years:

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

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

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

(3) The Treasurer shall be the Chief Financial Officer (CFO) of the University and shall,-

- (a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;
- (b) prepare the annual and revised budget estimates of the University and present them to the Executive Committee or a committee thereof for approval and incorporation in the budget to be presented to the Board of Governors;
- (c) ensure that the funds of the University are expended on the purposes for which they are provided;
- (d) have the accounts of the University audited annually so as to be available for submission to the Board of Governors within six months of the close of the financial year, and
- (e) perform such other duties as may be prescribed.

(4) The term of office of the Treasurer shall be a renewable period of three (03) years:

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

22. **Controller of Examinations.**— (1) There shall be a Controller of Examinations, to be appointed by the Board of Governors on the recommendation of the Rector 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 matters connected with the conduct of examinations and perform such other duties as may be prescribed.

(4) The Controller of Examinations shall be appointed for a renewable term of three (03) years, Provided that the Board of Governors may on the advice of the Rector, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

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

- (a) Provide strategic leadership and guidance to the University;
- (b) Determine policy framework for investment of unapplied income of the University in securities and acquisition of Immovable property;
- (c) Appointment of the Chairman and Voice Chairman and determine the terms and conditions of his / her appointment and removal; and
- (d) Hire a firm of Chartered Accountants for audit of the University accounts.

CHAPTER-IV AUTHORITY OF THE UNIVERSITY

24. **Authorities.**— (1) The following shall be the Authorities of the University namely;—

- (a) Authorities established by the Act,—
 - i. the Board of Governors:
 - ii. the Executive Committee:

- iii. the Academic Council: and
- iv. the Board of Advance Study and Research.
- (b) Authorities to be established by the Statutes,—
 - i. Board of Studies;
 - ii. Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff whether at the level of the department, the Faculty or the University;
 - iii. Search Committee for the appointment of the Rector;
 - iv. Quality Enhancement Cell (QEC);
 - v. Finance and Planning Committee;
 - vi. Discipline Committee;
 - vii. the Representation Committees for appointment to the Board of Governor, the Executive Committee and the Academic Council;
 - viii. Faculty Council; and
 - ix. Departmental Council.

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

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

- (a) the Chairman who shall be the Chairperson of the Board of Governors;
- (b) the Vice Chairman;
- (c) the Rector;

- (d) the Pro Rector (Admin and Finance);
- (e) Nominee of Federal Government not below the rank of Additional Secretary of the Federal Ministry dealing with the subject of education;
- (f) One Member of the sponsoring body Prime Institute of Health Sciences (Private) Limited.
- (g) 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 and technology and engineering such that the appointment of these persons reflects a balance across the various fields:

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

- (h) one person from amongst the alumni of the University;
- (i) 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;
- (j) four University Teachers; and
- (k) one person nominated by the Commission.

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

(3) All appointments to the Board of Governors shall be made by the Chairman. Appointments of persons described in clauses (h) to (i) 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 32 and in accordance with procedure as may be Prescribed:

Provided that effort shall be made, without compromising on quality or qualification to give fair representation to women on the Board of Governors. Provided that as regards the University, Teachers described in clause (j) of sub-

section (1) the Board of Governors shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University Teachers. Provided also that the Board of Governors may alternatively prescribe that appointment of University Teachers to the Board of Governors shall also be in the manner provided by this sub-section for the persons described in clauses (h) to (I) of sub-section (1).

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

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

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

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

(6) Service on the Board of Governors shall be on honorary basis: Provided that actual expenses may be reimbursed as prescribed.

(7) The Registrar shall be the Secretary of the Board of Governors.

(8) In the absence of the Chairman, meetings of the Board of Governors shall be presided over by the Vice Chairman. Whereas, in case of absence of Vice Chairman the meeting shall be presided by such member, not being an employee of the University or the Government, as the Chairman may, from time to time, nominate. The member so nominated shall be the convener of the Board of Governors.

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

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

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

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

- (a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
- (b) to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
- (d) to approve the appointment of the Deans, Professors. Associate Professors and such other senior faculty and senior administrators as may be prescribed;
- (e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;
- (f) to approve strategic plans;
- (g) to approve financial resource development plans of the University;
- (h) to consider the drafts of Statutes and Regulations proposed by the Executive Committee and the Academic Council and deal with them in the manner as provided for in sections 35 and 36, as the case may be:

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

- (i) to annul by order in writing the proceedings of any Authority or officer If the Board of Governors is satisfied that such proceedings are not in accordance with the provisions of the Act. Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;
- (j) to recommend to the Chairman removal of any member of the Board of Governors in accordance with the provisions of the Act;
- (k) to make appointment of members of the Executive Committee, other than *ex officio* members, in accordance with the provisions of the Act;
- (l) to make appointment of members of the Academic Council, other than *ex officio* members, in accordance with the provisions of the Act;
- (m) to appoint eminent Professors on such terms and conditions as may be prescribed;
- (n) to remove any person from the membership of any Authority if such person:
- (o) has become of unsound mind: or
- (p) has become incapacitated to function as member of such Authority: or
- (r) has been convicted by a court of law for an offence involving moral turpitude: and
- (s) to determine the form provide for the custody and regulate the use of the common seal of the University.

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

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

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

- (a) the Rector; who shall be its Chairperson;
- (b) the Pro-Rectors;
- (c) the Advisor;
- (d) the Deans of the Faculties of the University;
- (e) three professors from different Departments, who are not members of the Board of Governors, to be elected by the University Teachers in accordance with procedure to be prescribed by the Board of Governors;
- (f) Principals of the constituent colleges;
- (g) the Registrar;
- (h) the Treasurer; and
- (i) the Controller of Examinations.

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

(3) As regards the three professors described in clause (e) of subsection (1) the Board of Governors may as an alternative to elections, prescribe a procedure for proposal of a panel of_ names, by the Representation Committee setup in terms of Section 32. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Rector.

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

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

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

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

- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Board of Governors;
- (b) to transfer and accept transfer of movable property on behalf of the University;
- (c) to enter into, vary, carry out and cancel contracts on behalf of the University;
- (d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (e) to invest any money belonging to the University including any unapplied income in any of the securities described in the Companies Act, 2017 (MX of 2017), or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
- (f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
- (g) to administer any funds placed at the disposal of the University for specified purposes;
- (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
- (i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (j) to recommend to the Board of Governors for admission of educational institutions to the privileges of the University and withdraw such privileges;
- (k) to arrange for the inspection of colleges and the departments;
- (1) to establish Professorships, Associate Professorships, Assistant Professorships, lectureships, and other teaching posts or to suspend or to abolish such posts;

- (m) to create, suspend or abolish such administrative or other posts as may be necessary;
- (n) to prescribe the duties of officers, teachers and other employees of the University;
- (o) to report to the Board of Governors on matters with respect to which it has been asked to report;
- (p) to appoint members to various Authorities In accordance with the provisions of the Act;
- (q) to propose drafts of Statutes for submission to the Board of Governors;
- (r) to regulate the conduct and discipline of the students of the University;
- (s) to take actions necessary for the good administration of the University In general and to this end exercise such powers as are necessary;
- (t) to delegate any of its powers to any Authority or officer or a committee; and
- (u) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

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

- (a) the Rector; who shall be its Chairperson;
- (b) the Advisor;
- (c) the Pro-Rector (Academics and Research);
- (d) the Deans of Faculties and such Heads of departments as may be prescribed;
- (e) all Chairpersons/Heads of the department;
- (f) five members representing the departments, University and the constituent colleges to be elected in the manner prescribed by the Board of Governors;

- (g) five Professors Including Emeritus Professors;
- (h) the Registrar;
- (i) the Controller of Examinations; and
- (j) the Librarian.

(2) The Board of Governors shall appoint the members of the Academic Council, other than the ex officio and the elected members, on the recommendation of the Rector:

Provided that as regards the five professors and the members representing the departments, University and the constituent colleges the Board of Governors may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of Section 32. Appointment of persons proposed by the Representation Committee may be made by the Board of Governors on the recommendation of the Rector.

(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.

31. Powers and functions of the Academic Council.—(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of the 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 University and the colleges.

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

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

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

32. **Representation Committees.**—(1) There shall be a Representation Committee constituted by the Board of Governors through Statute for recommendation of persons for appointment to the Board of Governors in accordance with the provisions of Section 25.

(2) There shall also be a Representation Committee constituted by the Board of Governors through Statute for the recommendation of persons for appointment to the Executive Committee and the Academic Council in accordance with the provisions of Sections 28 and 30.

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

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

- (c) one person from the academic Community, not employed by the University, at the level of professor or college principal to be nominated by the University Teachers in the manner prescribed; and
 - (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Board of Governors.
- (4) The Representation Committee for appointments to the Executive Committee and the Academic Council shall consist of the following:
- (a) two members of the Board of Governors who are not University Teachers.
 - (b) three persons nominated by the University Teachers from amongst themselves in the manner prescribed;
- (5) The tenure of the Representation Committees shall be three years: Provided that no member shall serve for more than two consecutive terms.
- (6) The procedures of the Representation Committees shall be as may be prescribed.
- (7) There may also be such other Representation Committees set up by any of the other Authorities of the University as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the University.

33. **Board of Studies.**—(1) The Board of Advance Studies and Research (BASAR) shall consist of,

- (a) Rector;
- (b) Pro-Rectors;
- (c) All the deans;
- (d) One University professor from each faculty other than dean to be appointed by the Board;
- (e) One member nominated by the Chairman; and
- (f) Three members from the relevant research organizations and

Government department to be nominated by the board of Governors.

(2) The Registrar shall be the Secretary of Board of Advanced Studies and Research. The term of the members of Board of Advanced Studies and Research (BASAR) other than the ex-officio member shall be three years and the quorum will be one-half of total number of members.

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

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

CHAPTER-V **STATUTES REGULATIONS AND RULES**

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

- (a) the contents of and the manner in which the annual report to be presented by the Rector before the Board of Governors shall be prepared;
- (b) the University fees and other charges;
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (e) the maintenance of the register of registered graduates;
- (f) admission of educational Institutions to the privileges of the University and the withdrawal of such privileges;
- (g) the establishment of Faculties, Departments, University, Colleges and other academic divisions:

- (h) the powers and duties of officers and teachers;
- (i) conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (j) conditions for appointment of Emeritus Professors and award of honorary degrees;
- (k) efficiency and discipline of University employees;
- (1) the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;
- (m) the constitution and procedure to be followed by the Search Committee for appointment of the Rector;
- (n) constitution, functions and powers of the Authorities of the University; and
- (o) all other matters, which by this Act are to be or may be prescribed or regulated by Statutes.

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

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

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

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

- (a) the courses of study for degrees, diplomas and certificates of the University;

- (b) the manner in which the teaching referred to in sub-section (1) of section 7 shall be organized and conducted;
- (c) the admission and expulsion of students to and from the University;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;
- (e) the conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;
- (g) the Institution of fellowships, scholarships, exhibitions, medals and prizes;
- (h) the use of the Library;
- (i) the formation of Faculties, Departments and Board of studies; and
- (j) all other matters, which by the Act or the Statutes are to be or may be prescribed by Regulations.

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

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

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

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

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

CHAPTER-VI UNIVERSITY FUND

39. **University fund.**— (1) 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.

(2) No contribution, donation or grant, which may directly or, indirectly involve any immediate or subsequent financial liability for the University, shall be accepted without prior approval of the Board.

40. **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/University and all other bodies designated as such by the Executive Committee in terms of Statutes shall be independent cost centers of the University with authority vested in the Head of each Cost Center 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 Center 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 University through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by Statute, to the teaching department, constituent college or other unit for its development. A part of the funds so generated may be shared with the University Teachers or researchers in charge of the

43. **Service of the University.**— (1) The University may employ such persons in its service as may be necessary, on such terms and conditions as may be determined by the Board of Governors.

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

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

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

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

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

STATEMENT OF OBJECTS AND REASONS

The object of the establishment of "Prime University of Nursing, Sciences & Technology (PUNST), Islamabad" is to promote and disseminate the knowledge and technology and to provide education, training, research, demonstration and scholarship in such branches of learning, as it may determine. For this purpose, the application and advancement as well as dissemination of knowledge by employing information technology including satellite television, internet etc. or through conventional and innovative methods in the fields of nursing & midwifery sciences, allied health sciences, social sciences, management sciences, literature & linguistics, information technology and computer sciences, and such other disciplines from the fields of natural sciences as it may determine, shall be applied and introduced. To determine courses for study at the under graduate level in its constituent units as well as in its affiliated institutions, centers and colleges, expertise of the high-level persons and institutions shall be obtained and liaison with other research or academic organizations shall be made to achieve the targets. Further, Industry and the relevant organizations or Institutions to promote public private partnership, Innovation and research, development, industrialization for the purpose of education, training and development shall be made. The University shall be opened to all persons of either gender and of whatever religion, race, creed, class, colour or domicile who qualify for the admissions as set forth in the rules and regulations and the criteria and the policy maintained by the body and no person shall be denied privileges of the University on the ground of religion race, caste, creed, class colour or domicile. The objects and reasons would serve for the establishment of university.

Since there is a substantial need for Nurses, Midwives & Allied Health Sciences Professionals (AHSP) in the Country, the proposed Bill contains the following:

The Bill has been devised to achieve the aforementioned purpose.

SENATOR NASEEBULLAH BAZAI,
Member-in-Charge.

SENATE BILL NO. VI OF 2022

A

BILL

further to amend the Children (Pledging of Labour) Act, 1933

WHEREAS it is expedient further to amend the Children (Pledging of Labour) Act, 1933 (II of 1933) in its application to the extent of Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the Children (Pledging of Labour) (Amendment) Act, 2021...

(2) It shall come into force at once.

2. **Substitution of section 4, Act II of 1933.**—In the Children (Pledging of Labour) Act, 1933 (II of 1933), hereinafter referred to as the said Act, for section 4, the following shall be substituted, namely:-

“4. Penalty for parent or guardian making agreement to pledge the labour of a child.- Whoever, being the parent or guardian of a child, makes an agreement to pledge the labour of that child, shall be punishable with fine which shall not be less than twenty thousand rupees and may extend to fifty thousand rupees.”

3. **Substitution of section 5, Act II of 1933.**—In the said Act, for section 5, the following shall be substituted, namely:

“5. Penalty for making with a parent or guardian an agreement to pledge the labour of a child.- Whoever makes with the parent or guardian of a child an agreement whereby such parent or guardian pledges the labour of the child shall be punishable either with fine which shall not be less than one hundred thousand rupees and may extend to five hundred thousand rupees or with imprisonment which shall not be less than one month and may extend to three months, or with both, and in case of second or subsequent conviction, either with fine which shall not be less than five hundred thousand rupees and may extend to one million rupees or with imprisonment which shall not be less than six months and may extend to two years, or with both.”

4. **Substitution of section 6, Act II of 1933.**—In the said Act, for section 6, the following shall be substituted, namely:

“6. **Penalty for employing a child whose labour has been pledged.**- Whoever, knowing or having reason to believe that an agreement has been made to pledge the labour of a child, in furtherance of such agreement employs such child, or permits such child to be employed in any premises or place under his control, shall be punishable either with fine which shall not be less than one hundred thousand rupees and may extend to five hundred thousand rupees or with imprisonment which shall not be less than three months and may extend to six months, or with both, and in case of second or subsequent conviction, either with fine which shall not be less than five hundred thousand rupees and may extend to one million rupees or with imprisonment which shall not be less than one year and may extend to two years, or with both.”

STATEMENT OF OBJECTIVES AND REASONS

The deterrence provided in the existing law to restrain and get rid of the social evil of child labour has unfortunately failed to control it effectively. In order to have better oversight mechanism, the penalties in the law are required to be enhanced for effective control of child labour.

2. This Bill is designed to achieve the above objectives.

SENATOR SHAHADAT AWAN,
Member-In-Charge.

SENATE BILL NO. VII OF 2022

A

BILL

*further to amend the Establishment of the Office of Wafaqi Mohtasib
(Ombudsman) Order, 1983*

WHEREAS it is expedient further to amend the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983 (I of 1983), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. **Short title and commencement.**—(1) This Act may be called the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) (Amendment) Act, 2022,

(2) It shall come into force at once.

2. **Amendment of Article 2, Order I of 1983.**—In the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983 (I of 1983), hereinafter referred to the said Order, in Article 2, after clause (1), the following new clause shall be inserted, namely:—

“(1a) **“District Mohtasib office” means the office set up under Article 9(4);**”

3. **Amendment of Article 9, Order I of 1983.**—In the said Order, in Article 9, for clause (4), the following shall be substituted, namely:—

“(4) **The Mohtasib shall set up District Mohtasib offices in every district, all across Pakistan.**”

STATEMENT OF OBJECTS AND REASONS

Ombudsman has the power to undertake an investigation into any allegation of mal-administration filed by an aggrieved person, on part of any agency or any of its officers or employees and thereafter to pass an order to redress the grievance. Wafaqi Mohtasib, under the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983, is established to provide relief to

the people aggrieved by mal-administration of Federal agencies throughout Pakistan. However, while providing the jurisdiction clause *vide* Article-9 of the Order, it has been made discretionary for the Mohtasib, to establish regional offices of Wafaqi Mohtasib, that may lead to administrative glitch for the provision of justice. This amendment aims at providing mandatory clause regarding establishment of the regional/district offices of Wafaqi Mohtasib, throughout Pakistan, to meet the needs of people and expedite the provision of relief.

SENATOR MOHAMMAD ABDUL QADIR
SENATOR PRINCE AHMED UMER AHMEDZAI
Members- In-Charge.

MAJOR (R) SYED HASNAIN HAIDER,
Acting Secretary.