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PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

*Islamabad, the 4th May, 2011*

The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 29th April, 2011, is hereby published for general information:—

ACT NO. X OF 2011

*An Act to provide for reconstitution of the Pakistan Institute of Fashion and Design, Lahore*

WHEREAS it is expedient to provide for reconstitution of the Pakistan Institute of Fashion and Design, Lahore with the powers to award degrees and for the matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

**CHAPTER-I**

**PRELIMINARY**

1. **Short title and commencement.**—(1) This Act may be called the Pakistan Institute of Fashion and Design Act, 2011.

(91)

(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 Institute;
- (b) “Authority” means any of the Authorities of the Institute specified in terms of section 15;
- (c) “Chancellor” means the Chancellor of the Institute;
- (d) “college” means a constituent college;
- (e) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (f) “Dean” means the head of a Faculty or the head of an academic body granted the status of a Faculty under this Act or by the statutes or regulations;
- (g) “Department” means a teaching department maintained and administered or recognized by the Institute in the manner prescribed;
- (h) “Deputy Chairperson” means the Pro-Chancellor of the Institute;
- (i) “Faculty” means an administrative and academic unit of the Institute consisting of one or more departments, as prescribed;
- (j) “Government” means the Federal Government;
- (k) “Institute” means the Pakistan Institute of Fashion and Design, Lahore, reconstituted under section 3;
- (l) “Institute teacher” means a whole-time teacher appointed and paid by the Institute, or recognized by the Institute as such;
- (m) “prescribed” means prescribed by statutes, regulations or rules made under this Act;
- (n) “Principal” means the head of a college;
- (o) “Representation Committees” means the Representation Committees constituted under section 23;
- (p) “Review Panel” means the Review Panel set up by the Chancellor in accordance with the provisions of section 8;

- (q) "Search Committee" means the Search Committee set up by the Senate under section 11;
- (r) "Senate" means the Senate of the Institute;
- (s) "statutes", "regulations" and "rules" means respectively the statutes, the regulations and the rules made under this Act and for the time being in force;
- (t) "Syndicate" means the Syndicate of the Institute;
- (u) "teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute or by a constituent college and such other persons as may be declared to be teachers by regulations; and
- (v) "Vice-Chancellor" means the Vice-Chancellor of the Institute.

## CHAPTER-II

### THE INSTITUTE

3. **Incorporation of the Institute.**—(1) The Pakistan Institute of Fashion and Design, Lahore shall, from the date of publication in the official Gazette of notification in this behalf, stand reconstituted as the Pakistan Institute of Fashion and Design having degree awarding status.

(2) The Institute shall consist of—

- (a) the Chancellor, the Pro-Chancellor, the members of the Senate and the Vice-Chancellor;
- (b) the members of the Authorities of the Institute established under section 15;
- (c) all Institute teachers and persons recognized as students of the Institute in accordance with terms prescribed from to time; and
- (d) all other full-time officers and members of the staff of the Institute.

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

(4) The present regular or full time employees of the Institute shall continue to be employed under this Act under existing terms and conditions not less favourable than those prevailing at present.

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

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

(7) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in trust by or for the Institute and liabilities legally subsisting against the Institute shall pass to the Institute reconstituted under this Act.

(8) The Institute shall follow the guidelines and policy directives, as the Federal Government may issue, from time to time, for achieving the purposes of this Act.

4. **Powers and purposes of the Institute.**—The Institute shall have the following powers and purposes, 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 Institute and to lay down terms and conditions that may be different from those applicable to Government servants in general;
- (v) to engage, where necessary, persons on 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 Institute as it may prescribe, and to grant certificates and diplomas to such persons;
- (viii) to institute programs for the exchange of students and teachers between the Institute and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (ix) to provide career counseling and job search services to students and alumni;
- (x) to maintain linkages with alumni;
- (xi) to develop and implement fund-raising plans;
- (xii) to provide and support the academic development of the Faculty;
- (xiii) to confer degrees on persons who have carried on independent research under prescribed conditions;
- (xiv) to accept the examinations passed and the period of study spent by students of the Institute at other universities and places of learning equivalent to such examinations and periods of study in the Institute, as it may prescribe, and to withdraw such acceptance;
- (xv) to co-operate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- (xvi) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
- (xvii) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xviii) to recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the Institute or such other persons as it may deem fit, as Institute 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, colleges, faculties, institutes, 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;
- (xxi) to provide for the residence of the students of the Institute and the constituent colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxii) to maintain order, discipline and security on the campuses of the Institute and the constituent colleges;
- (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 objects 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 Institute and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxviii) to provide for the printing and publication of research and other works;
- (xxix) to make rules, regulations and statutes for the Institute; and
- (xxx) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the Institute as a place of education, learning and research.

5. **Institute open to all classes, creeds, etc.**—(1) The Institute shall be open to all persons of either sex of whatever religion, race, caste, class, creed,

colour or domicile who qualify for admission to the courses of study offered by the Institute based on the criteria and policy determined by the Senate, and no such person shall be denied the privileges of the Institute on the ground only of sex, religion, race, caste, class, creed, colour or domicile.

(2) An increase in any fee or charge that is in excess of ten *per cent 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 Senate

(3) The Institute shall initiate financial aid programs for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the Institute and the various opportunities provided by it to be based on merit rather than ability to pay:

Provided that the Institute may initiate self-finance schemes covering not more than ten *per cent* of the total number of candidates in any campus taught course or research-based program of study.

**6. Teaching and examination at the Institute.**—(1) All academic programs of the Institute shall be conducted in the prescribed manner and the Senate shall ensure that the courses of study, the curriculum and the practical work at the Institute are comparable in standard with other similar institutions.

(2) All recognized teaching in various courses shall be conducted by the Institute or a college 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.

(3) The authority responsible for organizing recognized academic programs shall be such as may be prescribed.

(4) The Institute shall associate internal and external examiners in the conduct of examinations.

(5) No degree shall be granted unless a student has passed an examination in Islamic and Pakistan Studies, or, in the case of a non-Muslim student, in Ethics and Pakistan Studies.

### CHAPTER-III

#### OFFICERS OF THE INSTITUTE

**7. Officers.**—The following shall be the officers of the Institute, namely:—

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) the Deans;
- (e) the Principals of the colleges;
- (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 officers of the Institute.

8. **Chancellor and Pro-Chancellor.**—(1) The President of Pakistan shall be the Chancellor of the Institute and the Chairperson of the Senate.

(2) The Chancellor shall, when present, preside at the meetings of the Senate and the convocation of the Institute. In the absence of the Chancellor, the Senate may request a person of eminence to preside over the convocation of the Institute.

(3) The Federal Minister for Commerce or as, the case may be, the Minister-in-Charge of the administrative Ministry, shall be the Pro-Chancellor of the Institute and Deputy Chairperson of the Senate.

(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 the provisions of this Act and the statutes, as the case may be.

(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 Institute 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 18.

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 an opportunity of being heard:

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

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

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

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be set up by 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 Institute to take up such assignments in connection with examination, administration and such other activities in the Institute as he may consider necessary for the purposes of the Institute;
- (b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an 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 Institute 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 Institute 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 Institute; 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 shall make available annual report, prior to its presentation before the Senate, to all officers and Institute teachers and it 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 statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed the convener, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academic of eminence not employed by the Institute. The two distinguished Institute teachers shall be selected by the Senate through a process, to be prescribed by statute that provides for the recommendation of suitable names by the Institute 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 of the Institute 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 or physical or mental incapacity or gross misconduct, including misuse of position for personal advantages of any kind:

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

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

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

(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 Institute 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 Institute and shall—

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

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

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

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

Provided that the Senate may, on 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 Institute 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 and the professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

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

(a) manage the assets, liabilities, receipts, expenditures, funds and investments of the Institute;

(b) prepare the annual and revised budget estimates of the Institute and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;

(c) ensure that the funds of the Institute are expended on the purposes for which they are provided;

(d) have the accounts of the Institute audited annually so as to be available for submission to the Senate within six months of the close of the financial year; and

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

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

Provided that the Senate may, on 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 Institute and shall be responsible for all matters connected with the conduct of examinations and to 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 INSTITUTE

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

(a) Authorities established by this Act:—

(i) the Senate;

(ii) the Syndicate; and

(iii) the Academic Council; and

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

(i) Graduate and Research Management Council;

(ii) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level of the department, the Faculty or the Institute;

(iii) Career Placement and Internship Committee of each Faculty;

(iv) Search Committee for the appointment of the Vice-Chancellor;

- (v) the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;
- (vi) 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 appropriate. Such committees or sub-committees shall be Authorities of the Institute for the purposes of this Act.

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

- (a) the Chancellor who shall be the Chairperson of the Senate;
- (b) the Deputy Chairperson;
- (c) the Vice-Chancellor;
- (d) a senior member not below the rank of Additional Secretary of Ministry of Commerce;
- (e) eight persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering such that the appointment of these persons reflects a balance across the various fields;

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

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

- (j) one member of the Senate of Pakistan to be nominated by Chairman, Senate of Pakistan.

(2) The numbers of the members of the Senate described against clauses (f) to (i) 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 Institute 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 (f) and (g) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of section 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 Institute teachers described in clause (h) of sub-section (1) the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of Institute teachers:

Provided also that the Senate may alternatively prescribe that appointment of Institute teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (f) and (g) of sub-section (1).

(4) Members of the Senate, other than *ex-officio* members, shall hold office for three years. One-third of the members, other than *ex-officio* members, of the first 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 Institute 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:



