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PART-I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 22nd May, 2018

No. F. 9(7)/2018-Legis.—The following Act of *Majlis-e-Shoora* (Parliament) received the assent of the President on 18th May, 2018 and is hereby published for general information:—

ACT NO. XXIV OF 2018

An Act to provide for restructuring of health services academy as a degree awarding institute

WHEREAS it is expedient to provide for restructuring of health services academy as a degree awarding institute in order to provide it autonomy while improving governance and management thereof so as to enhance quality of higher education in the country;

It is hereby enacted as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Act may be called the Health Services Academy (Restructuring) Act, 2018.

(353)

Price: Rs. 30.50

[5950(2018)/Ex. Gaz.]

- (2) It extends to the whole of Pakistan.
- (3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (i) “academic council” means the academic council constituted under this Act;
- (ii) “Academy” means the health services academy established under the Health Services Academy Ordinance, 2002 (LXII of 2002);
- (iii) “affiliated college” means an educational institution affiliated to the HSA but not maintained or administered by it;
- (iv) “Authority” means any of the Authorities of the HSA specified or set up under section 17;
- (v) “Chancellor” means the Chancellor of the HSA;
- (vi) “college” means a constituent college or an affiliated college;
- (vii) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (viii) “constituent college” means an educational institution, by whatever name described, maintained and administered by the HSA;
- (ix) “Dean” means head of department or head of faculty or head of an academic body granted the status of a faculty by this Act or by the statutes or regulations;
- (x) “department” means a teaching department maintained and administered or recognized by the HSA in the prescribed manner;
- (xi) “director” means head of an institute established as a constituent institution by the HSA by statutes or regulations in terms of the powers conferred by this Act;
- (xii) “faculty” means an administrative and academic unit of the HSA consisting of one or more departments, as may be prescribed;
- (xiii) “Government” means the Federal Government;

- (xiv) "Health Services Academy" or "HSA" means the Academy restructured under this Act as a degree-awarding institute;
- (xv) "HSA teacher" means a whole-time teacher appointed and paid by the HSA or recognized by the HSA as such;
- (xvi) "prescribed" means prescribed by statutes, regulations or rules made under this Act;
- (xvii) "principal" means head of a college;
- (xviii) "Pro-Chancellor" means the Pro-Chancellor of the HSA;
- (xix) "Rector" means the Rector of HSA;
- (xx) "representation committees" means the representation committees constituted under section 25;
- (xxi) "review panel" means the review panel set up by the Chancellor in accordance with the provisions of sub-section (5) of section 8;
- (xxii) "search committee" means the search committee set up by the Senate under section 12;
- (xxiii) "Senate" means the Senate of the HSA;
- (xxiv) "statutes", "regulations" and "rules" mean respectively the statutes, the regulations and the rules made under this Act;
- (xxv) "Syndicate" means the Syndicate of the HSA;
- (xxvi) "teachers" include professors, associate professors, assistant professors and lecturers engaged whole-time by the HSA or by a constituent or affiliated college and such other persons as may be declared by regulations to be teachers; and
- (xxvii) "Vice-Chancellor" means the Vice-Chancellor of the HSA.

CHAPTER II

HEALTH SERVICES ACADEMY

3. **Incorporation.**—(1) The health services academy established under the Health Services Academy Ordinance, 2002 (LXII of 2002) stands restructured, to be called as the Health Services Academy, as degree awarding institute in accordance with the provisions of this Act.

(2) The HSA shall consist of the following, namely:-

- (a) the Chancellor, Pro-Chancellor, the members of the Senate and the Vice-Chancellor;
- (b) the members of the Authorities of the HSA established under section 7;
- (c) all HSA teachers and persons recognized as students of the HSA in accordance with the terms as may be prescribed from time to time; and
- (d) all other full-time officers and members of staff of the HSA.

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

(4) The HSA 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 HSA 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 (LII of 2002). In particular, and without prejudice to the authority granted to the Commission by 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 HSA.

(6) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in or held in trust by Academy before commencement of this Act and liabilities legally subsisting before such commencement against Academy stand passed to the HSA restructured under this Act.

4. Powers and functions of the HSA.—The HSA shall have the following powers, namely:—

- (i) to provide for instruction and training in health including animal sciences, technology and other allied disciplines in such manner as it considers appropriate so as to produce competent, imaginative, skilled and committed health professionals, doctors, scientists and experts;

- (ii) to undertake joint investigation and collaborative research in the field of health sciences, biomedical technology and other allied disciplines;
- (iii) to provide assistance to health and allied professions, institutions and organizations in Pakistan and abroad through expert advice, consultations, institutional consultancies and in any other manner as it may deem fit;
- (iv) to promote, contact and establish linkages with national and international institutions and other academic, research and development organizations in Pakistan and abroad for effective discharge of its functions and responsibilities;
- (v) to pursue and make provisions for research, innovations, inventions, demonstrations and other services as it may deem fit;
- (vi) to print, publish and circulate periodicals, journals, magazines and books and disseminate scientific, technological and other related knowledge and information conducive to the attainment of any of the objectives of the HSA;
- (vii) to prescribe courses of studies in health sciences, biomedical technology and other allied disciplines and to decide teaching methods and strategies in order to ensure the most effective educational and training programmes;
- (viii) to establish field demonstration areas, laboratories, museums and other facilities for training, education and research;
- (ix) to affiliate or associate itself with other institutions and to establish faculties in Pakistan or abroad for effective discharge of its functions;
- (x) to enter into agreements, contracts and arrangements with organizations, institutions, bodies and individuals for the purpose of carrying out its functions and activities;
- (xi) 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;
- (xii) to prescribe courses of studies to be conducted by it and the colleges;

- (xiii) 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;
- (xiv) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the HSA and to lay down terms and conditions that may be different from those applicable to Government servants in general;
- (xv) to engage, where necessary, persons on contract of specified duration and to specify the terms of each engagement;
- (xvi) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (xvii) to provide for such instruction for persons not being students of the HSA as it may prescribe and to grant certificates and diplomas to such persons;
- (xviii) to institute programmes for the exchange of students and teachers between the HSA and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (xix) to provide career counseling and job search services to students and alumni;
- (xx) to maintain linkages with alumni;
- (xxi) to develop and implement fund-raising plans;
- (xxii) to provide and support the academic development of faculty of the HSA;
- (xxiii) to confer under prescribed conditions degrees on persons who have carried on independent research;
- (xxiv) to affiliate and disaffiliate educational institutions under prescribed conditions;
- (xxv) to inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (xxvi) to accept the examinations passed and the period of study spent by students of the HSA at other universities and places of learning

equivalent to such examinations and periods of study in the HSA, as it may prescribe and to withdraw such acceptance;

- (xxvii) 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;
- (xxviii) to institute professorships, associate professorships, assistant professorships and lectureships and any other posts and to appoint persons thereto;
- (xxix) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xxx) to recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the HSA or such other persons as it may deem fit, as HSA teachers;
- (xxxi) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xxxii) to establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xxxiii) to provide for the residence of the students of the HSA and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxxiv) to maintain order, discipline and security on campuses of the HSA and the colleges;
- (xxxv) to promote extracurricular and recreational activities of students and to make arrangements for promoting their health and general welfare;
- (xxxvi) to demand and receive such fees and other charges as it may determine;
- (xxxvii) 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;

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

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

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

(xli) to provide policy advice on public health, research, health education and related discipline to Federal Government as deemed appropriate by the Government or HSA from time to time; and

(xlii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be expedient in order to further objectives of the HSA as a place of education, learning and research.

5. **HSA open to all classes, creeds, etc.**—(1) Except where the HSA has been declared by notification in the official Gazette to be open only to persons of a specified gender, the HSA shall be open to all persons of either gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the HSA 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 approval of the Chancellor.

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

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

6. **Teaching**—(1) All recognized teaching in various courses shall be conducted by the HSA and 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 HSA

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

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

8. **Chancellor.**—(1) The President of the Islamic Republic of Pakistan shall by virtue of his office be the Chancellor of the HSA as well as the Chairperson of the Senate.

(2) The members of the Senate as well as the Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the representation committee set up for this purpose or the search committee established in accordance with this Act and the statutes, as the case may be, along with those elected.

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

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

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

Provided that if the Chancellor is satisfied that either no re-consideration has been carried out or that the re-consideration has failed to address the concern expressed, he may, after calling upon the Senate to show cause in writing, appoint a five-member review panel to examine and report to the Chancellor on the functioning of the Senate. The 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 20.

(5) The Chancellor may cause a visitation or inquiry to be made in respect of any matter connected with affairs of the HSA and appoint any person as he may deem fit for the purpose.

(6) The Chancellor may, on receipt of a report, issue such directions as he thinks fit and the Vice-Chancellor shall comply with such directions.

(7) The Chancellor may delegate any of his powers to Vice-Chancellor from time to time as deemed appropriate.

9. Pro-Chancellor.—(1) The Minister-in-charge of the concerned Division allocated with business of HSA shall by virtue of his office be the Pro-Chancellor of the HSA.

(2) Where the Chancellor is absent for any reason, the Pro-Chancellor shall act as Chancellor and exercise all powers of the Chancellor except the powers provided for under sub-sections (4) and (7) of section 8.

(3) The Pro-Chancellor shall perform such duties as may be assigned and delegated to him by the Chancellor.

10. Removal from the Senate.—(1) The Chancellor may, upon recommendation of the review panel, remove any person from membership of the Senate on the ground that such person —

- (a) has become of unsound mind; or
- (b) has become incapacitated to function as member of the Senate; 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 performance of his functions.

(2) The Chancellor shall not remove any person from membership of the Senate except on a resolution by at least three-fourths of total members of the Senate calling for removal of such person:

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

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

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

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

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

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

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

- (a) to direct teachers, officers and other employees of the HSA to take up such assignments in connection with examinations, administration and such other activities in the HSA as he may consider necessary for the purposes of the HSA;
- (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 HSA and in such manner as may be prescribed by statutes;
- (d) to suspend, punish and remove from service, in accordance with prescribed procedure, officers, teachers and other employees of the HSA except those appointed by or with approval of the Senate;
- (e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the HSA; and
- (f) to exercise and perform such other powers and functions as may be prescribed.

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

(7) The Vice-Chancellor shall present an annual report before the Senate within three months of 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 and policy making;
- (c) administration; and
- (d) finances.

(8) The Vice-Chancellor's annual report under sub-section (7) shall be made available, prior to its presentation before the Senate, to all officers and HSA teachers and shall be published in such number as is required to ensure its wide circulation.

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

(2) A Search Committee shall, for recommendation of persons suitable for appointment as Vice-Chancellor, 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 as the convener, two members of the Senate, two distinguished HSA teachers who are not members of the Senate and one academician of eminence not employed by the HSA. The two distinguished HSA teachers shall be selected by the Senate through a process, to be prescribed by statutes, that provides for recommendation of suitable names by the HSA teachers in general. The Search Committee shall remain in existence till such time that appointment of next Vice-Chancellor is made by the Chancellor.

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

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

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

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

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

Provided that the Chancellor may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on 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 removal of the Vice-Chancellor:

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

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

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

13. **Rector.**—(1) There shall be a Rector of the HSA to be appointed by the Chancellor on recommendation of the Senate on such terms and conditions as may be prescribed.

(2) The Rector shall be responsible for implementation of decisions of the Senate, Syndicate and Academic Council and for execution of programmes of the HSA under direction of the Vice-Chancellor.

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

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

(2) The experience as well as 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 HSA and shall —

- (a) be administrative head of secretariat of the HSA and be responsible for provision of secretarial support to the Authorities of the HSA;
- (b) be custodian of common seal and academic records of the HSA;
- (c) maintain a register of registered graduates in the prescribed manner;

- (d) supervise process of election, appointment or nomination of members to various Authorities and other bodies in the prescribed manner; and
- (e) perform such other duties as may be prescribed.

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

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

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

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

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

- (a) manage assets, liabilities, receipts, expenditures, funds and investments of the HSA;
- (b) prepare annual and revised budget estimates of the HSA 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 funds of the HSA are expended on the purposes for which those funds are provided;
- (d) have accounts of the HSA audited annually so as to be available for submission to the Senate within six months of the close of financial year; and
- (e) perform such other duties as may be prescribed.

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

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

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

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

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

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

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

CHAPTER IV

AUTHORITIES OF THE HSA

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

- (a) the Senate;
- (b) the Syndicate; and
- (c) the Academic Council;

(2) The following Authorities shall be established by statutes, namely:—

- (a) Graduate and Research Management Council;
- (b) Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff whether at level of the department, the faculty or the HSA;
- (c) Career Placement and Internship Committee of each faculty;
- (d) Search Committee for appointment of the Vice-Chancellor;
- (e) Representation Committees for appointment to the Senate, Syndicate and the Academic Council;

- (f) Faculty Council; and
- (g) Departmental Council.

(3) 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 HSA for the purposes of this Act.

18. **Senate.**—(1) There shall be a body to be called the Senate, responsible for governance of the HSA and which shall consist of the following, namely:—

- (a) the Chancellor who shall be Chairperson of the Senate;
- (b) the Vice-Chancellor;
- (c) three members of the Government not below the rank of Additional Secretary from the Division concerned, the Division to which business of education stands allocated or any other department relevant to the special focus of the HSA;
- (d) one person from amongst the alumni of the HSA;
- (e) one person from academic community of the country, other than an employee of the HSA, at the level of professor or principal of a college;
- (f) one HSA teacher; and
- (g) one person nominated by the Commission.

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

(3) All appointments to the Senate shall be made by the Chancellor. Appointment of persons described in clauses (d) and (e) 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 25 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 HSA teacher described in clause (f) of sub-section (1), the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by various categories of HSA teachers:

Provided also that the Senate may alternatively prescribe that appointment of HSA teachers to the Senate shall also be in the manner provided for by this sub-section for the persons described in clauses (d) and (e) 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 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 expiration of two years from the date of their appointment and the remaining one-half, other than *ex officio* members, shall retire from office on 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 HSA teachers appointed to the Senate may not serve for two consecutive terms.

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

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

Provided that actual expenses may be reimbursed in the prescribed manner.

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

(8) The Chancellor shall when present preside at meetings of the Senate and convocation of the HSA. In absence of the Chancellor, the Pro-Chancellor shall when present preside at meeting of the Senate and convocation of HSA. In absence of Pro-Chancellor, the Senate may request a person of eminence to preside over the convocation of the HSA.

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

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

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

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

- (a) to approve the proposed annual plan of work, the annual and revised budget estimates, annual report and annual statement of accounts;
- (b) to hold, control and lay down policy for administration of property, funds and investments of the HSA, including approval of sale and purchase or acquisition of immovable property;
- (c) to oversee quality and relevance of the HSA academic programmes and to review academic affairs of the HSA in general;
- (d) to approve appointment of the Deans, professors, associate professors and such other senior faculty and senior administrators as may be prescribed;
- (e) to institute schemes, make directions and guidelines for terms and conditions of appointment of all officers, teachers and other employees of the HSA;
- (f) to approve strategic plans;
- (g) to approve financial resource development plans of the HSA;
- (h) to consider draft statutes and regulations proposed by the Syndicate and the Academic Council respectively and deal those in the manner as provided for in sections 27 and 28, as the case may be;

Provided that the Senate may make statutes or regulations on its own initiative and approve those after calling for advice of the Syndicate or the Academic Council, as the case may be;

- (i) to annul by order in writing the proceedings of any Authority or officer, if the Senate is satisfied that such proceedings are not in accordance with the provisions of this Act, statutes or regulations made thereunder, after calling upon such Authority or officer to show cause as to why such proceedings should not be annulled;
- (j) to recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of this Act;
- (k) to make appointment of members of the Syndicate, other than ex officio members, in accordance with the provisions of this Act;
- (l) to make appointment of members of the Academic Council, other than ex officio members, in accordance with the provisions of this Act;
- (m) to appoint emeritus professors on such terms and conditions as may be prescribed;
- (n) to remove any person from 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
 - (q) has been convicted by a court of law for an offence involving moral turpitude; and
- (r) to determine the form, provide for its custody and regulate use of common seal of the HSA.

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

20. **Visitation.**—The Senate may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the HSA.

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

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

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

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

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

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

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

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

- (a) to consider annual report and annual and revised budget estimates and to submit these to the Senate;
- (b) to transfer and accept transfer of movable property on behalf of the HSA;
- (c) to enter into, vary, carry out and cancel contracts on behalf of the HSA;

- (d) to cause proper books of account to be kept for all sums of money received and expended by the HSA and for assets and liabilities of the HSA;
- (e) to invest any money belonging to the HSA including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882. (II of 1882) or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
- (f) to receive and manage any property transferred and grants, bequests, trusts, gifts, donations, endowments and other contributions made to the HSA;
- (g) to administer any funds placed at disposal of the HSA for specified purposes;
- (h) to provide buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out work of the HSA;
- (i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for residence of students;
- (j) to recommend to the Senate affiliation or disaffiliation of colleges;
- (k) to recommend to the Senate admission of educational institutions to the privileges of the HSA and withdraw such privileges;
- (l) to arrange for inspection of colleges and the departments;
- (m) to institute professorships, associate professorships, assistant professorships, lectureships and other teaching posts or to suspend or to abolish such posts;
- (n) to create, suspend or abolish such administrative or other posts as may be necessary;
- (o) to prescribe duties of officers, teachers and other employees of the HSA;
- (p) to report to the Senate on matters with respect to which it has been asked to report;

- (q) to appoint members to various Authorities in accordance with the provisions of this Act;
- (r) to propose draft statutes for submission to the Senate;
- (s) to regulate conduct and discipline of students of the HSA;
- (t) to take actions necessary for good administration of the HSA in general and to this end exercise such powers as are necessary;
- (u) to delegate any of its powers to any Authority or officer or a committee; and
- (v) to perform such other functions as have been assigned to it by the provisions of this Act or may be assigned to it by statutes.

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

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

(2) The Senate shall appoint the members of the Academic Council, other than *ex-officio* and elected members, on recommendation of the Vice-Chancellor:

Provided that as regards the three professors and the members representing the departments, institutes and the constituent colleges, the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of section 25.

Appointment of persons proposed by the Representation Committee may be made by the Senate on recommendation of the Vice-Chancellor.

(3) The Academic Council may constitute Academic Advisory Committee consisting of national and international doctors, scientists, academicians and other experts to—

- (a) delineate priorities for research;
 - (b) guide and direct the executive committee on all academic matters;
 - (c) recommend such measures which will foster and enhance interaction and collaboration between the HSA and other existing national and international organizations, institutions and research centers; and
 - (d) work out and propose affiliation measures with foreign institutions of repute.
- (4) Members of the Academic Council shall hold office for three years.
- (5) The Academic Council shall meet at least once in each quarter.

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

24. Powers and functions of the Academic Council.—(1) The Academic Council shall be principal academic body of the HSA and shall, subject to the provisions of this Act and the statutes, have power to lay down proper standards of instruction, research and examinations and to regulate and promote academic life of the HSA 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) recommend the policies and procedures for affiliation of other educational institutions;
- (f) propose to the Syndicate schemes for the constitution and organization of faculties, teaching departments and boards of studies;
- (g) appoint paper-setters and examiners for all examinations of the HSA after receiving panels of names from relevant authorities;
- (h) institute programmes for continued professional development of HSA teachers at all levels;
- (i) recognize examinations of other universities or examining bodies as equivalent to corresponding examinations of the HSA;
- (j) regulate award of studentships, scholarships, exhibitions, medals and prizes;
- (k) propose regulations for submission to the Senate;
- (l) prepare an annual report on academic performance of the HSA; and
- (m) perform such other functions as may be prescribed by regulations.

25. **Representation Committees.**—(1) There shall be a Representation Committee constituted by the Senate through statutes for recommendation of persons for appointment to the Senate in accordance with the provisions of section 18.

(2) There shall also be a Representation Committee constituted by the Senate through statutes for recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 21 and 23 respectively.

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

- (a) three members of the Senate who are not HSA teachers;
- (b) two persons nominated by the HSA teachers from amongst themselves in the manner as may be prescribed;

- (c) one person from the academic community, not employed by the HSA, at the level of professor or college principal to be nominated by the HSA teachers in the manner as may be prescribed; and
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

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

- (a) two members of the Senate who are not HSA teachers;
 - (b) three persons nominated by the HSA teachers from amongst themselves in the manner as may be prescribed;
- (5) The tenure of the Representation Committees shall be three years:

Provided that no member shall serve for more than two consecutive terms.

(6) The procedures of the Representation Committees shall be as may be prescribed.

(7) There may also be such other Representation Committees set up by any of the other Authorities of the HSA as are considered appropriate for recommending persons for appointment to various Authorities and other bodies of the HSA.

26. Appointment of committees by certain Authorities.—(1) The Senate, the Syndicate, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit and may place on such committees persons who are not members of the Authorities appointing the committees.

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

CHAPTER V

STATUTES, REGULATIONS AND RULES

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

- (a) contents of and the manner in which annual report to be presented by the Vice-Chancellor before the Senate shall be prepared;
- (b) HSA fees and other charges;
- (c) constitution of any pension, insurance, gratuity, provident fund and benevolent fund for HSA employees;
- (d) scales of pay and other terms and conditions of service of officers, teachers and other HSA employees;
- (e) maintenance of register of registered graduates;
- (f) affiliation and disaffiliation of educational institutions and related matters;
- (g) admission of educational institutions to the privileges of the HSA and withdrawal of such privileges;
- (h) establishment of faculties, departments, institutes, colleges and other academic divisions;
- (i) powers and duties of officers and teachers;
- (j) conditions under which the HSA may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (k) conditions for appointment of emeritus professors and award of honorary degrees;
- (l) efficiency and discipline of HSA employees;
- (m) constitution and procedure to be followed by Representation Committees in carrying out functions under this Act;
- (n) constitution and procedure to be followed by Search Committee for appointment of the Vice-Chancellor;
- (o) constitution, functions and powers of the Authorities of the HSA; and
- (p) all other matters which by this Act are to be or may be prescribed or regulated by statutes.