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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 1st December, 2021

No. F. 23(28)/2020-Legis.—The following Act of *Majlis-e-Shoora* (Parliament) received the assent of the President on the 1st December, 2021 is hereby published for general information:—

ACT NO. XLVIII OF 2021

AN

ACT

to provide for the establishment of the Al-Karam International Institute

WHEREAS it is expedient to provide for the establishment of the Al-Karam International institute in the private sector for promotion of special studies and for matters ancillary thereto;

It is hereby enacted as follows:—

(1137)

Price: Rs. 60.00

[1761(2021)/Ex. Gaz.]

CHAPTER-I
PRELIMINARY

1. **Short title, application and commencement.**—(1) This Act shall be called the Al-Karam International Institute Act, 2021.

(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) “Anjuman” means the Anjuman Taleem-ul-Muslimeen (Regd.);
- (c) “Authority” means an Authority of the Institute under the Act;
- (d) “Chancellor” means the Chancellor of the Institute;
- (e) “college or school” means constituent college or school of the Institute;
- (f) “Commission” means the Higher Education Commission of Pakistan set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (g) “Dean” means the Dean of a Faculty of the Institute;
- (h) “department” means a teaching, research and training department maintained and administered by the Institute;
- (i) “Director” means the Head of a Teaching Division of the Institute;
- (j) “Faculty” means a Faculty of the Institute;
- (k) “Government” means the Federal Government;
- (l) “Institute” means the Al-Karam International Institute;
- (m) “prescribed” means prescribed by the statutes, regulations or rules;
- (n) “Principal” means the Principal of a constituent college or school of the Institute;
- (o) “Professor Emeritus” means retired professor working in a faculty in an honorary capacity;
- (p) “Representation Committees” means the Representation Committees constituted under the Act;

- (q) "Review Pannel" means the Review Pannel set up by the Chancellor under the Act;
- (r) "Senate" means the senate of the Institute;
- (s) "Schedule" means a schedule appended to the Act;
- (t) "Search Committee" means the Search Committee set up by the Senate under this Act;
- (u) "statutes, regulations and rules" means the statutes, regulations and rules respectively made or deemed to have been made under the Act;
- (v) "Syndicate" means the Syndicate of the Institute;
- (w) "Teacher" means a whole-time teacher appointed and paid by the Institute; and
- (x) "Vice-Chancellor" means the Vice-Chancellor of the Institute.

CHAPTER-II

THE INSTITUTE

3. **Establishment and incorporation of the Institute.**—(1) There shall be established an Institute to be called Al-Karam International Institute consisting of the Chancellor, the Vice-Chancellor, members of the Senate, the Deans, the Chairmen, the Principals and members of the Academic Council and such other officers as may be prescribed or any council, committee and any other body as the Authority may establish.

(2) The Institute shall be a body corporate with its main campus at Bhera, having perpetual succession and common seal, with power, among others, to acquire, hold and dispose of any property or investment vesting in it and shall said name sue and be sued.

(3) 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.

(4) Notwithstanding anything contained in any other law but subject to this Act and the Higher Education Commission Ordinance, 2002 (LIII of 2002), 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.

4. **Functions of the Institute.**—The Institute shall perform the following functions:—

- (i) to provide for education and scholarship in such branches of knowledge as it may deem fit with special focus on research in Islamic Shariah 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 programmes for the exchange of students and teachers between the institute and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (ix) to provide career counseling and job search services to students and alumni;
- (x) to maintain linkages with alumni;
- (xi) to develop and implement fund-raising plans;
- (xii) to provide and support the academic development of the faculty of the Institute;
- (xiii) to confer degrees on persons who have carried on independent research under prescribed conditions;

- (xiv) to accept the examinations passed and the period of study spent by students of the Institute at other universities 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 the universities, public authorities or private organizations, inside as well as outside Pakistan; in such manner and for such purposes as may be prescribed;
- (xvi) to institute Professorships, Associate Professorships, Assistant Professorships and Lecturerships 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 departments, schools, colleges, campuses, 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, inside Pakistan as well as outside Pakistan under prescribed conditions;
- (xx) to provide for the residence of the students of the Institute and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxi) to maintain order, discipline and security on the campuses of the Institute and the colleges;
- (xxii) to promote the extracurricular 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 Institute and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxvii) to provide for the printing and publication of research and other works; and
- (xxviii) to do such other acts and things as may be requisite in order to further the objectives of the Institute as a place of promotion of special studies, educations, learning and research.

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

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

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

(4) The Institute may offer self-finance schemes not covering more than ten percent of the total number of students in any on-campus taught course or research-based programme of study.

6. **Teaching at the Institute.**—(1) 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.

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

CHAPTER-III

OFFICERS OF THE INSTITUTE

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

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

8. **Patron.**—(1) The President of the Islamic Republic of Pakistan shall be the Patron of the Institute.

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

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

9. **Visitation.**—(1) The Patron may in accordance with the terms and procedures as may be prescribed, cause an inspection 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 Institute and shall from time to time, direct any person or persons to inquire into or carry out inspection of:

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

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

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

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

10. **The Chancellor.**—(1) The Chairman of the Anjuman shall be the Chancellor of the Institute.

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

(3) 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 Act and the statutes along with those elected.

(4) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the Institute or an Authority 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; and
- (b) direct the Senate to exercise powers under section 19.

(5) If the Chancellor is satisfied that either no re-consideration has been carried out or that the re-consideration has failed to address his concern under sub-section (4), 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.

(6) The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor.

(7) The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration.

11. **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 has:

- (a) become of unsound mind; or
- (b) become incapacitated to function as member of the Senate; or
- (c) been convicted by a court of law for an offence involving moral turpitude; or has absented himself from two consecutive meetings without just cause; or
- (d) 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.

(3) The provisions of this section shall not be applicable to the Vice-Chancellor in his capacity as a member of the Senate and before passing of the resolution under sub-section (2), the Senate shall provide the member concerned an opportunity of hearing.

12. **Vice-Chancellor.**—(1) There shall be a Vice-Chancellor of the Institute 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 the chief executive officer of the Institute responsible for all administrative and academic functions of the Institute 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 Institute.

(3) The Vice-Chancellor may exercise administrative control over the officers, teachers and other employees of the Institute.

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

(5) 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 under the statutes.

(6) The Emergency Committee may direct such further action as it considers appropriate.

(7) The Vice-Chancellor may exercise the following powers:

- (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.

(8) The Vice-Chancellor shall present an annual report before the Senate within three months of the close of the academic year and the annual report shall contain 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.

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

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

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by the statutes and shall consist of two eminent members of the Society nominated by the Chancellor, two members of the Senate, two distinguished Teachers who are not members of the Senate and one academic of eminence not employed by the Institute.

(3) The Senate shall select two distinguished Teachers through a process, to be prescribed by statutes that provides for the recommendation of suitable names by the Teachers in general.

(4) The Search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

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

(6) The Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel and, 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.

(7) The Vice-Chancellor shall be appointed for a renewable tenure of five years on terms and conditions prescribed under the statutes.

(8) The tenure of an incumbent Vice-Chancellor may be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal or the Chancellor may call upon the Senate to reconsider such resolution.

(9) 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 in-efficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind.

(10) The Chancellor may make a reference to the Senate stating the instances of in-efficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice and 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.

(11) Prior to a resolution for the removal of the Vice-Chancellor is voted upon, the Senate shall provide the Vice-Chancellor an opportunity of being heard.

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

(13) 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.

14. **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 such 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;
- (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 and the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Registrar on grounds of in-efficiency or misconduct in accordance with the prescribed procedure.

15. **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 such 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 and the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Treasurer on grounds of in-efficiency or misconduct in accordance with the prescribed procedure.

16. 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 such 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 examination and perform such other duties as may be prescribed.

(4) The Controller of Examinations shall be appointed for a renewable term of three years and the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Controller of Examinations on grounds of in-efficiency or misconduct in accordance with the prescribed procedure.

CHAPTER-IV

AUTHORITIES OF THE INSTITUTE

17. Authorities.—(1) The following shall be the Authorities of the Institute:

- (a) Authorities established by the Act:—

- (i) the Senate;
 - (ii) the Syndicate; and
 - (iii) the Academic Council;
- (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) 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 and such committees or sub-committees shall be Authorities of the Institute for the purposes of this Act.

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

- (a) The Chairman of Anjuman who shall be the Chairperson of the Senate;
- (b) the Vice Chancellor;
- (c) one member of the Government not below the rank of Additional Secretary nominated by the Ministry of Federal Education;
- (d) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering such that the appointment of these persons reflects a balance across various fields;

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

(2) The numbers of the members of the Senate described against clauses (e) to (h) of sub-section (I) 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 (I).

(3) All appointments to the Senate shall be made by the Chancellor and appointments of persons described in clauses (e) to (f) of sub-section (I) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee and in accordance with procedure as may be prescribed and an effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Senate.

(4) As regards the Teachers described in clause (g) of sub-section (I), the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of the Teachers and the Senate may alternatively prescribe that appointment of Teachers to the Senate shall also be in the manner provided for the persons described in clauses (e) to (f) of sub-section (I).

(5) Members of the Senate, other than *ex-officio* members, shall hold office for three years and one-third of the members, other than *ex-officio* members, of the first restructured 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 restructured 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.

(6) A person, other than an *ex-officio* member, shall not serve on the Senate for more than two consecutive terms.

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

(8) Service on the Senate shall be on honorary basis but actual expenses may be reimbursed to the members as may be prescribed.

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

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

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

(12) 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 may exercise general supervision over the Institute and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the Institute.

(2) The Senate may perform any function of the Institute which is not expressly vested in an Authority or officer by the Act and may exercise the powers not expressly mentioned by this Act that are necessary for the performance of its functions.

(3) Without prejudice to the generality of the foregoing, the Senate shall perform the following functions:—

- (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 Institute, including the approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee the quality and relevance of the Institute's academic programmes and to review the academic affairs of the Institute in general;
- (d) to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators, as may be prescribed;
- (e) to institute schemes, directions and guidelines for the terms and condition of appointment of all officers, teachers and other employees of the Institute;