

A
BILL

to provide for the establishment of the Smart Institute of Sciences & Technology

Whereas it is necessary to provide for the establishment of the Smart Institute of Sciences & Technology in the private sector and to provide for matters connected therewith and ancillary thereto;

It is hereby enacted as follows:-

CHAPTER I
PRELIMINARY

1. Short Title, Extent and Commencement.—

- (1) This Act may be called as the "Smart Institute of Sciences & Technology Act, 2022".
- (2) It shall extend to 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: -

- (a) — "Academic Council" means the Academic Council of the Institute;
- (b) — "Authority" means any of the Authorities of the Institute setup under section 18;

(d) — "Chancellor" means the Chancellor of the Institute;

(e) — "College" means a constituent college;

(f) — "Commission" means the Higher Education Commission of Pakistan set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);

(g) — "Constituent College" means an educational institution, by whatever name described, maintained and administered by the Institute;

(G) — "Company" means **"SMART HIGHER EDUCATION SERVICES (PVT). LIMITED"** registered vide Corporate Unique No. 0193409 with Security and Exchange Commission of Pakistan;

(h) — "Dean" means the head of a faculty or the head of an academic body granted the status of faculty by this Act or by Statutes or Regulations;

(i) — "Department" means a teaching department maintained and administered, or recognizes by the Institute in the manner prescribed;

(j) — "Director" means the head of an institute established as a constituent institution by the Institute by statute or regulations in terms of the powers delegated by this Act.;

(k) — "Syndicate" means the Syndicate of the Institute constituted under this Act;

(l) — "Faculty" means an administrative and academic unit of the Institute consisting of one or more Departments/ Schools;

(m) — "Government" means the Federal Government;

(n) — "Institute" means "Smart university";

(o) — "Officer" means any officer(s) of the Institute;

(p) — "Patron" means the Patron of the Institute;

(q) — "Prescribed" means prescribed by Statutes, regulations or rules made under this Act;

(r) — "Professor Emeritus" means a retired Professor appointed by the Chancellor on honorary basis;

(s) — "Principal" means the head of a Constituent unit/ collage;

(t) — "Registrar" means the Registrar of the Institute;

(u) — "Review Panel" means the Review Panel setup by the Chancellor in accordance with the provisions of this Act;

(v) — "Representation Committees" means the representation committees constituted under section 25;

(w) — "Search Committee" means the search committee set up by the Board of Governors under this Act.;

(x) — "Statutes", "Regulations" and "Rules" means respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;

(y) — "Teacher" includes Professor, Associate Professor, Assistant Professor and Lecturer engaged whole-time by the Institute, or by a constituent college and such other persons as may be declared to be teacher by regulations;

(z) — "Institute Teacher" means a whole-time teacher appointed and paid by the Institute or recognized by the institution; and

(aa) — Vice-Chancellor means the Vice-Chancellor of the Institute.

(ab) — "Schedule" means Schedules under this Act

CHAPTER II

THE INSTITUTE

3. Establishment and Incorporation of the Institute.— (1) There shall be established at Rawalpindi a Institute to be called the Smart Institute of Sciences & Technology consisting of:

- (a) The Patron, the Chancellor, the Vice Chancellor, the members of the Board of Governors, Syndicate;
- (b) The members of the Authorities of the institute established under this Act.;

- (c) All Institute teachers and persons recognized as student of the institute in accordance with the terms prescribed from time to time; and
- (d) All other full time officers and members of the staff of the Institute.

(2) The Institute shall be a body corporate by such name as may be notified and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(3) The principal seat of the Institute shall be at Rawalpindi and it may set up its campuses, colleges/School, institutes, offices, research/study centers and other facilities at such places in Pakistan as Board of Governors may determine. The additional campuses shall be setup in other parts of the country only after their evaluation by the Higher Education Commission to determine whether they meet the eligibility criteria fixed by the Commission.

(4) 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.

(5) 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 Board of Governors in the annual budget of the Institute.

4. Functions and Powers of the Institute.—

(1) The Institute shall be an autonomous body and shall have the powers to—

(a) Provide for teaching and training in faculties of Computer Sciences & Information Technology, Management Sciences and Business Administration, Law, Commerce, Humanities, and Social Sciences, Art and Fashion Designing, Engineering, Architecture and Design, Natural Sciences), Food and Culinary Sciences,