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PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 29th May, 2023

No. F. 9(4)/2023-Legis.—The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 18th April, 2023 and is hereby published for general information: —

ACT No. XXV OF 2023

AN

ACT

to provide for the establishment of Pir Roshaan Institute of Progressive Sciences and Technologies, Miranshah, Khyber Pakhtunkhwa

WHEREAS it is expedient to provide for the establishment of Pir Roshaan Institute of Progressive Sciences and Technologies at Miranshah and to provide for matters connected therewith and ancillary thereto:

It is hereby enacted as follows: —

1. **Short title and commencement.**—(1) This Act shall be called the Pir Roshaan Institute of Progressive Sciences and Technologies, Miranshah Act, 2023.

(2) It shall come into force at once.

(317)

Price: Rs. 60.00

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

- (i) “Academic Council” means the Academic Council of the Institute;
- (ii) “Affiliated College” means educational institution affiliated to the Institute but not maintained, or administered by it;
- (iii) “Authority” means any of the Authorities of the Institute specified or set up in terms of section 24;
- (iv) “Board” means the Board of Governors of the Institute;
- (v) “Campus” means a Campus of the Institute;
- (vi) “College” means a constituent college or an affiliated college;
- (vii) “Chancellor” means the Chancellor of the institute;
- (viii) “Chairperson” means the Chairperson of the Board of Governors;
- (ix) “Commission” means the Higher Education Commission set up by the Higher Education Commission Ordinance, 2002 (LIII of 2002), Amendment Act XXI 2021 and Second Amendment Act XXII of 2021;
- (x) “Constituent College” means an educational institution, by whatever name described, maintained, and administered by the institute;
- (xi) “Controller of Examination” means Controller of Examination of the Institute;
- (xii) “Dean” means the head of a faculty or the head of an academic body granted the status of a Faculty by this Act or by the Statutes or Regulations;
- (xiii) “department” means a teaching department maintained and administered, or recognized by the institute in the manner prescribed;
- (xiv) “Director” means the head of an institute established as a constituent institution by the Institute by Statutes or emulations in terms of the powers delegated by this Act;
- (xv) “employees” means whole time teachers, officers and other staff appointed or inducted and paid by the Institute;

- (xvi) "Faculty" meets an administrative and academic unit of the institute consisting of one or more departments, as prescribed;
- (xvii) "Government" means the Federal Government;
- (xviii) **"PIPST" means Pir Roshiaan Institute of Progressive Sciences and Technologies;**
- (xix) "prescribed" means prescribed by Statutes, Regulations or Rules and made under the Act;
- (xx) "Minister" means Federal Minister for Federal Education and Professional Training, Islamabad;
- (xxi) "Ministry" means Ministry of Federal Education and Professional Training, Islamabad;
- (xxii) "Principal" means the head of a College;
- (xxiii) "Pro-Chancellor" means Pro-Chancellor of the Institute;
- (xxiv) "Representation Committees" means the Representation Committees constituted under section 32;
- (xxv) "Rector" means the Rector of the Institute.
- (xxvi) "Registered Graduate" means a graduate of the Institute whose name has been entered in the register maintained for the purpose;
- (xxvii) "Registrar" means Registrar of the Institute;
- (xxviii) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of section 9;
- (xxix) "Schedule" means a Schedule to the Act;
- (xxx) "Search Committee" means the Search Committee set up by the Board of Governors (BOG) under section 14;
- (xxxi) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
- (xxxii) "Syndicate" means the Syndicate of the institute;
- (xxxiii) "Teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute or by

a constituent or affiliated college and such other persons as it may be declared to be teachers by Regulations;

- (xxxiv) “Director Finance” means Director Finance of the Institute; and
- (xxxv) “Institute Teacher” means a whole-time teacher appointed and paid by the institute, or recognized by the institute as such.

CHAPTER-I

THE INSTITUTE

4. **Establishment of the Institute.**—(i) The Government shall, by notification, establish an Institute to be called the Pir Roshaan Institute of Progressive Sciences and Technologies with its principal seat/main campus located at Miranshah, Khyber Pakhtunkhwa.

(2) The Institute shall be a body corporate having perpetual succession and a common seal with power to acquire, transfer, hold and dispose of movable or immovable property and shall, by the said name, sue and be sued.

(3) 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 rules, regulation and policies prescribed under the Higher Education Commission Ordinance, 2002 (LIII of 2002), Amendment Act XXI 2021 and Second Amendment Act XXII of 2021. 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 (BoG) in the annual budget of the Institute.

(4) The Institute may, with the prior approval of the Chancellor and the Commission, open a campus or sub-campus of the Institute within Pakistan and abroad.

(5) The Institute shall be liable to provide facilities to the representatives of the Higher Education Commission (HEC), the Pakistan Engineering Council (PEC), Pakistan Medical Commission (PMC) or such similar relevant organizations for visitation to enable them to verify that the Institute is maintaining appropriate academic standards.

5. **Powers and Purposes of the Institute.**—The Institute shall have the following powers and functions, namely:—

- (i) provide for education in natural and applied science, health sciences, engineering, management sciences, computing, social sciences, humanities as arts, emerging technologies, and other such branches of knowledge as it may deem fit, and make provisions for research, service to the society and for the application, advancement, and dissemination of knowledge in such manner as it may determine;
- (ii) provides for education and scholarship, and makes provision for research, service to society and for the application, advancement, and dissemination of knowledge;
- (iii) prescribes courses of studies that are conducted, holds examinations and award, confers degrees, diplomas, certificates, and other academic distinctions who have been admitted to and have passed its examinations under prescribed conditions;
- (iv) decide innovative teaching methods and strategies to ensure the most effective educational and training programmes meeting international standards;
- (v) hold examinations in the prescribed manner meeting international standards and, if a person qualifies the examination, award him the requisite degree, diploma, certificate, and other academic distinction;
- (vi) prescribes the terms and conditions of employment of the officers, teachers and other employees of the Institute and lays down terms and conditions that may be different from those applicable to government servants in general;
- (vii) engages, where necessary, persons on contracts of specified duration and specifies the terms of each engagement;
- (viii) confers honorary degrees or other distinctions on approved persons in the manner prescribed;
- (ix) maintain linkages with alumni;
- (x) provide and support the academic development of the faculty of the Institute;
- (xi) confer degree on a person who has successfully conducted research in the prescribed manner;
- (xii) institute Professorship, Associate Professorship, Assistant Professorship and Lectureship or any other post and may appoint a person to the post;

- (xiii) create a post for research, extension, administration, or other related purposes and appoint a person to the post;
- (xiv) provide for the residence of the students, establish, and maintain halls of residence and may approve or license a hostel, lodging or boarding place;
- (xv) demand and receive such fees and other charges as it may determine;
- (xvi) provides instruction for persons not being students of the Institute as it may prescribe, and grant certificates and diplomas to such persons;
- (xvii) provides career counseling and job search services to students and alumni;
- (xviii) institutes and awards financial assistance to students in need, fellowships, scholarships, bursaries, medals, and prizes under prescribed conditions;
- (xix) establishes 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;
- (xx) maintains order, discipline, and security on the campuses of the Institute and the colleges;
- (xxi) promotes the extra-curricular and recreational activities for students, and makes, arrangements for promoting their health and general welfare;
- (xxii) provide any other prescribed or ancillary service.
- (xxiii) institute programs for the exchange of students and teachers between the Institute and any other Institute, educational institution, or research organization;
- (xxiv) develop and implement fund-raising plans;
- (xxv) accept an examination and the period of study spent by a student of the Institute at any other Institute or place of learning equivalent to an examination or period of study of the Institute and may withdraw such acceptance;

- (xxvi) cooperate with a public authority, Institute, or private organization in the prescribed manner;
- (xxvii) to collaborate with foreign partners in developing degree programs and promote linkages;
- (xxviii) make provision for research, advisory or consultancy services and enter into arrangements with any other institution, public or private body, commercial or industrial enterprise in the prescribed manner;
- (xxix) develop an associated Technology Park of international standard;
- (xxx) develop research commercialization and intellectual property policy for promotion of commissioned research, spin off companies, and incubators;
- (xxxi) develop a research fund for the faculty research and innovation, managed independently in line with international funding agencies;
- (xxxii) receives and manages 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; and
- (xxxiii) enter into, carry out, vary or cancel contracts;
- (xxxiv) provides for the printing and publication of research and other works;
- (xxxv) admit any college or other educational institution to its privileges or withdraw such privileges in the prescribed manner;
- (xxxvi) affiliate or disaffiliate a college or any other educational institution in the prescribed manner;
- (xxxvii) to inspect colleges and other educational institutions affiliated or seeking affiliation with it; and
- (xxxviii) exercise any power ancillary to the above powers or as may be prescribed.

6. **Institute to be open to all classes and creeds.**—The Institute shall be open to all persons irrespective of gender, religion, race, domicile, creed, class or color and no person shall be denied the privileges of the Institute on any such ground.

7. **Fee and other Charges.**—(1) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances, and only with the approval of the Board of Governors (BoG) and endorsement of the Chancellor.

(2) The Institute shall setup financial aid programmes for students in need, to the extent considered feasible by the Board of Governors (BoG) given the resources available, 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 on campus taught course or research-based program of study.

CHAPTER-II

OFFICERS OF THE INSTITUTE

8. **Officers of the Institute.**—The following shall be the officers of the Institute:—

- (a) Chancellor;
- (b) Pro-Chancellor;
- (c) Rector;
- (d) Deans;
- (e) Chairpersons / HoDs;
- (f) Controller of Examinations;
- (g) Director (Administration);
- (h) Director Planning & Development
- (i) Director (QEC);
- (J) Director Students Affairs;
- (k) Director ORIC;
- (l) Internal Auditor;

- (m) Director Finance;
- (n) Registrar; and
- (o) such other persons as may be prescribed,

9. **Chancellor.**—(1) The President of Pakistan shall be the Chancellor of the Institute and shall, when present, preside over the Convocation of the Institute.

(2) The members of the Board of Governors (BoG) shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose established in accordance with the 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:-

- (a) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the Institute has occurred, the Chancellor may, as regards proceedings of the Board of Governors (BoG), 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, the Chancellor may, after calling upon the Board of Governors (BoG) to show cause in writing or through Review Panel to examine and report to the Chancellor on the functioning of the Board of Governors (BoG).
- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Board of Governors (BoG), direct the Board of Governors (BoG) to exercise powers under section 30.

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

- (a) has become of unsound mind; or
- (b) has become incapacitated to function as member of the Board of Governors (BoG); or

- (c) has 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) 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 Board of Governors (BoG) on a resolution calling for the removal of such person supported by at least three-fourths of the membership of the Board of Governors (BoG):

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

Provided further that the provisions of this section shall not be applicable to the Rector in his capacity as a member of the Board of Governors (BoG).

11. **Pro-Chancellor.**—(1) The Federal Minister dealing with the subject of education shall be the Pro-Chancellor of the Institute and Chairperson of the Board of Governors (BoG).

(2) In the case of non-availability of Chancellor, the Pro-Chancellor shall preside at Convocation of the Institute.

12. **Rector.**—(1) An eminent scholar or distinguished administrator with repute of educational management and leadership shall be appointed as Rector on such terms and conditions as may be prescribed.

(2) The Rector 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 to promote the general efficiency and good order of the institute. The Rector shall have powers prescribed for this purpose, including administrative control over the officers, teachers, and other employees of the Institute.

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

(4) The Rector may, in an emergency that in his/her opinion requires immediate action ordinarily not in the competence of the Rector, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Board of Governors (BoG), to be

set up by Statutes. The Emergency Committee may direct such further action as is considered appropriate.

(5) The Rector shall be appointed for a period of four (04) years on terms and conditions prescribed by Statutes.

(6) At any time when the office of the Rector is vacant or the Rector is absent or is unable to perform the functions of his office due to illness or some other cause, the Board of Governors (BoG) shall make arrangements, accordingly.

13. Powers of the Rector.—(1) The Rector shall be the Chief Executive Officer of the Institute and shall ensure that the provisions of the act, statutes, regulations, and rules are faithfully observed.

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

(3) Subject to the general supervision and control of the Syndicate, the Rector may:—

- (a) direct a teacher, officer, or other employee of, the Institute to take up such assignment in connection with examination, administration, or any other activity in relation to the Institute;
- (b) sanction by re-appropriation an amount not exceeding an amount prescribed by the Board of Goveinors (BoG) for an unforeseen item not provided for in the budget and report it to the Board of Governors (BoG) at the next meeting;
- (c) make appointments of such categories of employees of the Institute and in such manner as may be prescribed;
- (d) take disciplinary action against a teacher, officer, or any other employee of the Institute in the prescribed manner;
- (e) delegate, subject to such conditions as may be prescribed, any of his powers to a teacher or officer of the Institute; and
- (f) exercise such other powers as may be prescribed.

(4) The Rector shall prepare an annual report containing information as regards the preceding academic year including disclosure of all relevant facts pertaining to academics, research, administration, and finances of the Institute.

(5) The Rector shall, within three months of the end of an academic year, submit the annual report of the Institute before the Board of Governors (BoG).

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

14. Appointment and Removal of the Rector.—(1) The Rector shall be appointed by the Chancellor based on recommendations made by the Board of Governors (BoG).

(2) A Search Committee for the recommendation of persons suitable for appointment as Rector shall be constituted by the Board of Governors (BoG) on the date and in the manner prescribed by the 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 Board of Governors (BoG), two distinguished Institute Teachers who are not members of the Board of Governors (BoG) and one member of academic eminence not employed by the Institute. The two distinguished Institute Teachers shall be selected by the Board of Governors (BoG) through a process, to be prescribed by statutes that provide 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 Rector has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Rector shall recommend a panel of three persons, in order of priority for appointment as Rector by 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 Board of Governors (BoG) in the prescribed manner:

Provided further that for the appointment of the first Rector, Commission shall act as the Board of Governors (BoG) to recommend the nominations for the Search Committee or the Panel of three nominations to the Chancellor for appointment of the first Rector, in consultation with the Government.

(4) The Rector shall be appointed for a renewable tenure of four years on terms and conditions prescribed by Statutes. The tenure of an incumbent Rector shall be renewed once by the Chancellor on receipt of a resolution of the Board of Governors (BoG) in support of such renewal:

Provided that the Chancellor may call upon the Board of Governors (BoG) to reconsider such a resolution once.

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

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

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

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

15. **Registrar.**—(1) There shall be a Registrar of the Institute to be appointed by the Board of Governors (BoG) on the recommendation of the Selection Board, 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 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;