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ISLAMABAD, SATURDAY, JUNE 10, 2023

PART I

Acts, Ordinances, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 8th June, 2023

No. F. 9(12)/2023-Legis.—The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 7th June, 2023 and is hereby published for general information:—

ACT NO. XXVII OF 2023

AN

ACT

*to provide for the establishment of the Kalam Bibi International
Women Institute Bannu*

WHEREAS, it is expedient in public interest to upgrade Women Campus of University of Bannu to full fledge Kalam Bibi International Women Institute Bannu Khyber Pakhtunkhwa and for the matters connected therewith and ancillary thereto;

It is hereby enacted as follows:—

(385)

Price: Rs. 60.00

CHAPTER-I

PRELIMINARY

1. **Short title, application and commencement.**—(1) This Act shall be called as the Kalam Bibi International Women Institute Bannu Act, 2023.

(2) It shall extend 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 of the Institute;
- (ii) “affiliated college” means an educational institution affiliated to the Institute but not maintained or administered by it;
- (iii) “Authority” means any of the Authorities of the Institute specified in section 20;
- (iv) “Chairman” means the Chairman or the head of an academic department and includes Principal of a constituent college or Director of an institute;
- (v) “Chairperson” means Chairperson of the Senate;
- (vi) “Chancellor” means the Chancellor of the Institute;
- (vii) “Commission” means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (viii) “Controller of Examinations” means the Controller of Examinations of the Institute;
- (ix) “constituent institution” means a constituent institution, college, or school of the Institute by whatever name call for but established, maintained, and administered by the Institute;
- (x) “Dean” means the head of any Faculty, or the Head of any academic body granted the status of a Faculty under this Act or by the Statutes or Regulations;
- (xi) “department” means a teaching department maintained and administered or recognized by the Institute in the prescribed manner;
- (xii) “Director” means the head of a constituent college or unit;

- (xiii) "Faculty" means an administrative and academic unit of the Institute consisting of one or more departments, as may be prescribed;
- (xiv) "Government" means the Federal Government;
- (xv) "Institute" means the Kalam Bibi International Women Institute Bannu;
- (xvi) "Institute teacher" means a whole-time teacher appointed and paid by the Institute, or recognized by the Institute as such;
- (xvii) "prescribed" means prescribed by Statutes, Regulations or Rules made under this Act;
- (xviii) "Pro-Chancellor" means Pro-Chancellor of the Institute;
- (xix) "registered Graduate" means a graduate of the Institute whose name stands entered in the register maintained for this purpose;
- (xx) "Registrar" means the Registrar of the Institute;
- (xxi) "Representation Committees" means the Representation Committees constituted under section 28;
- (xxii) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of section 10;
- (xxiii) "Search Committee" means the Search Committee set up by the Senate under section 13;
- (xxiv) "Secretariat" means Secretariat headed by the Vice-Chancellor of the Institute as administrative conglomeration comprising Registrar, Controller of Examinations, Treasurer and Deans to assist the Vice-Chancellor;
- (xxv) "Senate" means the Senate of the Institute;
- (xxvi) "Statutes", "Regulations" and "Rules" means respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
- (xxvii) "Syndicate" means the Syndicate of the Institute;
- (xxviii) "teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute and such other persons as may be declared by Regulations to be teachers;
- (xxix) "Treasurer" means the Treasurer of the Institute; and

- (xxx) "Vice-Chancellor" means the Vice-Chancellor of the Institute specified in section 12.

CHAPTER-II

THE INSTITUTE

3. **Incorporation.**—(1) As soon as may be after coming into force of this Act, the Women Campus of the University of Bannu shall, by notification in the official Gazette, be reconstituted as the Kalam Bibi International Women Institute Bannu in accordance with the provisions of this Act.

(2) The Institute shall be a body corporate by the name of the Kalam Bibi International Women Institute Bannu and shall have a perpetual succession and a common seal and may, by the 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. It shall also be competent to receive grants.

(4) 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 and conditions as may be prescribed, subject to the provisions of this Act and the Higher Education Commission Ordinance, 2002 (LIII of 2002). In particular and without prejudice to the authority granted to the Commission by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Senate in the annual budget of the Institute.

(5) The Institute shall be liable to provide facilities to the representatives of the Commission, or such similar relevant organizations for visitation to enable them to verify that the Institute is maintaining appropriate academic standards.

4. **The Institute shall consist of —**

- (a) the Chancellor, Pro-Chancellor, members of the Senate and the Vice-Chancellor;
- (b) the members of the Authorities of the Institute established under section 20;
- (c) all Institute teachers and persons recognized as students of the institute in accordance with terms prescribed from time to time; and
- (d) all other full-time employees of the Institute.

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

- (i) to provide for instructions in such branches of learning as it may deem fit and to make provisions for teaching, training, research and development of technologies and for the advancement and dissemination of knowledge in such other fields or branches of study as the Senate may determine;
- (ii) to prescribe courses of studies to be conducted by it and the constituent 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 contract of specified duration and to specify the terms of each engagement;
- (vi) to confer honorary degrees or other distinctions on approved persons in the prescribed manner;
- (vii) to provide for such instruction for persons not being students of the Institute as it may prescribe and to grant certificates and diplomas to such persons;
- (viii) to institute programs for the exchange of students and teachers between the colleges and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (ix) to provide career counseling and job search services to students and alumni;
- (x) to maintain linkages with alumni;
- (xi) to develop and implement fund-raising plans;
- (xii) to provide and support the academic development of the faculty;
- (xiii) to confer degrees on persons who have carried on independent research under prescribed conditions;

- (xiv) to accept the examinations passed and the period of study spent by students of the institute at other universities and places of learning equivalent to such examinations and periods of study in the Institute, as it may prescribe and to withdraw such acceptance;
- (xv) to co-operate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- (xvi) to institute professorships, associate professorships, assistant professorships and lectureships and any other posts and to appoint persons thereto;
- (xvii) to create posts for research, teaching, extension, administration and other related purposes and to appoint persons thereto;
- (xviii) to affiliate and disaffiliate educational institutions under prescribed conditions;
- (xix) to inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (xx) to recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the Institute or such other persons as it may deem fit, as Institute teachers;
- (xxi) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xxii) to establish teaching departments, schools, constituent 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 in different parts of the country;
- (xxiii) to provide for the residence of the students of the Institute and the constituent colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxiv) to maintain order, discipline and security on the campuses of the Institute and the constituent colleges;
- (xxv) to promote the extra-curricular and recreational activities of such students and to make arrangements for promoting their health and general welfare;

- (xxvi) to demand and receive such fees and other charges as it may determine;
- (xxvii) to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies and commercial and industrial enterprises under prescribed conditions;
- (xxviii) to enter into, carry out, vary or cancel contracts;
- (xxix) 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;
- (xxx) to provide for the printing and publication of research and other works;
- (xxxi) to make Rules, Regulations and Statutes for the Institute; and
- (xxxii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient to further the objectives of the Institute as a place of education, learning and research.

6. The principle seat of the Institute shall be at Bannu, Khyber Pakhtunkhwa and it may set up any number of campuses, colleges and institutes at other places in Pakistan and abroad with prior approval of the Chancellor and Commission after completion of ten years of establishment of the Institute.

7. **Institute open to all classes, creeds, etc.**—(1) The Institute shall be open to all persons of female gender of whatever religion, race, caste, class, creed, colour or domicile who qualify for admission to the courses of study offered by the Institute based on the criteria and policy determined by the Senate and no such person shall be denied the privileges of the Institute on the ground only of religion, race, caste, class, colour or domicile.

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

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

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

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

(2) All recognized teaching in various courses shall be conducted by the Institute in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.

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

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

CHAPTER-III

OFFICERS OF THE INSTITUTE

9. Principal officers.— The following shall be the principal officers of the Institute, namely:—

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) the Deans;
- (e) the Chairmen of the teaching departments;
- (e) the Directors of the constituent colleges;
- (f) the Registrar;
- (g) the Treasurer;
- (h) the Controller of Examinations; and
- (i) such other persons, as may be prescribed by the Statutes or Regulations, to be the officers of the Institute.

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

(2) The Chancellor shall, when present, preside over the meetings of the Senate and the convocation of the Institute. In the absence of the Chancellor, the Pro-Chancellor shall preside over the convocation of the Institute.

(3) The members of the Senate as well as Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose under sub-section (1) of section 28 along with those elected.

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

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

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

Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he may after calling upon the Senate to show cause in writing, appoint a five-member review panel to examine and report to the Chancellor on the functioning of the Senate. The report of the review panel shall be submitted within such time as may be prescribed by the Chancellor. The review panel shall be drawn from persons of eminence in academics in the fields of law, accountancy and administration or as deem fit by the Chancellor; and

- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercise powers under section 18.

11. **Pro-Chancellor.**—The Provincial minister-in-charge of the concerned department dealing with the subject of higher education shall be the Pro-Chancellor of the Institute and shall in absence of the chancellor preside over the convocation of the Institute.

12. **Vice-Chancellor.**—(1) There shall be a Vice-Chancellor of the Institute who shall be a person of national eminence and proven ability with significant contribution to higher education as an academician, researcher or administrator and shall be appointed on such terms and conditions as may be prescribed.

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

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

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be set up by Statute and 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 and the Secretariat 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 Institute 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 the prescribed procedure, from service officers, teachers and other employees of the Institute;
- (e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the Institute; and
- (f) to exercise and perform such other powers and functions as may be prescribed.

(6) The Vice-Chancellor shall present an annual report before the Senate within three months of the close of the academic year. The annual report shall present such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to—

- (a) academics;
- (b) research;
- (c) administration; and
- (d) finances.

(7) The Vice-Chancellor shall make available an annual report, prior to its presentation before the Senate, to all officers and Institute teachers and it shall be published in such numbers, and uploaded on the Institute website, as 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 basis of recommendations made by the Senate as provided herein below.

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by Statutes and shall consist of two eminent members of society nominated by the Chancellor of whom one shall be appointed as convener, two members of the Senate, two distinguished Institute teachers who are not members of the Senate and one academician of eminence not employed by the Institute. The two distinguished Institute teachers shall be selected by the Senate through a process prescribed by Senate, which provides for the recommendation of suitable names by the Institute teachers in general. The search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice-Chancellor will be considered by the Institute 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 same manner as provided for in subsection (2).

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

Provided that the Chancellor may call upon the Senate to reconsider such resolution once:

Provided further that present incumbent Vice-Chancellor shall not be allowed any extension in his tenure but subject to eligibility he may again

compete for the post of the Vice-Chancellor in accordance with the procedure prescribed under this Act.

(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 grounds of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantages of any kind:

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

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

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

(7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Senate shall make arrangements in accordance with the Statutes for the performance of the duties of the Vice-Chancellor.

14. **Registrar.** — (1) There shall be a Registrar of the Institute having prescribed experience and qualifications, to be appointed by the Senate on the recommendation of the Selection Board, on such terms and conditions as may be prescribed.

- (2) The Registrar shall be a full-time officer of the Institute and shall
 - (a) be the custodian of the common seal and the academic records of the Institute;
 - (b) maintain a register of registered graduates in the prescribed manner;
 - (c) supervise the process of election, appointment, or nomination of members to the various Authorities and other bodies in the prescribed manner; and
 - (d) perform such other duties as may be prescribed.