

A

Bill

to provide for the establishment of the Institute of Health and Professional Studies

WHEREAS it is expedient to provide for the establishment of the Institute of Health and Professional Studies in the private sector and to provide for the 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 Institute of Health and Professional Studies Act, 2023.
  - (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,
  - (a) "Academic Council" means the Academic Council of the Institute;
  - (b) "Authority" means any of the Authorities of the Institute specified or set up in terms of section 21;
  - (c) "Board" means the Board of Governors of the Institute;
  - (d) "Chancellor" means the Chancellor of the Institute;
  - (e) "Chief Executive Officer" means the Chief Executive Officer of the Company who shall be the Chancellor of the Institute and Chairperson of the Board;
  - (f) "Commission" means the Higher Education Commission set up by the Higher Education Commission Act, 2002 (LIII of 2002);
  - (g) "Company" means Mega Educational Network (Private) Limited, a Company incorporated under the Companies Act, 2017 (XIX of 2017) as the sponsoring body of the Institute;
  - (h) "constituent college" means an educational institution, by whatever name described, maintained and administered by the Institute;
  - (i) "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;
  - (j) "department" means a teaching department maintained and administered, or recognized by the Institute in the manner prescribed;
  - (k) "Director" means the head of an institute established as a constituent institution by the Institute by Statutes or Regulations in terms of the powers delegated by this Act;
  - (l) "Executive Committee" means the Executive Committee of the Institute;
  - (m) "Faculty" means an administrative and academic unit of the Institute consisting of one or more departments or schools, as prescribed;
  - (n) "Government" means the Federal Government;
  - (o) "Institute" means the Institute of Health and Professional Studies;
  - (p) "Institute Teacher" means a whole-time teacher appointed and paid by the Institute or recognized by the Institute;
  - (q) "Officer" means the Principal Officers of the Institute specified in terms of section 7;
  - (r) "Patron" means the Patron of the Institute;
  - (s) "prescribed" means prescribed by Statutes, Regulations or Rules made under the Act;

- (t) "Principal" means the head of a constituent unit/college;
- (u) "Pro-Rector" means the Pro-Rector of the Institute;
- (v) "Rector" means the Rector of the Institute;
- (w) "Representation Committees" means the Representation Committees constituted under section 29;
- (x) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of this Act;
- (y) "Search Committee" means the Search Committee set up by the Board under this Act;
- (z) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force; and
- (aa) "teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the Institute or by a constituent unit/school/college and such other persons as may be declared to be teachers by Regulations.

## CHAPTER II THE INSTITUTE

**3. Establishment and Incorporation of the Institute .-** (1) Upon coming into force of this Act, the Institute of Health and Professional Studies shall stand established in the private sector with immediate effect.

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

- (a) The Patron, the Chancellor, the Rector, and the Pro-Rector;
- (b) the members of the authorities of the Institute established under section 21;
- (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 officers and members of the staff of the Institute.

(3) 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.

(4) The principal seat of the Institute shall be at Lahore and it may set up any number of campuses, colleges, constituent colleges/institutes, offices, research/study centers and other facilities at such places in Pakistan and abroad as the Board may determine.

(5) 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.

(6) 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 Act, 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 in the annual budget of the Institute.

**4. Powers and Functions of the Institute.-** The Institute shall have the following powers, namely:-

- a) to provide for instruction, education and training in the faculties of Arts and Humanities, Social Sciences, Media & Mass Communication, Management Sciences & Business Education, Hospitality & Tourism, Law, Textile, Design & Architecture, Physical & Biological Sciences, Medical & Dental Sciences, Allied Health Sciences, Pharmacy, Nursing & Midwifery,

Professional Health Technologies, Agriculture & Veterinary Sciences, Engineering, Technology, Aviation & Space Sciences, Computer Sciences & Information Technology, and such other faculties as the Board may determine and, where applicable, subject to the approval of the relevant statutory body of professional education.

Provided that the Board shall be competent to approve departments on the recommendation of Academic Council for the Faculties listed under subsection (i) of section 4.

- b) to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
- c) to decide teaching methods and strategies in order to ensure the most effective educational and training programs that may include virtual, on-campus, online, distance learning, lecture, tutorials, discussions, courses of studies, seminars, demonstrations and other methods of instructions as well as practical work, workshops, internships, apprenticeship in industries, financial institutions, laboratories, hospitals, and other organizations, etc.;
- d) to offer joint degree, sandwich and split degree programs in collaboration with national and international universities and educational institutions;
- e) to prescribe courses of studies to be conducted by it and all its constituent units;
- f) 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;
- g) 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;
- h) to engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;
- i) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- j) 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;
- k) 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;
- l) to provide career counselling and job search services to students and alumni;
- m) to maintain linkages with alumni;
- n) to develop and implement fund-raising plans;
- o) to provide and support the academic development of the faculty of the Institute;
- p) to confer degrees on persons who have carried on independent research under prescribed conditions;
- q) 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;
- r) to cooperate 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;
- s) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
- t) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- u) to recognize selected members of the teaching staff of colleges or educational institutions admitted to the privileges of the Institute or such other persons as it may deem fit, as Institute teachers;

- v) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- w) to establish campuses, colleges, research/study centers, constituent colleges, teaching departments, schools, 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;
- x) to provide for the residence of the students of the Institute and the constituent units, to institute and maintain halls of residence and to approve or license hostels and lodging;
- y) to maintain order, discipline and security on the campuses of the Institute and the constituent colleges/units;
- z) to promote the extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
- aa) to demand and receive such fees and other charges as it may determine;
- bb) 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;
- cc) to enter into, carry out, vary or cancel contracts;
- dd) 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;
- ee) to provide for the printing and publication of research and other works; and
- ff) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the Institute as a place of education, learning, and research, professional and technical training, special studies, and for safeguarding tangible and intangible cultural heritage.

5. **Institute open to all classes, creeds, etc.** – (1) The Institute 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 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 annualised basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor.

(3) The Institute shall institute financial aid programmes for students in need, to the extent considered feasible by the Board 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.

6. **Teaching at the Institute.** – (1) All recognized teaching in various courses shall be conducted by the Institute or the constituent colleges/units 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 Rector;
- (d) the Pro-Rector;
- (e) the Deans;
- (f) the Principals of the constituent colleges/units;
- (g) the Chairpersons of the teaching departments;
- (h) the Advisor;
- (i) the Registrar;
- (j) the Treasurer;
- (k) the Controller of Examinations; and
- (l) 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 Islamic Republic of Pakistan shall be the Patron of the Institute.

(2) The Patron shall, when present, preside at the convocation of the Institute. In the absence of the Patron, the Chancellor shall preside over the convocation of the Institute.

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

9. **Visitation.**— (1) The Patron may, in accordance with the terms and procedures as may be prescribed, cause an inspection or inquiry 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 buildings, laboratories, libraries, and other facilities;
- b) Any institution, department or hostel maintained by the Institute;
- c) The adequacy of financial and human resources;
- d) The teaching, research, curriculum, examinations and other matters of the Institute;
- and
- e) Such other matters as the Patron may specify.

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

(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 results of the visitation.

(4) Where the Board 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 the Board shall comply with all such directions: Provided that no action under subsection (4) shall be taken unless the Chancellor is afforded an opportunity of being heard.

10. **Chancellor.**— (1) The Chief Executive Officer of the Company shall be the Chancellor of the Institute.

(2) The members of the Board as well as the Rector 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, as the case may be.

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



- (a) as regards proceedings of the Board, 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 Board to show cause in writing, appoint a five-member Review Panel to examine and report to the Chancellor on the functioning of the Board. 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 Board, direct the Board to exercise powers under this Act.

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

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

(2) The Chancellor shall remove any person from the membership of the Board on a resolution calling for the removal of such person supported by at least three-fourth of the membership of the Board. Provided that before passing such resolution, the Board 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.

**12. Rector.**— (1) There shall be a Rector of the Institute who shall be an eminent academic or a distinguished administrator and shall be appointed 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 in order to promote the general efficiency and good order of the Institute. The Rector shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the Institute as may be entrusted to him by the Chancellor.

(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 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, to be set up by Statute. The Emergency Committee may direct such further action as is considered appropriate.

(5) The Rector shall also have the following powers, namely:—

- (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 Board for an unforeseen item not provided for in the budget and report it to the Board 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 from service, in accordance with prescribed procedure, officers, teachers and other employees of the Institute except those appointed by or with the approval of the Board;
  - (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.
- (3) The Rector shall present an annual report before the Board 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.

**13. Appointment and Removal of the Rector.**— (1) The Rector shall be appointed by the Chancellor on the basis of recommendations made by the Board.

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

(3) The persons proposed by the Search Committee for appointment as Rector shall be considered by the Board and of these a panel of three, in order of priority, shall be recommended by the Board 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 Board in the prescribed manner.

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

Provided that the Chancellor may call upon the Board to reconsider such resolution once.

(5) The Board 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 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 may, pursuant to a resolution in this behalf passed by two-thirds of its membership, recommend to the Chancellor the 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.

(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 office due to illness or some other cause, the Pro-Rector shall perform the duties of the Rector and in the absence of the Pro-Rector, the Chancellor shall make such arrangements for the performance of the duties of the Rector as it may deem fit.

**14. Pro-Rector.-** (1) There shall be one or more than one Pro-Rectors of the Institute to be appointed by the Chancellor in such manner and on such terms and conditions as may be determined by the Chancellor.

(2) The Pro-Rector shall perform such functions and duties as may be assigned by the Chancellor, the Board or the Rector from time to time.

**15. Dean.-** (1) There shall be a Dean of each faculty, group of faculties, institution or center to be appointed by the Chancellor on recommendation of the Rector, on such terms and conditions as may be prescribed.

(2) The Dean shall be in-charge of the faculty, group of faculties, institution or center and shall assist the Rector on the matters related to teaching, research, academic program and extension of other development projects.

(3) Subject to overall supervision of the Rector, the Dean shall formulate and recommend to the Academic Council, rules and regulations relating to academic and research matters of the faculty.

(4) The Dean shall also have the following powers, namely;-

- a) to collaborate with universities, industry and other research organizations;
- b) to formulate recommendations to the Academic Council on the courses of study to be taught in different departments of the faculty;
- c) to co-ordinate the award of fellowships, stipends, medals and prizes;
- d) to co-ordinate the teaching and research work of the faculty;
- e) to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board or the Rector; and
- f) to delegate any of his powers to appropriate levels of management subjects to such conditions as he may deem fit.

**16. Chairpersons of teaching departments.-** (1) The Chairperson of a teaching or research department, Principal of a constituent college or Director of a constituent institute shall be appointed by the Chancellor on recommendation of the Rector.

(2) The Chairperson of a teaching or research department, Principal of a constituent college or Director of a constituent institute shall be appointed from amongst the three senior most Professors of a teaching or research department, constituent college or constituent institute for such period as may be determined by the Chancellor, and shall be eligible for re-appointment but if, in a teaching or research department, constituent college or constituent institute, no Professor is available, the appointment shall be made from amongst the three senior most Associate Professors of a teaching or research department, constituent college or constituent institute:

Provided that in a teaching or research department, constituent college or constituent institute, where there is no Professor or Associate Professor is available, no such appointment shall be made and a teaching or research department, constituent college or constituent institute shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of a teaching or research department,



constituent college or constituent institute.

(3) The Chairperson shall plan, organize and supervise the work of a teaching or research department, constituent college or constituent institute, as the case may be, and shall be responsible to the Dean for the work assigned to him.

**17. Advisor.**—The Advisor to Chancellor may be appointed by the Chancellor on such terms and conditions as may be determined by the Chancellor. The Advisor shall advise the Chancellor on following matters:

- a) To advise the Chancellor on academic and operational issues
- b) To advise the Chancellor on the proper conduct of the business of the Board and regulatory matters of the Institute, and
- c) Assist in any other matter as may be required by the Chancellor from time to time.

**18. Registrar.**— (1) There shall be a Registrar of the Institute, to be appointed by the Chancellor on recommendation of the Rector, 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 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;
- (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:

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

**19. Treasurer.**— (1) There shall be a Treasurer of the Institute, to be appointed by the Chancellor on recommendation of the Rector, 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 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 with approval from the Chancellor;
- (b) prepare the annual and revised budget estimates of the Institute and present them to the Executive Committee or any other committee thereof for approval and incorporation in the budget to be presented to the Board;
- (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 Board 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:

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

20. **Controller of Examinations.**— (1) There shall be a Controller of Examinations of the Institute, to be appointed by the Chancellor on recommendation of the Rector, 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 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 examinations and 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 Chancellor may, on the advice of the Rector, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

#### **CHAPTER IV AUTHORITIES OF THE INSTITUTE**

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

(a) **Authorities established by the Act,—**

- (i) the Board of Governors;
- (ii) the Executive Committee; and
- (iii) the Academic Council;

(b) **Authorities to be established by the Statutes, —**

- (i) Board of Advanced Studies and Research;
- (ii) Board of Studies;
- (iii) Selection Board;
- (iv) Finance and Planning Committee;
- (v) Search Committee for the appointment of the Rector;
- (vi) Representation Committee for appointment to the Board, Executive Committee and the Academic Council;
- (vii) Quality Assurance Committee; and
- (viii) Discipline Committee.

(2) The Board, the Executive Committee and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable from time to time. Such committees or sub-committees shall be Authorities of the Institute for the purposes of this Act.

22. **Board of Governors.**— (1) The body responsible for the governance of the Institute shall be described as the Board of Governors, and shall consist of the following, namely:—

- (a) the Chancellor who shall be the Chairperson of the Board;
- (b) the Rector;
- (c) the Pro-Rectors;
- (d) Nominee of Federal Government not below the rank of Additional Secretary of the Federal Ministry dealing with the subject of education;
- (e) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, finearts, architecture, agriculture, science, technology and engineering such that the

appointment of these persons reflects a balance across the various fields:

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

(2) The numbers of the members of the Board described against clauses (f) to (h) of sub-section 1 may be increased by the Board through Statutes subject to condition that the total membership of the Board 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 (1).

(3) All appointments to the Board shall be made by the Chancellor. Appointments of persons described in clauses (f) to (h) 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 29 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 Board.

(4) Members of the Board, other than *ex officio* members, shall hold office for three years. Provided that no person, other than an *ex officio* member, may serve on the Board for more than two consecutive terms:

Provided further that the Institute Teachers appointed to the Board may not serve for two consecutive terms.

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

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

Provided that actual expenses may be reimbursed as prescribed.

(7) The Registrar shall be the Secretary of the Board.

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

(9) Unless otherwise prescribed by this Act, all decisions of the Board shall be taken on the basis of the opinion of a majority of the members present. In the event of the 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 Board shall be two-thirds of its membership, a fraction being counted as one.

**23. Powers and functions of the Board.** – (1) The Board shall have the power of general supervision over the Institute and shall hold the Rector and the Authorities accountable for all the functions of the Institute. The Board shall have all powers of the Institute not expressly vested in an Authority or officer by the Act and all other powers not expressly mentioned by this Act that are necessary for the performance of its functions.

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

- (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 enter into, vary, carry out and cancel contracts on behalf of the Institute;
- (d) to invest any money belonging to the Institute including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act 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;
- (e) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the Institute;
- (f) to oversee the quality and relevance of the Institute's academic programmes and to review the academic affairs of the Institute in general;
- (g) to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;
- (h) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the Institute;
- (i) to approve strategic plans;
- (j) to approve financial resource development plans of the Institute;
- (k) to consider the drafts of Statutes and Regulations proposed by the Executive Committee and the Academic Council and deal with them in the manner as provided for in sections 31 and 32, as the case may be;

Provided that the Board may frame a Statute or Regulation on its own initiative and approve it after calling for the advice of the Executive Committee or the Academic Council as the case may be;

- (l) to annul by order in writing the proceedings of any Authority or officer if the Board is satisfied that such proceedings are not in accordance with the provisions of the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;
  - (m) to recommend to the Chancellor removal of any member of the Board in accordance with the provisions of the Act;
  - (n) to make appointment of members of the Executive Committee, other than *ex officio* members, in accordance with the provisions of the Act;
  - (o) to make appointment of members of the Academic Council, other than *ex officio* members, in accordance with the provisions of the Act;
  - (p) to appoint Emeritus Professors on such terms and conditions as may be prescribed;
  - (q) to remove any person from the membership of any Authority if such person:
    - (i) has become of unsound mind; or
    - (ii) has become incapacitated to function as member of such Authority; or
    - (iii) has been convicted by a court of law for an offence involving moral turpitude; and
  - (r) to determine the form, provide for the custody and regulate the use of the common seal of the Institute.
- (3) The Board may, subject to the provisions of the Act, delegate all or any of the powers and functions of any Authority, officer or employee of the Institute at its main campus, to any Authority, committee, officer or employee at its additional campuses for the purpose of exercising such powers and performing such functions in relation to such additional campus, and for this purpose the Board may create new posts or positions at the additional campuses.

24. **Visitation.**— The Board 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 Institute.

25. **Executive Committee.**— (1) There shall be an Executive Committee of the Institute consisting of the following:—

- (a) the Rector who shall be its Chairperson;
- (b) the Pro-Rectors;
- (c) the Advisor;
- (d) the Deans of the Faculties of the Institute;
- (e) three Professors from different departments, who are not members of the Board, to be elected by the Institute Teachers in accordance with procedure to be prescribed by the Board;
- (f) the Registrar;
- (g) the Treasurer; and
- (h) the Controller of Examinations;

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

(3) As regards the three Professors described in clause (e) of sub-section (1), the Board 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 29. Appointment of persons proposed by the Representation Committee may be made by the Board on the recommendation of the Rector.

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

(5) The Executive Committee shall meet at least once in each quarter of the year.

(6) The Registrar shall be the Secretary of the Executive Committee.

26. **Powers and duties of the Executive Committee.**— (1) The Executive Committee shall be the executive body of the Institute and shall, subject to the provisions of the Act and the Statutes, exercise general supervision over the affairs and management of the Institute.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statutes and directions of the Board, the Executive Committee shall have the following powers:—

- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Board;
- (b) to cause proper books of account to be kept for all sums of money received and expended by the Institute and for the assets and liabilities of the Institute;
- (c) to administer any funds placed at the disposal of the Institute for specified purposes;
- (d) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the Institute;
- (e) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
- (f) to recommend to the Board admission of educational institutions to the privileges of the Institute and withdraw such privileges;
- (g) to arrange for the inspection of constituent colleges and the departments;
- (h) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;
- (i) to create, suspend or abolish such administrative or other posts as may be necessary;



- (j) to prescribe the duties of officers, teachers and other employees of the Institute;
- (k) to report to the Board on matters with respect to which it has been asked to report;
- (l) to appoint members to various Authorities in accordance with the provisions of the Act;
- (m) to propose drafts of Statutes for submission to the Board;
- (n) to regulate the conduct and discipline of the students of the Institute;
- (o) to take actions necessary for the good administration of the Institute in general and to this end exercise such powers as are necessary;
- (p) to delegate any of its powers to any Authority or officer or a committee; and
- (q) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

**27. Academic Council.**— (1) There shall be an Academic Council of the Institute consisting of the following:—

- (a) the Rector who shall be its Chairperson;
- (b) the Pro-Rectors;
- (c) the Deans of Faculties and such Heads of departments as may be prescribed;
- (d) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Board;
- (e) five Professors including Emeritus Professors;
- (f) the Registrar;
- (g) the Director QEC;
- (h) the Director ORIC;
- (i) the Controller of Examinations; and
- (j) the Librarian.

(2) The Board shall appoint the members of the Academic Council, other than the *ex officio* and the elected members, on the recommendation of the Rector:

Provided that as regards the five professors and the members representing the departments, institutes and the constituent colleges, the Board 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 29. Appointment of persons proposed by the Representation Committee may be made by the Board on the recommendation of the Rector.

- (3) Members of the Academic Council shall hold office for three years.
- (4) The Academic Council shall meet at least once in each quarter.
- (5) The quorum for meetings of the Academic Council shall be one half of the total number of members, a fraction being counted as one.
- (6) The Registrar shall be the Secretary of the Academic Council.

**28. Powers and functions of the Academic Council.**— (1) The Academic Council shall be the principal academic body of the Institute and shall, subject to the provisions of the Act and the Statutes, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the Institute and the constituent 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) propose to the Executive Committee schemes for the constitution and organization of faculties, teaching departments and boards of studies;
- (f) appoint paper setters and examiners for all examinations of the Institute after receiving panels of names from the relevant authorities;
- (g) institute programmes for the continued professional development of Institute Teachers at all levels;
- (h) recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the Institute;
- (i) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (j) frame Regulations for submission to the Board;
- (k) prepare an annual report on the academic performance of the Institute; and
- (l) perform such functions as may be prescribed by Regulations.

**29. Representation Committees.**— (1) There shall be a Representation Committee constituted by the Board through Statute for recommendation of persons for appointment to the Board in accordance with the provisions of section 22.

(2) There shall also be a Representation Committee constituted by the Board through Statute for the recommendation of persons for appointment to the Executive Committee and the Academic Council in accordance with the provisions of sections 25 and 27.

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

- (a) three members of the Board who are not Institute Teachers;
- (b) two persons nominated by the Institute Teachers from amongst themselves in the manner prescribed;
- (c) one person from the academic community, not employed by the Institute, at the level of professor or college principal to be nominated by the Institute Teachers in the manner prescribed; and
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Board.

(4) The Representation Committee for appointments to the Executive Committee and the Academic Council shall consist of the following:

- (a) two members of the Board who are not Institute Teachers.
- (b) three persons nominated by the Institute Teachers from amongst themselves in the manner 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 Institute as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the Institute.

**30. Appointment of Committees by certain Authorities.**— (1) The Board, the Executive Committee, 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 committee 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

**31. Statutes.**—(1) Subject to the provisions of the Act, Statutes may be made to regulate or prescribe all or any of the following matters:—

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

(2) The draft of Statutes shall be proposed by the Executive Committee to the Board which may approve or pass with such modifications as the Board may think fit or may refer back to the Executive Committee, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (k) of sub-section (1) shall be initiated and approved by the Board, after seeking the views of the Executive Committee:

Provided further that the Board may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of the Act and approve such Statute after seeking the views of the Executive Committee.

**32. Regulations.**—(1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations for all or any of the following matters:—

- (a) the courses of study for degrees, diplomas and certificates of the Institute;
- (b) the manner in which the teaching referred to in sub-section (1) of section 6 shall be organized and conducted;
- (c) the admission and expulsion of students to and from the Institute;
- (d) the conditions under which students shall be admitted to the courses and the examinations of the Institute and shall become eligible for the award of degrees, diplomas and

- certificates;
- (e) the conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;
- (g) the institution of fellowships, scholarships, exhibitions, medals and prizes;
- (h) the use of the Library;
- (i) the formation of faculties, departments and board of studies; and
- (j) all other matters which by the Act or the Statutes are to be or may be prescribed by Regulations.

(2) Regulations shall be proposed by the Academic Council and shall be submitted to the Board which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Board.

(3) Regulations regarding or incidental to matters contained in sub-clauses (g) and (i) shall not be submitted to the Board without the prior approval of the Executive Committee.

**33. Amendment and repeal of Statutes and Regulations.**— The procedure for adding to, amending or repealing the Statutes and the Regulations shall be the same as that prescribed respectively for framing or making Statutes and Regulations.

**34. Rules.**— (1) The Authorities and the other bodies of the Institute may make Rules consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the Institute which has not been provided for by the Act or that is not required to be regulated by Statutes or Regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

(2) Rules shall become effective upon approval by the Executive Committee.

#### **CHAPTER VI INSTITUTE FUND**

**35. Institute Fund.**— The Institute shall have a fund to which shall be credited its income from fees, charges, donations, trusts, bequests, endowments, contributions, grants and all other sources.

**36. Audits and Accounts.**— (1) The Accounts of the Institute shall be maintained in such form and in such manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the Institute by an independent Chartered Accountant appointed by the Board.

(2) The accounts, together with the report of the auditor thereon, shall be submitted to the Board for approval.

(3) The auditor's report shall clarify that the auditor complied with the standards of audit and certification laid down by the Institute of Chartered Accountants of Pakistan.

#### **CHAPTER VII GENERAL PROVISIONS**

**37. Opportunity to show cause.**— Except as otherwise provided by law, no officer, teacher or other employee of the Institute holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

38. **Appeal to the Executive Committee and the Board.**— Where an order is passed punishing any officer (other than the Rector), teacher or other employee of the Institute or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by any officer or teacher of the Institute other than the Rector, have the right to appeal to the Executive Committee against the order, and where the order is passed by the Rector, have the right to appeal to the Board.
39. **Service of the Institute.**— (1) The Institute may employ such persons in its service as may be necessary, on such terms and conditions as may be determined by the Board or prescribed by Statutes.
40. **Benefits and Insurance.**— (1) The Institute may constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.
41. **Filling of casual vacancies in Authorities.**— Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.
42. **Flaws in the constitution of Authorities.**— Where there is a flaw in the constitution of an Authority, as constituted by this Act, the Statutes or the Regulations on account of the abolition of a specified office under Government or because an organization, institution or other body outside the Institute has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Board may direct.
43. **Proceedings of Authorities not invalidated by the vacancies.**— No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.
44. **Removal of difficulties.**— (1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Chancellor whose decision thereon shall be final.  
(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor may make such order after obtaining the views of the Board, not inconsistent with the provisions of the Act, as may appear to him to be necessary for removing the difficulty.  
(3) Where the Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom, or the time at which, or the manner in which, it shall be done, then it shall be done by such authority, at such time, or in such manner as the Chancellor may direct after obtaining the views of the Board.
45. **Indemnity.**— No suit or legal proceedings shall lie against the Institute or any Authority, officer or employee of the Institute or any person in respect of anything which is done in good faith under the Act.



### STATEMENT OF OBJECTS AND REASONS

The Institute of Health and Professional Studies will be a center of excellence in the private sector aiming at creation and dissemination of knowledge and to serve as an engine of economic growth for the region by promoting research and development culture in the country. It will especially cater to the requirement of producing quality human resource for national and international job markets with cutting edge and innovative contribution for the collective good of society at large. The Institute intends to bridge the human resource gap in the Allied Health workforce of the country with special focus on Pharmacy, Nursing & Midwifery and Professional Health Technologies. The Institute shall be open to all persons of either gender and no person shall be denied the privileges of the Institute on the grounds of religion, race, caste, creed, class, colour or domicile etc.

The Mega Educational Network (Pvt.) Limited possesses all the features essential for an organization to proceed for establishing a chartered Institute in the private sector.

Hence, this Bill.

Sd-  
Mr. Naresh Shrivastava

**MEMBER-IN-CHARGE**