

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A Bill

to provide for the establishment of Capital University of Science & Technology

WHEREAS it is expedient to provide for the establishment of Capital University of Science and Technology at Islamabad and for matters ancillary thereto;

It is hereby enacted as follows:—

CHAPTER I

PRELIMINARY

1. **Short title, application and commencement.**—(1) This Bill may be called the Capital University of Science and Technology Act, 2015.

(2) It extends to the whole of Islamabad Capital Territory.

(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 University;

(b) “Authority” means any of the Authorities of the University setup under section 18;

(c) “Board” means the Board of Governors of the University;

(d) “Chancellor” means the Chancellor of the University;

(e) “College” means a constituent college;

(f) “Commission” means the Higher Education Commission of Pakistan;

(g) “Constituent College” means an educational institution, by whatever name described maintained and administered by the University;

(h) “Dean” means the head of a faculty of the University;

(i) “Department” means a teaching department of the University;

- (j) "Director" means the head of an institute established as a constituent institute by the University;
- (k) "Executive Committee" means the Executive Committee of the University;
- (l) "Faculty" means an administrative and academic unit of the University consisting of one or more departments;
- (m) "Government" means the Federal Government;
- (n) "Institute" means an institute maintained and administered by the University;
- (o) "Officer" means any officer(s) of the University;
- (p) "Patron" means the Patron of the University;
- (q) "Prescribed" means prescribed by Statutes, regulations or rules;
- (r) "Professor Emeritus" means a retired Professor appointed by the Chancellor on honorary basis;
- (s) "Principal" means the head of a College;
- (t) "Registrar" means the Registrar of the University;
- (u) "Review Panel" means the Review Panel setup by the Chancellor under section 10;
- (v) "Representation Committees" means the representation committees constituted under section 25;
- (w) "Search Committee" means the search committee set up by the Board under section 13;
- (x) "Statutes", "Regulations" and "Rules" means respectively the Statutes, the Regulations and the Rules made under this Act;
- (y) "Teacher" include Professor, Associate Professor, Assistant Professor and Lecturer engaged whole-time by the University, or by a constituent college;
- (z) "Trust" means the Mohammad Ali Jinnah University Trust;
- (aa) "University" means the Capital University of Science and Technology;

- (ab) "University Teacher" means a whole-time teacher appointed and paid by the University; and
- (ac) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II

THE UNIVERSITY

3. Establishment and Incorporation of the University.—(1) There shall be established at Islamabad a University to be called the Capital University of Science and Technology consisting of:

- (a) the Patron, the Chancellor, the Vice-Chancellor, the members of the Board, the members of Executive Committee, deans, the chairmen of the teaching departments and members of the Academic Council of the University;
- (b) the members of the boards, committees and other bodies as the Board may establish;
- (c) the teachers and students of the University and its constituent units; and
- (d) such other officers and members of the staff as the Board may, from time to time, specify.

(2) The University shall be a body corporate by the name of Capital University of Science and Technology having perpetual succession and a common seal, with powers, among others 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.

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

(4) The University shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.

(5) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act and the Higher Education Commission

Ordinance, 2002 (LIII of 2002). In particular, and without prejudice to the authority granted to the Commission by the law, the Government or an authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Board in the annual budget of the University.

4. Powers and Purposes of the University.—The University shall have the following powers, namely:-

- (a) to provide education and scholarship in such branches of knowledge as it may deem fit, and to make provisions for research, service to society and for the application, advancement and dissemination of knowledge by employing information technology including satellite, television, internet etc., or through conventional methods;
- (b) to prescribe courses of studies to be conducted by it and the colleges;
- (c) 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;
- (d) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the University.
- (e) to engage, where necessary, persons on contract of specified duration and to specify the terms of each engagement;
- (f) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (g) to provide for such instruction for persons not being students of the University as it may prescribe and to grant certificates and diplomas to such persons;
- (h) to institute programmes for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (i) to provide career counseling and job search services to students and alumni;
- (j) to maintain linkages with alumni;
- (k) to develop and implement fund-raising plans;

- (l) to provide and support the academic development of the faculty of the University;
- (m) to confer degrees on persons who have carried on independent research under prescribed conditions;
- (n) to accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;
- (o) 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;
- (p) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
- (q) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (r) to recognize selected members of the teaching staff of colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;
- (s) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (t) to establish teaching departments, schools, colleges, faculties, institutes, museums and other centres of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (u) to provide for the residence of the students of the University and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (v) to maintain order, discipline and security on the campuses of the University and the colleges;
- (w) to promote the extra curricular and recreational activities of the students, and to make arrangements for promoting their health and general welfare;
- (x) to demand and receive such fees and other charges as it may determine from time to time;

- (y) 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;
- (z) to enter into, carry out, vary or cancel contracts;
- (za) to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (zb) to provide for the printing and publication of research and other works; and
- (zc) 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 University as a place of education, learning, and research; and
- (zd) to decide virtual/online teaching methods and strategies in order to ensure the conduct of most effective educational and training programs in light of Policy on the subject made by the commission.

5. University open to all classes, creeds, etc.—(1) The University 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 privileges of the University 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 University 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 University and the various opportunities provided by it to be based on merit rather than ability to pay.

6. Teaching at the University.—(1) All recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other organizations.

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

CHAPTER III

OFFICERS OF THE UNIVERSITY

7. **Officers of the University.**—The following shall be the officers of the University, namely:—

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

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

(2) The Patron shall, when present, preside at the convocation of the University. In the absence of the Patron, the Board of Governors may request a person of eminence or the Chancellor to preside over the convocation of the University.

(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 Higher Education Commission in respect of any matter connected with the affairs of the University and shall, from time to time, direct any person or persons to inquire into or carry out inspection of:

- (a) the University, its building, laboratories, libraries and other facilities;
- (b) any institution, department or hostel maintained by the University;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination and other matters of the University; 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 it.

(3) The Chancellor shall, within such time as may be specified by the Patron, communicate to him such action, if any, as has been taken or may be proposed to be taken upon the results of 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 Board shall comply with all such directions.

10. Chancellor.—(1) The Chairman of the Trust shall be the Chancellor of the University and the Chairperson of the Board.

(2) The members of the Board as well as the Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with this Act and the statutes, as the case may be, along with those elected.

(3) where the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University 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 section 19.

(4) The Chancellor may remove any person from the membership of any authority if such person:

- (a) has been found of unsound mind; or

- (b) has been incapacitated to function as a member of such Authority; or
- (c) has been convicted by a court of law for an offence involving moral turpitude; or
- (d) has been found indulging in any activity against the interest of the University.

(5) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the Vice Chancellor or a nominee of the Chancellor shall act for him.

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 Vice-Chancellor in his capacity as a member of the Board.

12. Vice-Chancellor.—(1) There shall be a Vice-Chancellor of the University who shall be an eminent academician or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed.

