

## CONFIDENTIAL

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### PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE SPECIAL COMMITTEE NO.3 REGARDING THE NAMAL INSTITUTE MIANWALI BILL 2019 (BILL NO.02 OF 2019)

The Namal Institute Mianwali Bill 2019 (Bill No.02 of 2019) was referred to the Special Committee No.3 on 15 January 2019. The Committee considered the Bill in its meeting held on 17 January 2019.

2. The following were present:—

1.	Mr Muhammad Basharat Raja Minister for Law and Parliamentary Affairs	Convener
2.	Mr Yasir Humayun Minister for Higher Education & Tourism	<i>ex-officio</i> Member
3.	Ch Zaheer ud Din Minister for Public Prosecution	Member
4.	Mian Muhammad Aslam Iqbal Minister for Industries, Commerce & Investment	Member
5.	Mr Saeed Akbar Khan, MPA (PP-90)	Member
6.	Mr Muhammad Waris Shad , MPA (PP-84)	Member
7.	Syed Hassan Murtaza, MPA (PP-95)	Member

3. Mr Sajid Zafar Dall, Secretary to Government of the Punjab, Higher Education Department and Mr Mohsin Bukhari, Additional Director, Law and Parliamentary Affairs Department represented their Departments. Mr Faiz-ul-Basit, Additional Secretary (Committees-I), Provincial Assembly of the Punjab, functioned as Secretary to the Committee.

4. Mr Sajid Zafar Dall, Secretary to Government of the Punjab, Higher Education Department apprised the Committee about the aims and objects of the proposed Bill. He stated that it was necessary to provide the establishment of Namal Institute Mianwali. It primarily serves students coming from Mianwali and surrounding districts which include Chakwal, Lakki Marwat, Bannu, DI Khan, Khushab, Karak, Kohat etc and also serves students coming from Lahore and as far away as Karachi. The aim of Namal Institute is to support development efforts for communities across Pakistan by empowering the youth. He requested the Committee that the Bill, as introduced in the Assembly may be recommended to be passed by the Assembly.

5. The Committee after hearing the Members, having view point of the Administrative as well as Law and Parliamentary Affairs Departments and discussing various points, unanimously decided to recommend that the Bill may be passed by the Assembly subject to the following amendments:-

**AMENDMENTS IN THE BILL**

**(1) CLAUSE 1**

in sub-clause (1), the figures "2018" be substituted by the figures "2019".

**(2) CLAUSE 2**

in para (b) the figures "2018" be substituted by the figures "2019";

6. A copy of the Bill as introduced in the Assembly is at Annexure-A and a copy of the Bill as recommended by the Committee is at Annexure-B.

Lahore  
17 January 2019

  
**(MUHAMMAD BASHARAT RAJA)**  
*Convener/  
Minister for Law and Parliamentary Affairs  
Special Committee No.3*

Lahore  
17 January 2019

  
**(MUHAMMAD KHAN BHATTI)**  
*Secretary*

ANNEXURE – A

(BILL AS INTRODUCED IN THE ASSEMBLY)  
**PROVINCIAL ASSEMBLY OF THE PUNJAB**  
Bill No. 02 of 2019

**THE NAMAL INSTITUTE MIANWALI BILL 2019**

A  
BILL

*to provide for the establishment of Namal Institute Mianwali.*

It is necessary to provide for the establishment of Namal Institute Mianwali as an Institute in the private sector and to provide for matters connected therewith and ancillary thereto.

Be it enacted by Provincial Assembly of the Punjab as follows:

**1. Short title and commencement.**– (1) This Act may be cited as the Namal Institute Mianwali Act 2018.

(2) It shall come into force at once.

**2. Definitions.**– In this Act:

- (a) “Academic Council” means the Academic Council of the Institute;
- (b) “Act” means the Namal Institute Mianwali Act 2018;
- (c) “Authority” means an Authority of the Institute specified in section 17;
- (d) “Board” means the Board of Governors of the Institute;
- (e) “Chairperson of the Board” means the Chairperson of the Board of Governors of the Institute;
- (f) “Chairperson” means the head of the department or principal of a constituent college;
- (g) “Commission” means the Higher Education Commission established under the Higher Education Commission Ordinance 2002 (*LIII of 2002*);
- (h) “constituent college” means a college maintained and administered by the Institute;
- (i) “Controller of Examinations” means the Controller of Examinations of the Institute;
- (j) “Dean” means the head of a Faculty of the Institute;
- (k) “Department” means a teaching department maintained and administered by the Institute in the prescribed manner;
- (l) “Faculty” means an administrative and academic unit of the Institute consisting of one or more departments or constituent colleges as may be prescribed;
- (m) “Foundation” means the Namal Education Foundation registered under the Societies Registration Act 1860 (*XXI of 1860*);
- (n) “Government” means Government of the Punjab;
- (o) “Head of Department” means the head of a department or principal of a constituent college;
- (p) “Institute” means the Namal Institute established as an Institute under the Act;
- (q) “Patron” means Governor of the Punjab;
- (r) “prescribed” means prescribed by the rules, statutes or regulations;
- (s) “Punjab Higher Education Commission” means Punjab Higher Education Commission set up under the Punjab Higher Education Commission Act 2014 (*I of 2015*);

- (t) "Rector" means the Rector of the Institute;
- (u) "Registrar" means the Registrar of the Institute;
- (v) "Schedule" means the Schedule appended to the Act;
- (w) "Search Committee" means the Search Committee constituted by the Board to make recommendations for the appointment of the Rector;
- (x) "statutes", "regulations" and "rules" mean respectively the statutes, regulations and rules made under the Act;
- (y) "teacher" includes a Professor, Associate Professor, Assistant Professor or Lecturer engaged whole time by the Institute and such other persons as may be prescribed; and
- (z) "Treasurer" means the Treasurer of the Institute.

**3. Establishment of the Institute.**— (1) The Government may, by notification in the official Gazette, establish an Institute in the private sector to be called Namal Institute Mianwali, with its campus located at Mianwali.

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

(3) The Institute shall consist of the following:

- (a) Patron, Chairperson and members of the Board and Rector;
- (b) Chairpersons and Deans;
- (c) members of an Authority;
- (d) teachers and the students of the Institute; and
- (e) officers and members of the staff of the Institute.

**4. Functions of the Institute.**— The Institute shall:

- (a) provide instruction and training in:
  - (i) Electrical Engineering, Electronics Engineering and Computer Sciences;
  - (ii) such other branches of knowledge, except medical, dental, allied health sciences or nursing education, as the Board may determine with the prior approval of the Patron given on the recommendations of a committee constituted by the Government and, where applicable, subject to the prior approval of the relevant statutory body of professional education;
- (b) establish, maintain and administer a department, constituent college or an institute;
- (c) make provisions for research, application, advancement and dissemination of knowledge;
- (d) prescribe and conduct courses of studies;
- (e) decide teaching methods and strategies in accordance with the education policy of the Government to provide for effective educational and training programmes;
- (f) hold examinations in the prescribed manner and, if a person qualifies the examination, award degree, diploma, certificate and other academic distinction to the person;
- (g) prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute;
- (h) engage, where necessary, a person on contract for a specified duration and specify the terms of the engagement;

- (i) institute programs for the exchange of students and teachers between the Institute and any other university, educational institution or research organization;
- (j) provide career counselling and job-search services to the students and alumni;
- (k) maintain linkages with alumni;
- (l) develop and implement fund-raising plans in the prescribed manner;
- (m) provide and support the academic development of the Faculty of the Institute;
- (n) confer degree on a person who has successfully conducted research in the prescribed manner;
- (o) accept an examination and the period of study spent by a student of the Institute at any other university or place of learning equivalent to an examination or period of study of the Institute and may withdraw such acceptance;
- (p) cooperate with a public authority, university or private organization in the manner and for such purpose as may be prescribed;
- (q) institute Professorship, Associate Professorship, Assistant Professorship and Lecturership or any other post and appoint a person to the post;
- (r) create a post for research, extension, administration or other related purpose and may appoint a person to the post;
- (s) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;
- (t) provide for the residence of the students, establish and maintain halls of residence and may approve or license a hostel, lodging or boarding place;
- (u) maintain order, discipline and security in a campus of the Institute;
- (v) promote the extra-curricular and recreational activities of the students and make arrangements for promoting health and general welfare of the students;
- (w) demand and receive such fees and other charges from the students as it may determine;
- (x) make provision for research, advisory or consultancy services and enter into arrangements with any other institution, public or private body, commercial or industrial enterprise in the prescribed manner;
- (y) print and publish research or any other work;
- (z) receive and manage property transferred and grants, contributions made to the Institute and to invest any fund in the manner as it may deem fit; and
- (aa) perform any other prescribed or an ancillary function.

**5. Institute open to all.**— Subject to the reasonable restrictions as may be prescribed, the Institute shall be open to all persons and admission to the Institute shall not be denied on the basis of gender, religion, race, creed, colour or domicile.

**6. Jurisdiction.**— (1) The jurisdiction of the Institute shall be restricted to Province of the Punjab.

(2) The Institute shall not open any sub-campus for a period of ten years from the date of coming into force of the Act.

(3) Subject to subsection (2), the Institute may, after the said period, establish a sub-campus with the prior approval of the Government.

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

- (a) Patron;
- (b) Rector;
- (c) Deans;
- (d) Chairpersons;
- (e) Registrar;
- (f) Treasurer;
- (g) Controller of Examinations; and
- (h) such other persons as may be prescribed by the statutes or regulations to be the officers of the Institute.

**8. Patron.**— (1) The Patron or his nominee may preside over a convocation of the Institute.

(2) The Institute may confer an honorary degree with the prior approval of the Patron.

(3) The Patron may approve the draft statutes submitted by the Board or return the Statutes to the Board for reconsideration.

(4) In the performance of his functions under the Act the Patron shall act and be bound in the same manner as the Governor of a Province acts and is bound under Article 105 of the Constitution of the Islamic Republic of Pakistan.

**9. Inspection and inquiry.**— (1) The Patron may direct inspection or inquiry into the affairs of the Institute.

(2) The Patron shall convey his views with regard to the result of the inspection or inquiry to the Board and may, after ascertaining the views of the Board, recommend any remedial action to the Board.

(3) The Board shall, within the time specified by the Patron, submit a report to the Patron about the action taken on the recommendations of the Patron.

(4) If the Board fails to take action to the satisfaction of the Patron within the specified time, the Patron may issue such directions as he thinks fit and the Board shall comply with the directions.

(5) The Patron may, on the recommendation of a Committee constituted by him and comprising of a nominee of the Board, a Judge of the Lahore High Court to be nominated by the Chief Justice of that Court and a Professor Emeritus or Vice Chancellor of any university, take such action against the Institute as he may deem appropriate.

(6) The Patron shall not take any action under subsection (5), unless the Chairperson of the Board is afforded an opportunity of hearing.

(7) The Patron may set aside a decision or action of the Board, which, in the opinion of the patron, is against the objectives of the Institute or against the interest of academic excellence, religious or cultural ideology or national integrity.

**10. Rector.**— (1) The Government shall, on the recommendations of the search committee, appoint a person as Rector.

(2) The Board shall determine the terms and conditions of service of the Rector.

(3) The Rector shall be the person who possesses the prescribed qualifications and experience.

(4) The Rector shall perform such functions as are given in the Act or as may be prescribed or as are assigned to him by the Board.

**11. Powers of the Rector.**— (1) 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, rules, statutes and regulations are observed in all affairs of the Institute.

(2) The Rector may attend a meeting of an Authority or body of the Institute.

(3) Subject to the conditions as may be prescribed by the Board, the Rector may, in case of an emergency, take an action which is not otherwise in the competence of the Rector and within three days of taking of such action, shall submit a report of the action taken to the Chairperson of the Board.

(4) Subject to the general supervision and control of the Board, the Rector may:

- (a) direct a teacher, officer or other employee of the Institute to take up such assignment in connection with examination, administration or any other activities in the Institute as he may consider necessary;
- (b) sanction by re-appropriation an amount for an unforeseen item not provided for in the budget of the Institute;
- (c) make appointments of such categories of employees of the Institute and in such manner as may be prescribed;
- (d) suspend, punish or remove, in the prescribed manner, an officer, teacher or employee of the Institute except those appointed by the Board;
- (e) take disciplinary action against a teacher, officer or any other employee of the Institute in the prescribed manner; and
- (f) delegate, subject to such conditions as may be prescribed, any of his powers to a teacher or officer of the Institute.

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

(6) The Rector shall, within three months of the conclusion of an academic year, submit the annual report of the Institute to the Board.

**12. Acting Rector.**— Subject to the conditions as may be prescribed, if the office of the Rector is vacant, or the Rector is absent or is unable to perform the functions of his office due to illness or some other cause, the Board shall make arrangements for the performance of the duties of the Rector by any other person, as it may deem fit.

**13. Registrar.**— (1) The Board shall appoint a Registrar of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Registrar unless he possesses the prescribed qualifications and experience.

(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 secretarial support to the Board and the Rector;
- (b) be the custodian of the common seal and the academic records of the Institute;
- (c) maintain a register of the students and graduates in the prescribed manner;

- (d) supervise the process of election, appointment or nomination of a member to an Authority or body of the Institute in the prescribed manner; and
  - (e) perform such other duties as may be prescribed or as may be assigned by the Rector or the Board.
- (4) The Registrar shall hold office for a renewable term of three years.

**14. Controller of Examinations.**— (1) The Board shall appoint a Controller of Examinations of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Controller of Examinations unless he possesses the prescribed qualifications and experience.

(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 or assigned by the Rector or the Board.

(4) The Controller of Examinations shall hold office for a renewable term of three years.

**15. Treasurer.**— (1) The Board shall appoint a Treasurer of the Institute on such terms and conditions as may be prescribed.

(2) The Board shall not appoint a person as Treasurer unless he possesses the prescribed qualifications and experience.

(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;
- (b) prepare the annual and revised budget estimates of the Institute and present the estimates to the Board;
- (c) ensure that the funds of the Institute are spent according to the budget or any other special arrangement;
- (d) ensure that the accounts of the Institute are audited annually and are available for submission to the Board within six months of the end of a financial year; and
- (e) perform such other functions as may be prescribed or assigned to him by the Rector or the Board.

(4) The Treasurer shall hold office for a renewable term of three years.

**16. Appointments.**— 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.

**17. Authorities of the Institute.**— The following shall be the Authorities of the Institute:

- (a) Board of Governors;
- (b) Academic Council;
- (c) Boards of Faculties;
- (d) Board of Advanced Studies and Research;
- (e) Selection Board;
- (f) Finance and Planning Committee; and
- (g) any other Authority as may be prescribed by the statutes or the regulations.

**18. Board of Governors.**— (1) The Board of Governors of the Institute shall consist of the following:



- (a) Chairman of the Board of Governors of the Foundation;
- (b) members of the Foundation subject to a maximum of four members to be nominated by the Foundation;
- (c) four persons each one of whom is an expert in any of the fields of knowledge, to be nominated by the Foundation;
- (d) one member of Provincial Assembly of the Punjab, to be nominated by the Speaker of the Assembly;
- (e) Chairperson of the Commission or his nominee not below the rank of a Director;
- (f) Chairperson Punjab Higher Education Commission or his nominee not below the rank of a Director;
- (g) a Vice Chancellor of a public sector university in the Punjab nominated by the Patron;
- (h) Secretary to the Government, Higher Education Department or his nominee not below the rank of an Additional Secretary; and
- (i) Rector.

(2) The Chairman of the Board of Governors of the Foundation shall be the Chairperson of the Board and the Rector shall be the Secretary of the Board.

(3) Members of the Board other than *ex-officio* members shall hold office for a term of three years and shall be eligible for re-appointment on the expiry of their term of office.

(4) The quorum for a meeting of the Board shall be one-half of the total number of members.

(5) The Secretary shall, with the approval of the Chairperson of the Board, call a meeting of the Board.

(6) The Foundation may fill a casual vacancy occurring because of death or resignation of a member of the Board nominated by the Foundation to the extent of the remainder of the term of the former member.

**19. Powers and duties of the Board.**— (1) The administration and management of the affairs of the Institute shall vest in the Board.

(2) Without prejudice to the generality of the aforesaid power, the Board may:

- (a) formulate or approve the principles, policies and plans governing the activities and operations of the Institute so as to facilitate research, teaching and other academic work;
- (b) recommend the draft statutes to the Patron;
- (c) make or approve regulations;
- (d) create a component of the Institute such as Faculty, department, constituent college or institute, subject to the provisions of the Act;
- (e) constitute a committee, council and any other administrative or academic advisory body;
- (f) create such academic or administrative posts as it may deem necessary and to approve appointments to such posts as it may specify;
- (g) hold, control and administer the property, funds and resources of the Institute and raise funds for the purpose of the Institute upon such security as may be required under the regulations;
- (h) undertake the responsibility for the financial viability of the Institute including responsibility for ensuring effectiveness of its operations, their continuity and preservation of the autonomy of the Institute;

- (i) consider and approve, through a resolution, the annual report, plan of work, statement of accounts and the annual budget estimates;
- (j) call for and consider reports relating to the activities of the Institute and may direct the Rector to furnish information relating to any matter specified by the Board; and
- (k) take all such initiatives as it may consider necessary or desirable for efficient and effective management and functioning of the Institute.

(3) The Board shall recommend the draft statutes to the Patron but the statutes shall come into force when approved by him.

**20. Business of the Board.**— (1) The meetings and business of the Board shall be conducted in such manner and in accordance with such procedure as may be prescribed in the regulations and until so prescribed, as may be determined by the Board.

(2) The statutes, regulation or proceeding of the Board shall not be invalid by reason of any vacancy or defect in the constitution of the Board.

**21. Delegation of powers.**— (1) Subject to subsection (2), the Board may delegate any of its powers or functions to a person or committee of the Board.

- (2) The Board shall not delegate the power to:
  - (a) make the statutes or regulations;
  - (b) recommend any action to the Patron;
  - (c) appoint the Registrar, Controller of Examination and Treasurer; and
  - (d) approve annual budget and make consideration of audit reports.

**22. Academic Council.**— (1) The Academic Council shall consist of:

- (a) Rector (Convener);
- (b) all Deans;
- (c) all Chairpersons;
- (d) Controller of Examinations;
- (e) all Professors of the University;
- (f) nominee of the Secretary to the Government, Higher Education Department not below the rank of a Deputy Secretary;
- (g) two Associate Professors, two Assistant Professors and two Lecturers to be nominated by the Board;
- (h) three persons eminent in the field of art or science of whom at least one shall be from each category, to be nominated by the Board;
- (i) Director Academics of the Commission; and
- (j) Registrar (Secretary).

(2) A nominated member shall hold office for a renewable term of three years.

(3) The quorum for a meeting of the Academic Council shall be one-half of the total number of members of the Academic Council.

**23. Powers and duties of Academic Council.**— (1) The Academic Council shall be the academic body of the Institute and may, subject to the statutes, lay down proper standards of instruction, research, publication and examination and to regulate and promote the academic life of the Institute.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of the Act, rules, statutes and regulations, the Academic Council may:

- (a) advise the Board on academic matters;
- (b) regulate the conduct of teaching, research and publication;
- (c) regulate the admission of students to the courses of studies and examinations in the Institute;
- (d) regulate the conduct and discipline of the students of the Institute;
- (e) propose to the Board, a scheme for the constitution and organization of faculties, teaching departments, constituent colleges and institutes;
- (f) consider or formulate proposals for the planning and development of teaching and research in the Institute;
- (g) recommend to the Board, the regulations prescribing the courses of studies, the syllabi and outlines of tests for examinations;
- (h) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (i) frame regulations for submission to the Board;
- (j) appoint or nominate members to the various Authorities in accordance with the provisions of the Act; and
- (k) perform such other functions as may be prescribed by the statutes.

**24. Institute Fund.**— (1) The Board shall establish a Fund to be known as the Namal Institute Mianwali Fund which shall vest in the Institute and to which shall be credited all sums received by the Institute.

(2) The Institute may accept donations in the shape of land, vehicles, equipment or any other item that may facilitate the functioning of the Institute and all such donations shall be used, maintained and disposed of by the Institute in the prescribed manner.

**25. Budget, audit and accounts.**— (1) The budget of the Institute shall be approved and its accounts shall be maintained and audited in such manner as may be determined by the Board.

(2) The Board may approve the budget of the Institute, appropriation of accounts of the Institute and settle an audit para relating to the audit of the Institute.

**26. Rules.**— The Government may, by notification, make rules to carry out the purposes of the Act.

**27. Statutes.**— (1) Subject to the rules, the Board may recommend statutes to the Patron to provide for and to regulate any matter relevant to the Institute.

(2) The Patron may approve the statutes, with or without amendments, or refer the statutes back to the Board for reconsideration.

**28. First Statutes.**— Notwithstanding anything to the contrary contained in the Act, the statutes set out in the Schedule shall be deemed to be the statutes made under section 27 and shall continue to remain in force until amended or repealed in accordance with the provisions of the Act.

**29. Regulations.**— Subject to the rules and statutes, the Board may make regulations for the proper administration and management of the affairs of the Institute.

**30. Removal of difficulties.**— If any difficulty arises in giving effect to any of the provisions of the Act, the Government may, within one year of the commencement of the Act and on the recommendations of the Board, give such directions, not inconsistent with the Act, as it may consider necessary for the removal of such difficulty.

**SCHEDULE**  
(see section 28)  
**THE FIRST STATUTES**

**1. Faculties.**— (1) There shall be a Faculty for a teaching department or a group of teaching departments.

(2) The Institute shall include the following faculties and such other faculties as may be prescribed:

- (a) Faculty of Electrical, Electronics Engineering; and
- (b) Faculty of Computer Sciences.

**2. Board of Faculty.**— (1) There shall be a Board of Faculty for each Faculty which shall consist of:

- (a) Dean of the Faculty;
- (b) Professors and the Chairpersons in the Faculty;
- (c) two teachers to be nominated by the Academic Council for their specialized knowledge of the subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty;
- (d) two experts in the field from outside the Institute to be appointed by the Board; and
- (e) one member to be nominated by the Rector.

(2) The members other than *ex-officio* members of a Board of Faculty shall hold office for a period of three years.

(3) The quorum for a meeting of a Board of Faculty shall be one-half of the total number of members.

(4) A Board of Faculty, subject to the general control of the Academic Council and the Board, may:

- (a) co-ordinate the teaching and research work in the subjects assigned to the Faculty;
- (b) scrutinize the recommendations of the Board of Studies comprising a Faculty with regard to the appointment of paper-setters and examiners for graduate and postgraduate examinations and to forward the panels of suitable paper-setters and examiners for each examination to the Rector;
- (c) consider any other academic matter relating to the Faculty and to submit its report to the Academic Council;
- (d) prepare a comprehensive annual report regarding the performance of each department or constituent Institute comprising the Faculty for presentation to the Academic Council; and
- (e) perform such other functions as may be prescribed by statutes.

(5) The Dean of the Faculty shall be the convener of the Board of Faculty.

(6) The Dean shall be appointed by the Board from amongst three senior most Professors of the Faculty on the recommendations of the Rector and shall hold office for a period of three years and shall be eligible for reappointment.

(7) The Dean shall present candidates for admission to degree, except an honorary degree, courses falling within the purview of the Faculty.

(8) The Dean shall have such powers and duties as may be prescribed by the Board on the recommendations of the Rector.

**3. Academic departments, constituent colleges and institutes.**—(1) There shall be an academic department or constituent college for each subject or a group of subjects, as may be prescribed by the regulations and each academic department or constituent college shall be headed by a head of department or principal of the constituent college.

(2) The Board shall, on the recommendation of the Rector, appoint the Chairperson from amongst three senior most Professors other than the Professors already working as Dean for a period of three years and the Chairperson shall be eligible for reappointment:

Provided that in a department or constituent where college there are less than three eligible Professors, the appointment shall be made from amongst the three senior most Professors and Associate Professors of the department or constituent college.

(3) The Chairperson shall plan, organize and supervise the work of the department or constituent college and shall be responsible to the Dean for the work of his department, constituent college or institute.

(4) The Chairperson shall, under the general supervision of the Rector and Dean, exercise all the administrative, financial and academic powers and such other duties or powers as may be delegated to him.

(5) The Chairperson shall prepare a comprehensive annual report regarding the performance of the department or constituent college at the graduate and postgraduate levels, Faculty research and development and submit the report to the Dean for evaluation.

**4. Board of Advanced Studies and Research.**— (1) The Board of Advanced Studies and Research shall consist of:

- (a) Rector (Convener);
- (b) all Deans;
- (c) Controller of Examinations;
- (d) one Professor of the Institute from each Faculty other than the Dean to be appointed by the Board;
- (e) one member to be nominated by the Rector;
- (f) three members from the relevant field, research organizations and Government, to be nominated by the Board; and
- (g) Registrar (Secretary).

(2) The term of office of the members of the Board of Advanced Studies and Research other than *ex-officio* members shall be three years.

(3) The quorum for a meeting of the Board of Advanced Studies and Research shall be one-half of the total number of members.

**5. Functions of the Board of Advanced Studies and Research.**— The Board of Advanced Studies and Research shall:

- (a) advise an Authority on all matters connected with the promotion of advanced studies and research publication in the Institute;
- (b) consider and report to an Authority with regard to a research degree of the Institute;
- (c) propose regulations regarding the award of a research degree;
- (d) appoint supervisors for a postgraduate research student and to approve the title and synopses of a thesis or dissertation;
- (e) recommend panels of names of examiners for evaluation of a research examination; and

- (f) perform such other functions as may be prescribed by the statutes.

**6. Selection Board.**— (1) The Selection Board shall consist of:

- (a) Rector (Convener);
- (b) Dean of the Faculty concerned;
- (c) Chairperson concerned;
- (d) one member of the Board to be nominated by the Board;
- (e) one eminent scholar to be nominated by the Foundation; and
- (f) one expert in the subject to be nominated by the Secretary to the Government, Higher Education Department.

(2) The Registrar shall be the Secretary of the Selection Board.

(3) The members other than *ex-officio* members shall hold office for a period of three years.

(4) Four members of the Selection Board shall constitute the quorum for a meeting of the Selection Board.

(5) No member who is a candidate or whose family member is a candidate, for a post to which appointment is to be made, shall take part in the proceedings of the Selection Board for selection of a candidate on such post.

(6) In selection of candidates for the post of Professor or Associate Professor, the Selection Board shall co-opt or consult three experts in the subject concerned and in selecting candidates for any other teaching post, two experts in the subject concerned, to be nominated by the Rector from a standing list of experts for each subject approved by the Board on the recommendation of the Selection Board.

(7) The Board may revise the standing list of experts of a subject on the recommendation of the Selection Board.

**7. Functions of the Selection Board.**— The Selection Board shall:

- (a) consider the applications and recommend to the Board, the names of suitable candidates for appointment to teaching and other posts and recommend suitable salary for the selected candidate; and
- (b) consider all cases of promotion or selection of officers of the Institute and recommend the names of suitable candidates for such promotion or selection to the Board.

**8. Finance and Planning Committee.**— (1) The Finance and Planning Committee shall consist of:

- (a) Rector (Convener);
- (b) all Deans;
- (c) Treasurer;
- (d) one member of the Board to be nominated by the Board;
- (e) one member of the Academic Council to be nominated by the Academic Council;
- (f) one representative each from the Higher Education and Finance Departments of the Government not below the rank of a Deputy Secretary;
- (g) Director Planning of the Higher Education Commission;
- (h) Registrar; and
- (i) one nominee of the Foundation.

(2) The term of office of the nominated members shall be three years.

(3) Five members of the Finance and Planning Committee shall constitute the quorum for a meeting of the Finance and Planning Committee.

**9. Functions of the Finance and Planning Committee.**— The Finance and Planning Committee shall:

- (a) prepare the annual statement of accounts and propose annual budget estimates and advise the Board thereon;
- (b) review periodically the financial position of the Institute;
- (c) advise the Board on all matters relating to finance, investments and accounts of the Institute; and
- (d) perform such other functions as may be prescribed by the Statutes.

#### **STATEMENT OF OBJECTS AND REASONS**

Namal Institute primarily serves students coming from Mianwali and surrounding districts which include Chakwal, Lakki Marwat, Bannu, DI Khan, Khushab, Karak, Kohat etc. It also serves students coming from Lahore and as far away as Karachi. The aim of Namal Institute is to support development efforts for communities across Pakistan by empowering the youth. It has been decided that the Namal Institute may be established through enactment. Hence this Bill.

**MINISTER INCHARGE**

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**Lahore:**  
**10 January 2019**

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**MUHAMMAD KHAN BHATTI**  
**Secretary**

**(BILL AS RECOMMENDED BY  
THE SPECIAL COMMITTEE NO.3)**

A  
BILL

*to provide for the establishment of Namal Institute Mianwali.*

It is necessary to provide for the establishment of Namal Institute Mianwali as an Institute in the private sector and to provide for matters connected therewith and ancillary thereto.

Be it enacted by Provincial Assembly of the Punjab as follows:

**1. Short title and commencement.**— (1) This Act may be cited as the Namal Institute Mianwali Act 2019.

(2) It shall come into force at once.

**2. Definitions.**— In this Act:

- (a) "Academic Council" means the Academic Council of the Institute;
- (b) "Act" means the Namal Institute Mianwali Act 2019;
- (c) "Authority" means an Authority of the Institute specified in section 17;
- (d) "Board" means the Board of Governors of the Institute;
- (e) "Chairperson of the Board" means the Chairperson of the Board of Governors of the Institute;
- (f) "Chairperson" means the head of the department or principal of a constituent college;
- (g) "Commission" means the Higher Education Commission established under the Higher Education Commission Ordinance 2002 (*LIII of 2002*);
- (h) "constituent college" means a college maintained and administered by the Institute;
- (i) "Controller of Examinations" means the Controller of Examinations of the Institute;
- (j) "Dean" means the head of a Faculty of the Institute;
- (k) "Department" means a teaching department maintained and administered by the Institute in the prescribed manner;
- (l) "Faculty" means an administrative and academic unit of the Institute consisting of one or more departments or constituent colleges as may be prescribed;
- (m) "Foundation" means the Namal Education Foundation registered under the Societies Registration Act 1860 (*XXI of 1860*);
- (n) "Government" means Government of the Punjab;
- (o) "Head of Department" means the head of a department or principal of a constituent college;
- (p) "Institute" means the Namal Institute established as an Institute under the Act;
- (q) "Patron" means Governor of the Punjab;
- (r) "prescribed" means prescribed by the rules, statutes or regulations;
- (s) "Punjab Higher Education Commission" means Punjab Higher Education Commission set up under the Punjab Higher Education Commission Act 2014 (*I of 2015*);
- (t) "Rector" means the Rector of the Institute;
- (u) "Registrar" means the Registrar of the Institute;
- (v) "Schedule" means the Schedule appended to the Act;



- (w) "Search Committee" means the Search Committee constituted by the Board to make recommendations for the appointment of the Rector;
- (x) "statutes", "regulations" and "rules" mean respectively the statutes, regulations and rules made under the Act;
- (y) "teacher" includes a Professor, Associate Professor, Assistant Professor or Lecturer engaged whole time by the Institute and such other persons as may be prescribed; and
- (z) "Treasurer" means the Treasurer of the Institute.

**3. Establishment of the Institute.**— (1) The Government may, by notification in the official Gazette, establish an Institute in the private sector to be called Namal Institute Mianwali, with its campus located at Mianwali.

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

(3) The Institute shall consist of the following:

- (a) Patron, Chairperson and members of the Board and Rector;
- (b) Chairpersons and Deans;
- (c) members of an Authority;
- (d) teachers and the students of the Institute; and
- (e) officers and members of the staff of the Institute.

**4. Functions of the Institute.**— The Institute shall:

- (a) provide instruction and training in:
  - (i) Electrical Engineering, Electronics Engineering and Computer Sciences;
  - (ii) such other branches of knowledge, except medical, dental, allied health sciences or nursing education; as the Board may determine with the prior approval of the Patron given on the recommendations of a committee constituted by the Government and, where applicable, subject to the prior approval of the relevant statutory body of professional education;
- (b) establish, maintain and administer a department, constituent college or an institute;
- (c) make provisions for research, application, advancement and dissemination of knowledge;
- (d) prescribe and conduct courses of studies;
- (e) decide teaching methods and strategies in accordance with the education policy of the Government to provide for effective educational and training programmes;
- (f) hold examinations in the prescribed manner and, if a person qualifies the examination, award degree, diploma, certificate and other academic distinction to the person;
- (g) prescribe the terms and conditions of employment of the officers, teachers and other employees of the Institute;
- (h) engage, where necessary, a person on contract for a specified duration and specify the terms of the engagement;
- (i) institute programs for the exchange of students and teachers between the Institute and any other university, educational institution or research organization;