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THE HAJVERY UNIVERSITY, LAHORE, ORDINANCE, 2002 (LIX of 2002)

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TEXT

¹THE HAJVERY UNIVERSITY, LAHORE, ORDINANCE, 2002

(LIX of 2002)

[2nd October, 2002]

**An
Ordinance**

to provide for the establishment of the Hajvery University, Lahore.

Preamble.— Whereas it is expedient to provide for the establishment of the Hajvery University, Lahore and for matters ancillary and connected thereto in the manner hereinafter appearing;

And whereas the Provincial Assembly of the Punjab stands dissolved and the Governor is satisfied that circumstances exist which render it necessary to take immediate action;

And whereas under Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, as amended by the Chief Executive Order No. 11 of 2000, the Governor of a Province may issue and promulgate and Ordinance;

Now, therefore, in exercise of the aforesaid powers and all other powers enabling him in that behalf, the Governor of the Punjab is pleased to make and promulgate the following Ordinance:—

1. Short title and commencement.— (1) This Ordinance may be called the Hajvery University, Lahore, Ordinance, 2002.

(2) It shall come into force at once.

2. Definitions.— In this Ordinance unless there is anything repugnant in the subject or context—

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Board” means the Board of Governors;
- (c) “Chairperson” of Department” means the head of a teaching department;
- (d) “Company” means the Syed Ali Hajvery University Trust;
- (e) “Dean” means the Chairman of the Board of a Faculty;
- (f) “Faculty” means a faculty of the University;
- (g) “Government” means the Government of the Punjab;
- (h) “Patron” means the Governor of the Punjab;

¹Promulgated by the Governor of the Punjab on 2 October 2002; and published in the Punjab Gazette (Extraordinary), dated 2 October 2002, pages 2967-2975. Under Article 4 of the Provisional Constitution (Amendment) Order 1999 (9 of 1999), it will remain in force notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

- (i) "Rector" means the Rector of the University;
- (j) "Registrar means the Registrar of the University;
- (k) "Statutes", "Regulations" and the "Rules" mean respectively the Statutes, the Regulations and the Rules made or deemed to have been made under this Ordinance; and
- (l) "University" means the Hajvery University, Lahore as constituted under this Ordinance;

3. Establishment of the University.— (1) There shall be established a University to be called the Hajvery University, Lahore with its campus located at Lahore.

(2) The University 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.

4. Functions and the powers of the University.— The functions and powers of the University shall be—

- (a) to provide for instruction and training in—
 - (i) Computer Sciences, Business Administration, Fashion Designing and Merchandizing, Commerce, English and Economics; and
 - (ii) such other branches of learning as the Board of Governors may determine with the approval of the Patron given on the recommendation of a committee constituted by the Education Department:
 Provided that in case of medical and engineering education, approval of the Pakistan Medical & Dental Council and Pakistan Engineering Council respectively shall be a pre-requisite;
- (b) to provide for research, demonstration and other services, and for the advancement and dissemination of knowledge;
- (c) to hold examinations and confer on or award degrees, diplomas, certificates and other distinctions to persons who have passed its examinations;
- (d) to select and promote faculties;
- (e) to prescribe course of studies;
- (f) to establish and support other facilities for education, training and research; and
- (g) to decide teaching methods and strategies in order to ensure the most effective educational and training programs.

5. Jurisdiction.— (1) The Jurisdiction of the University shall be restricted to the Province of the Punjab.

(2) The University shall not open any sub-campus or affiliate any other educational institution for a period of ten years from the commencement of this

Ordinance after which period it may have sub-campus with the approval of the Patron.

6. Patron.— (1) The Governor of the Punjab shall be the Patron of the University.

(2) The Patron or his nominee shall preside at the convocations of the University.

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

7. Inspection and inquiry.— (1) The Patron may cause an inspection or inquiry to be made in respect of any matter connected with the affairs of the University.

(2) The Patron shall communicate to the Board of Governors his views with regard to the result of the inspection or inquiry and shall, after ascertaining the views of the Board, advise the Board on the action to be taken by it.

(3) The Board of Governor shall, within such time as may be specified by the Patron, communicate to him such action as has been taken as a result of the inspection or inquiry.

(4) Where the Board of Governors does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he thinks fit and the Board shall comply with all such directions.

(5) The Patron may, on the recommendation of a committee constituted by the Patron and comprising a nominee of the Board of Governors, a Judge of the Lahore High Court to be nominated by the Chief Justice of the said Court and Professor Emeritus or Vice Chancellor, take any action against the University including its closure.

(6) The Government may make Rules to give effect to the provisions of sub-section (5).

(7) The Patron shall have the authority to annul any decision or action of the Board of Governors, which he thinks was taken against the interest of academic excellence, religious and cultural ideology and national integrity.

8. Board of Governors.— (1) The Board of Governors of the University shall consist of the following:—

- (i) the Chairman of the Syed Ali Hajvery University Trust;
 - (ii) members of the Board of Directors of the Company subject to a maximum of eight members;
 - (iii) the Chairman, University Grants Commission or his nominee not below the rank of a whole time member;
 - (iv) a Vice Chancellor of a University in the Punjab nominated by the Patron;
 - (v) the Rector; and
 - (vi) Secretary to Government of the Punjab, Education Department or his nominee not below the rank of an Additional Secretary.
- (2) The Chairman of the Company shall be the Chairman of the Board.

(3) The quorum for a meeting of the Boards shall be one half of the total number of members, a fraction being counted as one.

9. Rector.— (1) The Rector shall be appointed by the Government on such terms and conditions as may be determined on the recommendations of the Board.

(2) The Rector shall perform such functions as are assigned to him by the Board.

10. Powers and functions of the Board of Governors.— The administration and management of the affairs of the University shall vest in the Board.

11. Business of the Board.— (1) The meetings and the 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 these matters are prescribed, as may be determined by the Board.

(2) No Statute, Regulation or proceeding of the Board shall be invalid by reason of any vacancy or defect in the constitution of the Board.

12. Appointment.— The University may appoint such persons in its services as may be necessary on such terms and conditions as may be determined by the Board.

13. Delegation of powers.— The Board may delegate to any person or a committee any of its powers, duties or functions.

14. University Fund.— There shall be a fund to be known as the Hajvery University, Lahore Fund which shall vest in the University and to which shall be credited all sums received by the University.

15. Budget, audit and accounts.— The budget of the University shall be approved and its accounts shall be maintained and audited in such manner as may be prescribed by the Board.

16. Regulations.— The Board may, by notification, make Regulations for the administration and management of the affairs of the University.

17. Removal of difficulties.— If any difficulty arise in giving effect to any of the provisions of this Ordinance, the Government may, in consultation with the Board, give such directions, not inconsistent with the said provisions, as it may consider necessary for the removal of such difficulty.

18. Academic Council.— (1) The Academic Council shall consist of—

- (i) the Rector (Chairman);
- (ii) all the Deans;
- (iii) all the Heads of the Departments / Institutes;
- (iv) all Professors and Associate Professors of the University;
- (v) nominee of the Secretary Education not below the rank of Deputy Secretary;

- (vi) two Associate Professors, two Assistant Professors and two lecturers to be nominated by the Board;
 - (vii) three persons eminent in the field of arts and science of whom at least one shall be from each category, to be nominated by the Board;
 - (viii) Director Academic, University Grants Commission; and
 - (ix) the Registrar (Member/Secretary).
- (2) Members appointed by nomination shall hold office for three years;
- (3) The quorum for a meeting of the Academic Council shall be one half of the total number of members, a fraction being counted as one.

19. Powers and duties of Academic Council.— (1) The Academic Council shall be the academic body of the university and shall, by the Statutes, have the powers to lay down proper standards of instruction, research, publication and examination and to regulate and promote the academic life of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Ordinance and the Statutes, the Academic Council shall have the powers to-

- (a) advise the Board of Governors on academic matters;
- (b) regulate the conduct of teaching, research, publication and examinations;
- (c) regulate the admission of students to the courses of studies and examinations in the University;
- (d) regulate the conduct and discipline of the students of the University;
- (e) propose to the Board of Governors scheme for the constitution and organization of faculties and teaching departments;
- (f) consider or formulate proposals for the Planning and Development of teaching and research in the University;
- (g) make Regulations prescribing the courses of studies, the syllabi and the outlines of tests for all university examinations subject to the approval of the Board of Governors;
- (h) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (i) frame Regulations for submission to the Board of Governors;
- (j) appoint/nominate members to the various Authorities in accordance with the provisions of this Ordinance; and
- (k) perform such other function as may be prescribed by Statutes;

20. First Statutes.— The Schedule prescribes the Regulations for the establishment of the departments, faculties and bodies under the First Statutes of the University.

21. Repeal.— The Syed Ali Hajvery Institute of Technology and Management Sciences, Lahore, Ordinance, 2002(XXI of 2002), is hereby repealed.

22. Saving.— On the commencement of this Ordinance—

- (i) all funds, properties, rights and interests of whatsoever kind issued, used, enjoyed, possessed, owned by or vested in the Syed Ali Hajvery Institute of Technology and Management Sciences, Lahore, existing immediately before the commencement of this Ordinance and all liabilities subsisting against the said Institute shall stand transferred to the University established under this Ordinance; and
- (ii) everything done, action taken, obligations and liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdictions or powers conferred, endowments, bequests, funds or trusts created, donations or grants made or orders issued by the Syed Ali Hajvery Institute of Technology and Management Sciences, Lahore, existing immediately before the commencement of this Ordinance shall be deemed to have been respectively done, taken, incurred, acquired, appointed or authorized, conferred, created, made or issued under this Ordinance.

SCHEDULE
(See Section 20)

THE FIRST STATUTES OF THE HAJVERY UNIVERISY, LAHORE.

1. FACULTIES.— There shall be a faculty for a teaching department or a group of teaching departments. The University shall include the following faculties and such other faculties as may be prescribed:

- (a) Faculty of Business Administration;
- (b) Faculty of Computer Sciences;
- (c) Faculty of Fashion Designing and Merchandising;
- (d) Faculty of Commerce;
- (e) Faculty of Humanities and Social Sciences (Economics); and
- (f) Faculty of Languages and Literature (English).

2. BOARD OF FACULTY.— (1) There shall be a Board of each Faculty which shall consist of—

- (a) the Dean of the Faculty;
- (b) the Professors and the heads of the teaching departments in the Faculty;
- (c) one member other than Professors and head of each teaching department to be nominated by the Head of Department;
- (d) two teacher to be nominated by the Academic Council by reason of 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;
- (e) two experts in the field from outside the University to be appointed by the Board of Governors; and
- (f) one member to be nominated by the Rector.

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

(3) The quorum for a meeting of the Board of a Faculty shall be one half of the total number of members, a fraction being counted as one.

(4) The Board of each Faculty shall, subject to the general control of the Academic Council and the Board, have the powers to—

- (i) co-ordinate the teaching and research work in the subjects assigned to the faculty;
- (ii) scrutinize the recommendations of the Boards of studies comprising the 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;

- (iii) consider any other academic matter relating to the faculty and report there on to the Academic Council;
- (iv) prepare a comprehensive annual report regarding the performance of each department comprising the faculty for presentation to the Academic Council; and
- (v) perform such other functions as may be prescribed by statutes.

(5) There shall be a Dean of each Faculty who shall be the Chairman and Convener of the Board of Faculty.

(6) The Dean shall be appointed by the Board of Governors from amongst the 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 honorary degrees) in the 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 AND HEAD OF THE DEPARTMENT.– (1) There shall be an Academic Department for each subject or a group of subject, as may be prescribed by Regulations and each Academic Department shall be headed by a Head of Department.

(2) The Head of an Academic Department shall be appointed by the Board on the recommendations of the Rector from amongst three senior most Professors other than any Professor already working as Dean for a period of three years and shall be eligible for re-appointment; provided that in a department where 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.

(3) The Head of the Department shall plan, organize and supervise the work of the department and shall be responsible to the Dean for the work of his department.

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

(5) The heads of the departments shall prepare a comprehensive annual report regarding the performance of department at the Graduate and Postgraduate levels, faculty research and development and submit this report to the Dean of the Faculty for his evaluation.

4. BOARD OF ADVANCED STUDIES AND RESEARCH.– (1) The Board of Advanced Studies and Research shall consist of–

- (a) the Rector (Chairman);
- (b) all the Deans;
- (c) one University Professor from each Faculty other than Dean to be appointed by the Board;

- (d) one member to be nominated by the Rector;
- (e) three member from the relevant field, research Organizations and Government Departments, to be nominated by the Board; and
- (f) the Registrar as Secretary.

(2) The term of office of the members of the Board of Advanced Studies and Research other than ex-office of the 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, a fraction being counted as one.

5. FUNCTIONS OF THE BOARD ADVANCED STUDIES AND RESEARCH.— The functions of the Board of Advanced Studies and Research shall be to—

- (a) advise the Authorities on all matters connected with the promotion of advanced studies and research publication in the University;
- (b) consider and report to the Authorities in the University of research degrees in the University;
- (c) propose Regulations regarding the award of research degrees;
- (d) appoint supervisors for Postgraduate research students and to approve titles and synopses of their thesis/dissertations;
- (e) recommend panels of names of examiners for evaluation of their other research examinations; and
- (f) perform such other functions as may be prescribed by Statutes.

6. SELECTION BOARD.— (1) The Selection Board shall consist of—

- (a) the Rector (Chairman);
- (b) the Dean of the Faculty concerned;
- (c) the Head of the Academic Department concerned;
- (d) one member of the Board of Governors to be nominated by the Board;
- (e) one eminent scholar to be nominated by the Board of Directors of the Company; and
- (f) one expert in the subject to be nominated by the Secretary to Government of the Punjab, 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 period of three years.

(4) The quorum for a meeting of the Selection Board shall be four.

(5) No member who is a candidate for the posts to which appointment is to be made shall take part in the proceedings of the Board.

(6) In selection of candidates for the posts of Professors and Associate Professors, the Selection Board shall co-opt or consult three experts in the subject concerned and in selecting candidates for other teaching posts, 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 recommendations of the Selection Board and revised from time to time.

7. FUNCTIONS OF THE SELECTION BOARD.— The functions of the Selection Board shall be to—

- (a) consider the applications and recommend to the Board the names of suitable candidates for appointment to teaching and other posts, as the case may be, and recommend suitable salary for the person concerned; and
- (b) consider all cases of promotion or selection of officers of the University 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) the Rector (Chairman);
- (b) all the Deans;
- (c) one member of the Board to be nominated by the Board;
- (d) one member of the Academic Council to be nominated by the Academic Council;
- (e) one representative each from Education Department and Finance Department of the Government of the Punjab not below the rank of Deputy Secretary;
- (f) Director Planning, University Grants Commission;
- (g) the Registrar; and
- (h) one nominee of the Board of Directors of the Company.
- (i) The term of office of the nominated members shall be three years.

(2) The quorum for a meeting of the Finance and Planning Committee shall be five.

9. FUNCTIONS OF THE FINANCE AND PLANNING COMMITTEE.— The functions of the Finance and Planning Committee shall be to—

- (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 University;
- (c) advise the Board on all matters relating to finance, investments and accounts of the University; and
- (d) perform such other functions as may be prescribed by Statutes.