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THE RASHID LATIF KHAN UNIVERSITY ACT 2021 (XXXVII of 2021)

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TEXT

**'THE RASHID LATIF KHAN UNIVERSITY ACT 2021
(XXXVII of 2021)**

[24 November 2021]

An
Act

to provide for the establishment of Rashid Latif Khan University

WHEREAS it is expedient to provide for the establishment of the Rashid Latif Khan University in 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 Rashid Latif Khan University Act, 2021.

(2) It shall come into force at once.

2. Definitions.— In this Act:

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Act” means the Rashid Latif Khan University Act 2021;
- (c) “Authority” means any of the authorities of the University;
- (d) “Board” means the Board of Governors of the University;
- (e) “Chairperson” means the Chairperson of the Board of Governors of the University;
- (f) “Chancellor” means Governor of the Punjab;
- (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, administered and managed by the University;
- (i) “Controller of Examinations” means the Controller of Examinations of the University;
- (j) “Dean” means the Head of a Faculty of the University;
- (k) “Department” means a Teaching Department maintained and administered or managed by the University in the prescribed manner;
- (l) “Employee” means all individuals employed by the University other than Teachers.
- (m) “Faculty” means an Administrative and Academic Unit of the University consisting of one or more Departments or Constituent Colleges as maybe prescribed;

¹This Act was passed by the Provincial Assembly of the Punjab on 23 November 2021; assented to by the Governor of the Punjab on 23 November 2021; and, was published in the Punjab Gazette (Extraordinary), dated: 24 November 2021, pp. 2505-2514.

- (n) "Government" means Government of the Punjab;
- (o) "Head of Department" means the Head of a Department;
- (p) "Institute" means an Institute maintained and administered or managed by the University;
- (q) "Prescribed" means prescribed by the Rules, Statutes or Regulations;
- (r) "Principal" means Principal of a Constituent College;
- (s) "Punjab Higher Education Commission" means Punjab Higher Education Commission set up under the Punjab Higher Education Commission Act, 2014 (I of 2015);
- (t) "Registrar" means the Registrar of the University;
- (u) "Registered Graduate" means a Graduate of the University who has his/her name entered in the register maintained for the purpose;
- (v) "Schedule" means the Schedule appended to the Act;
- (w) "Statutes", "Regulations and "Rules" mean respectively the Statutes, Regulations and Rules made under the Act;
- (x) "Teacher" includes a Professor, Associate Professor, Assistant Professor or Lecturer engaged by the University and such other persons as may be prescribed;
- (y) "Treasurer" means the Treasurer of the University, by whatever name called i.e. Director Finance or Chief Financial Officer;
- (z) "Trust" means the RLK Trust;
- (aa) "University" means the Rashid Latif Khan University, Constituted under the Act; and
- (bb) "Vice Chancellor" means the Vice Chancellor of the University.

3. Establishment of the University.— (1) The Government shall, by notification, in the official gazette, establish the Rashid Latif Khan University, in the private sector, 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 Powers of the University.— (1) The University shall have the Powers to:

- (a) provide instructions and training in Allied Health Sciences, Public Health Sciences, Social Sciences, Pharmaceutical Sciences, Arts and Humanities, Law, Physical & Biological Sciences, Business and Management Sciences, Medical & Dental Sciences, Nursing, Sciences of Human Body and Mind and any other branches of knowledge, as the Board may determine and, where applicable, subject to the prior approval of the relevant statutory body of professional education; and

- (b) decide teaching methods and strategies including virtual, on-campus and, online, distance learning, etc. in a such manner as prescribed by the Board to ensure the most effective educational and training programs.

(2) The University May:

- i. Establish, Maintain and Administer or Manage Departments, Colleges, Institutes or Hospitals;
- ii. Prescribe Course of Studies;
- iii. Decide Teaching Methods and Strategies in order to ensure the most Effective Educational and Training Programs, including On Site and Distant and On Line / Virtual Methods of Teaching and Learning;
- iv. Hold examinations in the prescribed manners; and confer on or Award Degrees, certificates, diplomas and other Academic Distinctions to persons who have passed its examination;
- v. Prescribe the Terms and Conditions of Employment of the Officers, Teachers, Faculty and other Employees of the University;
- vi. Engage, where necessary, a person on contract for a Specified Duration and specify the terms of the Engagement;
- vii. Confer Degree upon a person who has successfully Completed the degree requirements in the prescribed manner;
- viii. Award in the prescribed manner an honorary degree in recognition of outstanding performance or other distinctions on the recommendations of the Board, in any field;
- ix. Award Professorship and Lectureship and appoint any other person to any other post;
- x. Create Posts for Research, Extension, Administration or other related matters;
- xi. Institute Fellowships, Scholarships, Bursaries, Medals and Prizes in the prescribed manner;
- xii. Establish other Institutions / Departments / Faculties / Organizations for the Purpose of Teaching, Training and Research;
- xiii. Demand and receive such Fees and other Charges from the Students as may be determined;
- xiv. Print and Publish Research or other Intellectual Patents; and perform any other prescribed Ancillary Function;
- xv. Sandwich Programs and Split Programs between National and International Universities;
- xvi. Develop and implement fund-raising plans;

- xvii. Accept an examination and the period of study spent by a student of the University at any other University or place of learning equivalent to an examination or period of study of the University and may withdraw such acceptance;
- xviii. Cooperate with a Public Authority, University or Private Organization in the prescribed manner;
- xix. Make provision for Research, Advisory or Consultancy Services, sign MOUs and enter into arrangements with any other Institution, Public or Private Body, Commercial or Industrial enterprise in the prescribed manner;
- xx. Receive, manage and dispose of property transferred and grants, contributions made to the University and to invest any fund in the manner as it may be prescribed;
- xxi. Admit any College or other Educational Institution to its privileges or withdraw such privileges in the prescribed manner; and

Exercise any power ancillary to the above powers and functions as may be prescribed.

5. University Open to All.– Subject to Reasonable Restrictions as may be prescribed, the University shall be open to all Persons; and, Admission to, or Privileges of, the University shall not be denied merely on the basis of Gender, Religion, Race, Class or Colour.

6. Jurisdiction.– (1) The jurisdiction of the University shall extend to Province of Punjab.

(2) Notwithstanding anything in subsection (1), the University shall not open any sub-campus for a period of ten years from the commencement of the Act, after which period it may open sub-campus with the approval of the Chancellor.

7. Officers of the University.– The following shall be the Officers of the University:

- (a) Chancellor;
- (b) Vice Chancellor;
- (c) Directors;
- (d) Deans;
- (e) Heads of Institutions;
- (f) Heads of Departments;
- (g) Registrar;
- (h) Treasurer;
- (i) Controller of Examinations; and
- (j) Such other persons as may be prescribed by the Statutes or Regulations to be the officers of the University.

8. Chancellor.– (1) The Chancellor of the University shall be the Governor of the Punjab.

(2) The Chancellor or his nominee shall preside at a Convocation of the University.

9. Inspection and inquiry.– (1) The Chancellor may direct inspection or inquiry into the affairs of the University.

(2) The Chancellor 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 Chancellor, submit a report to the Chancellor about the action taken on the recommendations of the Chancellor.

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

(5) The Chancellor may, on the recommendation of a Committee constituted by him and comprising of a nominee of the Board, a nominee of Higher Education Department not below the rank of Additional Secretary and a Professor Emeritus or Vice Chancellor of any university, take such action against the University as he may deem appropriate.

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

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

10. Board of Governors.– (1) The Board of Governors of the University shall consist of the following:-

- (a) Chairperson of the Board of Rashid Latif Khan University nominated by Board of Trustees of RLK Trust out of any of its members;
- (b) Members of the Board of Trustees of RLK Trust subject to a maximum numbers of Nine Members;
- (c) Four persons including at least Two Women from eminent Scholars, Business Persons or Academicians nominated by Chairperson of the BoG's;
- (d) Chairperson, Higher Education Commission or his nominee;
- (e) Vice Chancellor of a University nominated by the Board of Trustees; and
- (f) Secretary to Government of the Punjab, Higher Education Department or his nominee not below the rank of an Additional Secretary.

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

(3) The Members of the Board, other than Ex-Officio Members, shall hold office for a Term of Four Years and shall be eligible for Re-Appointment on the expiry of their Term of office.

(4) The Board shall take decision by majority of the votes of members present.

(5) The Chairperson may fill a casual vacancy occurring because of Death, Resignation or inability to perform duties as a member of the Board other than Ex-Officio Member to the extent of the remainder of the term, of the former member.

11. Powers and Duties of the Board.– The Administration, Management and Financial matters of the University shall vest in the Board.

12. 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 University Regulations.

(2) The Statutes, Regulations or Proceedings of the Board shall not become invalid merely by the reason of any Vacancy or Defect in the Constitution of the Board.

13. Delegation of Powers.– The Board may delegate any Person or Committee or sub-committee of its Powers, Duties or Functions.

14. Vice Chancellor.– (1) The Vice Chancellor of the University shall be appointed and removed by the Board, on such terms and conditions as the Board may determine.

(2) The Vice Chancellor shall be the person who possesses the prescribed Academic Qualifications and Experience determined by Board.

(3) The Vice Chancellor shall perform functions as are given in the Act or as are assigned to him by the Board.

(4) If the office of the Vice Chancellor is vacant or the Vice Chancellor is absent or is unable to perform the functions of the Vice Chancellor, the Board will nominate the substitute. In case of permanent vacancy, the Board shall appoint a person as Vice Chancellor.

15. Registrar.– (1) The Registrar shall be appointed by the Board on such terms and conditions as it may determine.

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

16. Controller of Examinations.– (1) The Board shall, on the recommendation of the Selection Board, appoint a Controller of Examinations in such manner and on such Terms and Conditions as may be prescribed.

(2) The Controller of Examinations shall be a Full-Time Officer of the University and shall be responsible for all matters connected with the Conduct of

Examinations and shall perform such other duties as may be prescribed or assigned to him/her by the Vice Chancellor or the Board.

17. Treasurer.– (1) The Treasurer shall be a full-time officer of the University and shall be appointed and removed by the Board on such terms and conditions as it may determine.

(2) The Board shall directly monitor and control the function of finance through treasurer.

(3) The Treasurer shall:

- (i) Manage the property, the finance and the investment of the University;
- (ii) Prepare the annual and revised budget estimate of the University and present to the Board;
- (iii) Ensure that the funds of the University are expended for the purposes for which they are provided; and
- (iv) Perform such other duties as may determine by the Board.

18. Appointments.– The University may appoint the requisite number of persons in its service on such Terms and Conditions as the Board may determine.

19. Authorities of the University.– (1) The following shall be the Authorities of the University:

- a. Board of Governors;
- b. Academic Council;
- c. Boards of Faculties;
- d. Board of Advanced Studies and Research;
- e. Selection Board;
- f. Budget and Planning Committee; and
- g. Any other Authority or Committee as may be prescribed by the Rules & Regulations.

(2) The Board may constitute committees consisting of the members of the Board or Teachers or Officers of the University or a combination of all or any of such persons.

20. Academic Council.– (1) The Academic Council shall consist of:

- a. Vice Chancellor (Chairperson);
- b. Registrar (Secretary);
- c. Deans;
- d. Principals of Constituent Colleges;
- e. Head of Departments / Directors; and
- f. Controller of Examinations.

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

21. Powers and Duties of Academic Council.– (1) The Academic Council shall be the Academic Body of the University and may, subject to its Statutes, 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 Act, Rules, Statutes and Regulations, the Academic Council may:

- (a) Advise the Board on Academic Matters;
- (b) Regulate the Conduct of Teaching, Research and Examinations;
- (c) Propose for each academic session, on the recommendations of the Boards of Studies, Board of Faculties regulations prescribing the Courses of Studies, the Syllabi and the Outlines of Tests for all Examinations; provided that, if the recommendations of a Board of Faculties or the Board of Studies are not received by the prescribed date, the Academic Council may, subject to the approval of the Board, permit such Regulations to continue for the following academic session;
- (d) Regulate the Admission of Students to the Courses of Studies and Examinations in the University;
- (e) Recommend to the Board, teaching examination systems including not limited to semester or annual system;
- (f) Regulate the Conduct and Discipline of the Students and prescribe punishment or fines on misconduct;
- (g) Propose to the Board, a Scheme for the Constitution and Organization of Faculties, Teaching Departments, Constituent Colleges and Institutes;
- (h) Formulate Proposals for Planning and Development of Teaching and Research in the University;
- (i) Recommend the Regulations to the Board prescribing the Courses of Studies, the Syllabi and the Outlines of Tests for the University Examinations;
- (j) Regulate the Award of Studentships, Scholarships, Exhibitions, Medals and Prizes;
- (k) Recommend Regulations to the Board for Approval; Appoint or Nominate members to various Authorities in accordance with the provisions of this Act; and
- (l) Perform such other functions as may be prescribed and determined by the Vice Chancellor in accordance with the provisions of this Act.

22. University Fund.– (1) There shall be a fund to be known as Rashid Latif Khan University Fund which shall vest in the University.

(2) The University may accept donations in the form of Cash, Land, Property, Vehicles, Equipment or any other item that may Facilitate the Functioning of the University and all such Donations shall be used, maintained and disposed of by the University in the prescribed manner.

23. 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.

24. Statutes.— Subject to this Act, the Chairperson may approve statutes on the recommendation of the Board in order to provide for and to regulate any matter relevant to the University.

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

26. Rules.— (1) An Authority or a body of the University may make rules consistent with this Act, Statutes and Regulations, to regulate the Conduct of its business.

(2) The Board may approve, amend or repeal the rules.

(3) The University may enter into, carry out, vary or cancel contracts.

27. Management of Institutes.— On the commencement of this Act, all the institutes affiliated with Rashid Latif Medical Complex may be deemed to be part of or managed and administrated by the University as per the terms and conditions approved by the Board.

28. Removal of Difficulties.— (1) If any question arises as to the interpretation of any of the provision of this Act, it shall be placed before the Chairperson and his decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Act, the Chairperson may make such order after obtaining views of the Board; not inconsistent with the provisions of this Act, as may appear to him to be necessary for removing the difficulty.

(3) Where this Act makes any provision for anything to be done but no provision or no sufficient provisions has been made in respect of the authority or the time at which it shall be done, then it shall be done by such authority, at such time, or in such manner as the Chairperson may direct after obtaining the views of the Board.

29. First Statutes.— Notwithstading anything to the contrary contained in the Act, the statutes setout in the Schedule shall be deemed to be the statutes made under Section 23 and shall continue to remain in force untill ammended or repealed in accordance with the provisions of the Act.

Schedule
[See-Section 2 (v) and 29]
THE FIRST STATUTES

1. Faculties: The University shall include the following Faculties:-

- (a) Faculty of Allied Health Sciences;
- (b) Faculty of Public Health Sciences;
- (c) Faculty of Social Sciences;
- (d) Faculty of Pharmaceutical Sciences;
- (e) Faculty of Arts and Humanities;
- (f) Faculty of Law;
- (g) Faculty of Physical & Biological Sciences;
- (h) Faculty of Business & Management Sciences;
- (i) Faculty of Medical & Dental Sciences;
- (j) Faculty of Nursing;
- (k) Faculty of Sciences of Human Body and Mind; and
- (l) Faculty of any other Branches of Knowledge.

2. Board of Faculty:

- (1) The Board of Faculty shall consist of:
 - (a) Dean of the Faculty (Chairperson);
 - (b) Professors and Heads of Departments;
 - (c) Two Teachers, to be nominated by the Academic Council owing to 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 University to be appointed by the Board;
 - (e) One member to be nominated by the Vice Chancellor; and
 - (f) Director Quality Enhancement Cell (QEC).
- (2) The Members other than Ex-Officio Members of a Board of Faculty 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 as may be prescribed:
 - (a) Co-ordinate the Teaching and Research Work in the subjects assigned to the Faculty Members (teachers);

- (b) Scrutinize the recommendations of a Board of Studies 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 Vice Chancellor;
 - (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 on each Department, Faculty, Constituent College or Institute 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 Chairperson and Convener of the Board of Faculty.
- (6) The Dean shall be appointed by the Board on the Recommendations of the Vice Chancellor from amongst the Professors of the Faculty and he shall hold office:
- Provided that in a Department, Institute or Constituent College 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 or Constituent College.
- (7) The Dean shall present Candidates, for Admission to Degree, except an Honorary Degree, Courses Falling within the Purview of the Faculty as deemed prescribed.
- (8) The Dean shall have such Powers and Duties as may be prescribed by the Board on the recommendations of the Vice Chancellor.

3. Academic Departments, Institutes and Constituent Colleges.– (1) There shall be an Academic Department, Constituent College or an Institute for each subject or a Group of Subjects, as may be prescribed by the Regulations and each Academic Department, Constituent College or Institute shall be Headed by Head of the Department or Principal of the Constituent College.

(2) The Board shall, on the Recommendations of the Vice Chancellor, appoint the Head of Department amongst the Professors or Associate Professors other than a Professor already working as Dean and the Head of Department, shall be Eligible for re-appointment.

(3) The Head of Department shall Plan, Organize and supervise the work of the Department, Constituent College or Institute and shall be responsible to the Dean for the work of his / her Department, Constituent College or Institute.

(4) The Head of Department shall, under the General Supervision of the Vice Chancellor and the Dean, exercise all the Administrative and Academic powers and such other Duties or Powers as may be delegated to him / her.

(5) The Head of Department shall prepare a Comprehensive Annual Report regarding the Performance of the Department, Constituent College or Institute at the Graduate and Postgraduate Levels, Faculty Research and Development and submit this report to the Dean for Evaluation.

4. Board of Advanced Studies and Research.– (1) The Board of Advanced Studies and Research will consist of:

- (a) Vice Chancellor (Chairperson);
- (b) All Deans / All HoD's;
- (c) Controller of Examinations;
- (d) One University Professor from each Faculty, other than the Dean, to be appointed by the Vice Chancellor;
- (e) Three Members, including at least one woman, from the relevant field, Research Organizations, to be nominated by the Vice Chancellor; and
- (f) The Registrar (Secretary).

(2) 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 will:

- (a) Advise an Authority on all matters restated to the Promotion of Advanced Studies and Research Publication in the University;
- (b) Consider and Report to an Authority with regard to a Research Degree of the University;
- (c) Propose Regulations regarding the Award of a Research Degree;
- (d) Appoint Supervisors for a Postgraduate Research Student and to approve 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 Board.

6. Selection Board.– (1) The Selection Board will consist of:

- (a) Vice Chancellor (Chairperson);
- (b) Dean of the Faculty Concerned;
- (c) Head of the Department Concerned;
- (d) Two Members of the Board to be nominated by the Board of Governors;
- (e) One Eminent Scholar to be nominated by the Board of Governors;
- (f) Director QEC; and
- (g) Registrar (Secretary of the Selection Board).

(2) Three Members of the Selection Board shall constitute the Quorum for a meeting of the Selection Board.

(3) 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 Proceedings of the Selection Board for Selection of a Candidate on such post.

(4) In Selection of Candidates for the Post of Professor or Associate; Professor, the Selection Board shall Coopt or Consult Experts in the Subject, approved by the Board.

(5) The Board may revise the standing list of Experts of a Subject on the recommendations of the Selection Board.

7. Functions of the Selection Board.— (1) The Selection Board will:

- (a) Consider the applications and recommend to the Board of Governors, the names of Suitable Candidates for appointment of Principals of the affiliated and Constituent Institutions and Dean of the Faculties;
- (b) Consider the Applications and recommend the names of Suitable Candidates for posts of Registrar, Treasurer and Controller of Examinations for such promotion or Selection to the Board of Governors; and
- (c) Consider all cases of Promotion or Selection of officers of the University and appoint the suitable candidate.

(2) The selection board shall be the appointing authority for all the other posts including faculty, officers, administrators or any other EXCEPT mentioned in (1) (a) and (b) above, where the selection board will recommend the suitable candidates to Board of Governors for appointment.

8. Budget and Planning Committee.— (1) The Budget and Planning Committee will consist of:

- (a) Vice Chancellor (Chairperson);
- (b) All Deans/Head of the Institutes;
- (c) Treasurer;
- (d) Two Members of the Board to be nominated by the Board;
- (e) Registrar (Secretary); and
- (f) One Nominee of the Trust.

(2) Four Members of the Budget and Planning Committee shall Constitute the Quorum for a Meeting of the Budget and Planning Committee.

9. Functions of the Budget and Planning Committee.— Propose Annual Development Plan and Budget Estimates for recommendations to the Board and for its committees thereof.

10. Indemnity.— No suit or legal proceedings shall lie against the University or any Authority, Officer or Employee of the University or any person in respect of anything which is done in good faith under this Act or as prescribed