

# Amendment in the Procedure of Signing International Instruments of Collaboration Between Higher Education Institutions of Pakistan (HEIs) with Foreign Counterparts / Entities



**From:** DG Projects Maj Gen (R)  
Muhammad Shahid(DG Projects Office)

DG Projects Office (NUST HQ) -  
Thursday, 27 December, 2018 2:48 PM / 387766

**Reference:**

**Attachments:**

HEC\_Reply\_to\_NUST\_Request.pdf

Email ION Forward Reply Reply All

Reply to our letter no. 0909/02/NUST/DG Projects dated 28 Sep 2018 from HEC is attached your info.

No Comments to Display.

Email ION Forward Reply Reply All

To	Read Status
Dir QA (Dr Riaz Ahmed)	Thursday, 27 December, 2018 2:51 PM
Pro Rector(Academics) (Dr Asif Raza)	Unread
Pro-Rector (RIC) (R/Admiral Dr. Nassar Ikram)	Thursday, 27 December, 2018 3:59 PM

*By law  
(AcA > MOA)*

*F41 and F4A, pl.*

*All GMS*

Seen (RIC Sect)	
Inward No. <i>07</i>	Date <i>28/12</i>
Pro Rector (RIC)	
Gen Secy CAC	
Dir Research	
Dir I&C	
Dir ICT	
Dir NSTP	
GM UAO	
GM PDC	
DD CDC	
Mgr NPO	
DD Adm & Coord	
SO Coord	
AD Adm & Coord	
PA	
H/Clk	

*for info.*

*I, arrange an IAD to apprise all GMS as well as my self on the subject matter.  
GM IP&IA*

*Shahid  
31/12*





# HIGHER EDUCATION COMMISSION

H-9, ISLAMABAD, PAKISTAN, Website: <http://www.hec.gov.pk>

**Lt Gen (R) Muhammad Asghar**  
HI, HI (M)  
Executive Director

No. 1(1)/Acad/MoUs/2016/HEC/334  
December 19, 2018

Subject: AMENDMENT IN THE PROCEDURE OF SIGNING INTERNATIONAL INSTRUMENTS OF COLLABORATION BETWEEN HIGHER EDUCATION INSTITUTIONS OF PAKISTAN (HEIs) WITH FOREIGN COUNTERPARTS / ENTITIES

1. One entity cannot progress by relying on its own capacities and capabilities therefore aforesaid fact necessitates to gain benefit from experience and expertise of each other to have mutual benefit. Similarly, Institutions of Higher Learning of a country do have faculty members possessing differing capabilities and expertise. Institutions of Higher Learning can get benefit from each other's expertise through collaborative arrangements. In this background, Higher Education Commission (HEC) encourages the Higher Education Institutions (HEIs) of Pakistan to enter into collaboration with foreign counterparts / foreign entities.

*Need for  
collaboration*

2. There exists a procedure for the Public Sector HEIs of Pakistan to collaborate with Foreign Universities / Foreign Entities defined by the Cabinet Division of Pakistan that has to be followed in strict conformity by the Pakistan's Public Sector Institutions. The said process to obtain prior approval before signing a Memorandum of Understanding (MoU) / Agreement involves provincial Governments, HEC, Ministry of Federal Education and Professional Training, Ministry of Law, Ministry of Science & Technology, Cabinet Division and Ministry of Foreign Affairs. Due to this time-taking process, HEIs / Parties involved lose their interest in collaborative process. Some of the MoUs / Agreements are in pipeline for over a year now.

*MOUs  
provincial govt  
HEC  
min. of fed. edu  
& prof. training  
min. of law  
min. of sci & tech  
Cabinet division  
min. of foreign affairs*

3. In this backdrop, HEIs of Pakistan are requesting time and again to simplify the process to engage in collaboration with foreign counterparts / foreign entities so that not only benefits from each other's expertise may be achieved but also HEIs

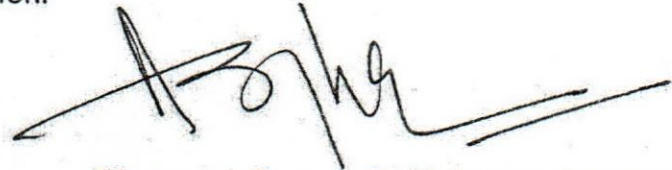
*Specify  
the process*



may gain in terms of betterment in their Universities' ranking both at national and international level. Such a request by National University of Science and Technology (NUST) is attached herewith for review and perusal.

4. Foregoing in view, a summary suggesting pathways to simplify the process for Public Sector Institutions of Higher Learning of Pakistan to enter into collaboration with foreign counterparts / foreign entities is enclosed herewith for your kind perusal and consideration so that Public Sector Universities may be served in effective and efficient manner. By streamlining / simplification of the time-taking process of international collaboration as defined by the Cabinet Division of Pakistan, Public Sector Universities may be able to reap greater benefits of internationalization.

*Suggested  
Simplification  
of process*



(Lieutenant General (R) Muhammad Asghar)

Secretary,  
Ministry of Federal Education and Professional Training,  
Government of Pakistan,  
Islamabad.

Copy for information to:

- i. Secretary Cabinet, Cabinet Secretariat, Cabinet Division, Government of Pakistan, Islamabad.
- ii. Secretary, Ministry of Science and Technology, Government of Pakistan, Islamabad.
- iii. ✓ Major General Muhammad Shahid (R), Director-General Projects, National University of Sciences & Technology, Islamabad.
- iv. ES to Chairman, Higher Education Commission (HEC), Islamabad.
- v. APS to Director-General (Academics), Higher Education Commission (HEC), Islamabad.
- vi. Office Copy.

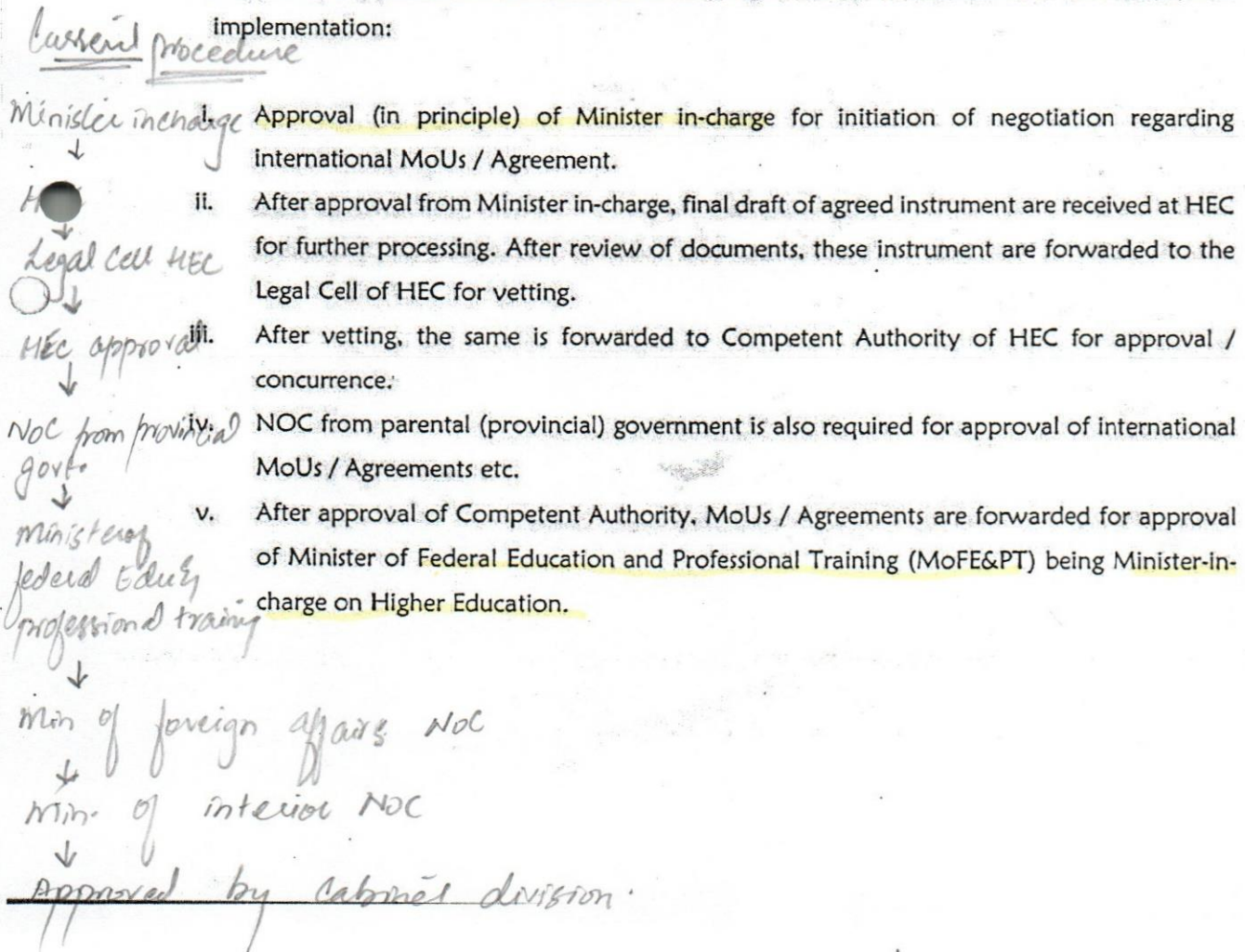


SUMMARY

AMENDMENT IN THE PROCEDURE OF SIGNING OF MOUS / AGREEMENTS OF PUBLIC  
SECTOR HIGHER EDUCATION INSTITUTIONS (HEI) OF PAKISTAN WITH FOREIGN  
COUNTERPARTS

The Higher Education Commission (HEC) is encouraging collaborations between Higher Education Institutions (HEIs) of Pakistan with various Foreign Academic Institutions. HEC receives draft Memorandum of Understandings (MoUs) / Agreements / Documents of Understandings (DoUs) (International Instruments) aim at promoting collaborations in academic and research arena from different HEIs of Pakistan and process them for procedural/codal formalities as per Cabinet Division, Government of Pakistan's Guidelines.

- A. Cabinet Division's Guidelines regarding Agreements/MoUs with foreign Governments / Private Entities not covered in the Rules of Business 1973 (vide U.O note No. F.15/Cab/2007, dated June 14, 2016) explicitly describe policy / guidelines for International MoUs / Agreements of Pakistani Universities / Degree Awarding Institutions with foreign HEIs (Annex. I). Notification No. S.R.O 910(1)/2017 dated September 08, 2017 on the subject matter necessitate the approval (in principle) of Minister In-charge for initiating of negotiation regarding international MoUs / Agreement (Annex. II). At present, an International MoU / Agreement has to go through the following procedure for getting the governmental No Objection Certificate (NOC) / approval / permission before endorsement / signature by Parties involved and subsequent implementation:





- vi. Subsequently, NOC from Ministry of Foreign Affairs through MoFE&PT.
- vii. NOC from Ministry of Interior through MoFE&PT.
- viii. Finally, approval by the Cabinet Division through MoFE&PT.

The above procedure for getting NOC / permission of Government of Pakistan for the purpose of engaging in international collaboration with foreign entities is very lengthy and time consuming, and parties often lose their interest. Sometimes important international MoUs / Agreements with high ranking Universities of the world do not conclude / materialize due to this long and complicated process. As such HEIs of Pakistan are not fully benefiting from collaboration with foreign academic institutions in terms of students exchange, staff / faculty exchange, joint programs of capacity building, scholarships, joint research, supervision of dissertations, joint publications etc. The said procedure needs to be streamlined and simplified.

In view of the foregoing, following suggestions / processes are furnished for kind consideration:

B. Institutions of Higher Learning of Pakistan may be given autonomy / permitted to sign MoU / Agreement / Contract with foreign entities / counterparts under intimation to Higher Education Commission (HEC) of Pakistan and respective provincial Governments / Departments.

OR

C. Since HEIs of Pakistan mostly enter into MoUs / Agreements with foreign counterparts for promotion of academic and research purposes which do not involve financial liability on part of the HEC / Government of Pakistan, it is suggested that approval of Cabinet may be exempted and Chairman, HEC and / or Minister for Federal Education and Professional Training, being Minister-In-Charge on Higher Education may be authorized to approve the international MoUs / Agreements pertaining to HEIs of Pakistan for academic collaboration.

Following process is suggested in this regard: -

- i. Chairman HEC having status of Federal Minister as per HEC ordinance may be authorized to allow start of negotiations.
- ii. After approval, final draft of MoU / Agreement / DoU may be shared with HEC (along with Provincial NOC / Permission).
- iii. HEC would review and get it vetted from its Legal Cell.

Process

Chairman HEC allows the start

↓

Final MoU draft shared with HEC after provincial NOC

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HEC Legal Cell

↓

Chairman HEC

↓

Concerned Institution

lengthy  
time consuming

Suggestions

① Institute HEC provincial gov.

② Chairman HEC or MoFE & PT

- iv. After vetting by the Legal Cell, HEC, the same would be sent for approval / concurrence of Chairman HEC.
- v. If allowed by Chairman HEC, the document will be cleared for signature by the concerned institution.

AND

- vi. MoUs / Agreements may be forwarded to the MoFE&PT in case of financial and / or legal binding clause(s) for assuring Government's input as deemed appropriate.





A0000344251

*ES / PC*



National University of Sciences & Technology  
Sector H-12, Islamabad  
Tel: 051-90851036  
No: 0909/02/NUST/DG Projects

28 Sep 2018

*DG/Acad*  
*discuss*  
To: Secretary Cabinet  
Cabinet Division  
Islamabad

*ED*  
*shall we take this up with the cabinet?*  
*3/10*

Info: Secretary Ministry of Science and Technology  
(MoST)  
Islamabad  
PS to Chairman  
Higher Education Commission  
Islamabad

*Please update*  
*DD-S/EC*

*Site for kind information pl.*  
*Javed*  
*2/9*

Subject: Restriction on Signing of MoU / Agreement with Foreign Universities

Ref: MoST Ltr no. 14(11)/2002-ASA (IL-I) dated 16 July 2018 and Cabinet Sectt ltr no. F.15/Cab/2007, dated 14 June 2016 (Copies attached as F/A and F/B)

1. As per Guidelines issued vide letters under reference by Cabinet Division and later implemented through MoST, NUST have been restrained to sign MoU / Agreement with foreign universities and organizations without prior approval of GoP. Similar instructions have been issued through HEC to remaining universities as well.
2. The process to obtain prior approval before signing an MoU / Agreement involves HEC, Ministry of Education, Ministry of Law, Ministry of Science & Technology, Cabinet Division and Ministry of Foreign Affairs. Currently, nine MoU / Agreements of NUST are in this processing channel for last 2 years with obvious ramifications due to this inordinate delay. The subsequent paragraphs substantiate this argument.
3. NUST, the leading university of the country has improved its ranking by 111 positions in the last two years and has climbed to 417<sup>th</sup> in the latest QS Global Rankings. The university could easily climb another 100 positions with its increased international interactions and linkages, as lack of the same is denying NUST to get additional points reserved for international exposure of the university.
4. It is also highlighted that due to improvement in security environment and with greater international interest, especially due to CPEC, NUST has galvanized its



faculty and Alumni, abroad to aggressively pursue internationalization through "Academic and Research" based MoU / agreements. On the contrary, the current policy is bootstrapping these efforts.

5. Also, as per Government's Vision there is the compelling reason requiring Pakistan to brace for knowledge economy for which the engine of growth shall be knowledge workers / human resource. This would be facilitated through increased interaction between Pakistani universities and foreign universities so as to quickly acquire and develop technologies from advanced nations.
6. In light of foregoing, following is requested: -
  - a. The subject matter be immediately pursued in the Cabinet as a special case so that availing the current favorable environment, Pakistani Public sector universities including NUST can open up to outside world through interaction of faculty and students. This will not only project soft image of the country but also help develop technologies prerequisite for knowledge economy by unleashing the potential of our talented youth.
  - b. A favorable decision be taken so that Public Sector Universities are allowed to enter into international MoU / Agreement without going through the laborious process of prior approval. Necessary guidelines / conditions can be laid down to be ensured by each university.
7. A considerate understanding and response is solicited please.



DG Projects  
For Rector

**Maj Gen Muhammad Shahid (R)**



Flag "A"

No. 14(11)/2002-ASA (IL-I)  
Government of Pakistan  
Ministry of Science and Technology  
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Islamabad, the 16<sup>th</sup> July, 2018

Subject: Instructions for signing of Memorandum of Understanding

Dear Sir,

I am directed to state that all S&T and R&D organizations shall, henceforth, ensure that no MoU (International or local) shall be signed without prior approval of MoST.


2. In case of international MoUs prior approval of the Cabinet division is mandatory. In this connection, Cabinet Division's u.o. No. F.15/Cab/2007 dated 14<sup>th</sup> June, 2016 on guidelines regarding Agreements/MoUs with Foreign Governments/Private entities not covered in the Rules of Business, 1973 is enclosed as annexure to this letter for reference, please.

3. This issues with the approval of the Competent Authority.

With best regards,

Yours Sincerely,

Encl: As above

  
(Saima Siddique Tariq)  
Assistant Scientific Adviser (IL-I)  
Tel: 9203651

Distribution:

✓ All Heads of the Organizations under MoST. (MoST)  
PSO to Secretary, MoST.



GOVERNMENT OF PAKISTAN  
CABINET SECRETARIAT  
CABINET DIVISION

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~~IMMEDIATE~~

Flag "B"

Subject: GUIDELINES REGARDING AGREEMENTS/MOUs WITH FOREIGN GOVERNMENTS/PRIVATE ENTITIES NOT COVERED IN THE RULES OF BUSINESS, 1973

This Division has, time and again, been receiving queries for Agreements/MoUs with Foreign Governments/Private Entities which are not covered in the Rules of Business, 1973.

2. To clarify such queries, an Inter-Ministerial meeting was held to discuss in detail the procedure for entering into MoUs/Agreements with private entities of foreign countries. It was also considered as to which entities fall under the definition of "Government" and "Foreign Government". The following recommendations were formulated:

- i. All entities like state owned corporations/autonomous bodies/public sector enterprises etc. which are under the administrative control of a Government Department/body are included in the definition of the Government. All these entities require approval of the Cabinet before entering into any MoU/Agreement/Protocol etc. with a foreign country.
- ii. Similarly all entities like state owned corporations/ autonomous bodies/public sector enterprises which are under the administrative control of a Foreign Government Department/body are included in the definition of the Foreign Government.
- iii. If a government department or entity desires to enter into an Agreement/MoU with a private entity of a Foreign Country, provided its statute or rules authorizes this action the parent Ministry of that entity is responsible for taking this decision and completion of all


Cont'd.....



formalities like consultations with concerned Ministries/Departments. If Minister-in-charge of the Division concerned finds any such MoU/Agreement important enough, he may bring it for discussion in the Cabinet in terms of rule 16(1)(k) of the Rules of Business, 1973 or may bring it to the notice of the Prime Minister for further orders.

iv. The Public Sector Universities when entering into an MoU/Agreement with a foreign University, must consult Higher Education Commission (HEC) first and then in case of concurrence of the HEC bring it to the notice of its parent Ministry for endorsement. If the MoU/Agreement is to be signed, all relevant stakeholders like Ministry of Foreign Affairs, Law & Justice Division and Security Agencies may be consulted wherever required.

3. The Secretaries of Ministries/Divisions are, therefore, requested to ensure strict compliance of the above mentioned guidelines before start of negotiations, signing and ratification of the International Instruments.

  
(Dr. Iram A. Khan)  
Joint Secretary to the Cabinet  
Tele # 920 2918

All Secretaries/Additional Secretaries-In-Charge of the Divisions  
Cabinet Division's u. o. note No.F.15/Cab/2007, dated 14<sup>th</sup> June 2016