

THE UNIVERSITY OF GWADAR ACT, 2018

(Baln. Act XVI of 2018)

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'THE UNIVERSITY OF GWADAR ACT, 2018

(Balochistan Act No. XVI of 2018)

[20" November, 2018]

An Act to provide for the establishment of a University at Gwadar dissemination of knowledge and the matters connected therewith or ancillary thereto.

Preamble. WHEREAS, it is in the interest of the public to upgrade the Gwadar Campus of the University of Turbat into a new University in the south-western part of the Province of Balochistan, to cater the high demand of the people of that area for higher education;

AND WHEREAS, it is imperative to achieve excellence in the advancement and dissemination of knowledge in the fields of science and technology, engineering, arts and humanities, marine sciences, port management, social sciences, administration and management, law, medicine, agriculture and other demanding subjects, in particular to the area of Gwadar District of Makran Division and generally to the whole of Balochistan and the other parts of the country, therefore, it is expedient to provide for establishing a University with its main campus at Gwadar, to be known as the University of Gwadar, and the matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

CHAPTER — I
PRELIMINARY

Short title and 1. (1) This Act may be called the University of Gwadar Act, Commencement. 2018.

(2) It shall come into force on such date as the Government may appoint and notify in the official Gazette.

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

(a) "Act" means the University of Gwadar Act, 2018;

1 This Act was passed by the Provincial Assembly of Balochistan on 3"! November, 2018; assented to by the Governor of Balochistan on 19% November, 2018; and published in the Balochistan Gazette (Extraordinary) No. 220, dated 20" November, 2018.

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“Academic Council” means the Academic Council of the University;

“Affiliated College” means an educational institution affiliated to the University but not maintained or administered by it;

“Authority” means any Authority of the University specified or set up in terms of section 21;

“Chancellor” means the Chancellor of the University;

“College” means a constituent college or an affiliated college;

“Commission” means the Higher Education Commission of Pakistan, set up under the provisions of Higher Education Commission Ordinance, 2002 (Ordinance No. LHI of 2002);

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

“Dean” means the head of a Faculty or the head of an academic body granted the status of a Faculty by the Act or by the Statutes or Regulations;

“Department” means a teaching department maintained and administered, or recognized by the University in

the manner prescribed;

“Director” means the head of an institute established as constituent institution by the University by Statutes or Regulations in terms of the powers delegated by the Act;

“Employees” means a person born on the pay roll of the University but shall not include,—

- (1) a person holding purely fixed tenure post;
- (ii) a person appointed by the University on contract basis; and
- (iii) | a person on deputation with the University.

“Faculty” means an administrative and academic unit of the University consisting of one or more

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departments, as prescribed;
“Government” means the Government of Balochistan;

“Prescribed” means prescribed by statutes, regulations or rules made under the Act;

“Principal” means the head of a college;
“Province” means the Province of Balochistan,

“Committees” means the Selection Committees constituted under section 29 of the Act;

“Selection

“Review Panel” means the Review Panel set up by the Chancellor in accordance with section 11 (5) (a) of the Act;

“Search Committee” means the Search Committee set up by the Senate under section 15 (2);
“Senate” means the Senate of the University;

“Statutes”, mean the Statutes, Regulations and Rules made under the Act;

“Syndicate” means the Syndicate of the University;

“Teachers” include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a constituent or affiliated college and such other persons as may be declared to be teachers by Regulations;

“University” means the University of Gwadar;

“University Teacher” means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and

(aa) “Vice-Chancellor” means the Vice-Chancellor of the

Establishment, 3. (1)
Constitution and
Incorporation.

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University.

CHAPTER - II THE UNIVERSITY

The University of Gwadar shall be established in

accordance with the provisions of the Act.

The Gwadar Campus established by the University of

Assets, liabilities
and Transfer of
staff.

Turbat at Gwadar, shall be absorbed/ converted into the University with entire teaching, administrative and ministerial staff; and the premises/ buildings with all the furniture & fixtures, equipment, books, library, science laboratories, transport under use in the Gwadar Campus, shall be the property of the University of Gwadar.

(3) The University shall consist of the following, namely:

- (a) the Chancellor;
- (b) the Members of the Senate;
- (c) the Vice-Chancellor;
- (d) the Members of the authorities established under section 21;
- (e) the University teachers
- (f) all other full-time officers and members of the staff of the University; and
- (g) persons recognized as students of the University in accordance with terms prescribed from time to time.

(4) The University shall be a body corporate by the name of "University of Gwadar" and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

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

(6) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ officers, teachers and other employees on such terms as may be prescribed. Assets, liabilities and transfer of staff.

4. (1) All properties, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in, or held in by the Gwadar Campus of the University of Turbat and all liabilities legally subsisting against the Campus shall stand transferred to the University.

(2) All employees serving in Gwadar Campus of the University of Turbat and in any capacity immediately before the commencement of the Act, shall notwithstanding anything contained in any other law or rule made there under for the time being in force or any other terms and conditions of their service, stand transferred for service to the University on the terms and conditions as may be prescribed: Provided that such terms and conditions shall not be less favourable than the terms and conditions admissible to them immediately before their transfer.

Powers and 5. The University shall have the following powers, namely, —

PUTPOSES. (a) to provide for education and scholarship in such

branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;

(b) to prescribe courses of studies to be conducted by it and the colleges;

(c) to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;

(d) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to Government servants in general;

(e) to engage persons on contracts basis where it deem necessary, for a specified duration and to specify the terms and conditions of each engagement;

(f) to confer honorary degrees or other distinctions on persons approved for it, in a manner as it may prescribed;

(g) to provide for such instruction for persons not being students of the University and to grant certificates and diplomas to such persons, in a manner as it may

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prescribed;

to institute programs for the exchange of students and teachers with other universities, educational institutions and research organizations, inside as well as outside Pakistan;

to provide career counseling and job search services to students and alumni;

to maintain linkages with alumni;
to develop and implement fund-raising plans;

to provide and support the academic development of the faculty of the University;

to confer degrees on persons who have carried on independent research under prescribed conditions;

to affiliate and disaffiliate educational institutions under prescribed conditions;

to inspect colleges and educational institutions affiliated or seeking affiliation with it;

to accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;

to co-operate with other Universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such

purposes as it may prescribe;

to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;

to create posts for research, extension, administration and other related purposes and to appoint persons thereto;

to recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the University or such other

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persons as it may deem fit, as University teachers;

to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;

to establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribed;

to provide for the residence of the students of the University and the colleges, to institute and maintain halls of residence and to approve or license premises for hostels and lodging;

to maintain order, discipline and security on the campuses of the University and the colleges;

to promote the extracurricular and_ recreational activities of such students, and to make arrangements for promoting their health and general welfare;

to demand and receive such fees and other charges as it may determine;

to make provision for research, advisory or consultancy services; and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;

to enter into, carry out, vary or cancel contracts;

to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;

to provide for the printing and publication of research and other works; and

to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to archive the objectives of the

Jurisdiction of the
University.

Integration of
educational
institutions with
University and
transfer of
institutions from

University as a place of education, learning, and
research.

6. (1) The University shall exercise powers conferred
on it by or under the Act, —

(a) within the territorial limits of Gwadar District
and, at such time as may be notified by
Government, the Districts of other
neighboring Divisions after the Act comes
into force:

Provided that Government may, in
consultation with the University, by general or
special order, modify the extent and scope of
the aforesaid powers of the University with
regard to such territorial limits; and

(b) in respect of such colleges and institutions in
the Province as may apply to the
University for exercise of its process.

(2) No educational institution situated within the
territorial limits of the University shall save
with the consent of the University and the
sanction of the Government, be associated in
any way with, or seek admission to the
privileges of any other University.

(3) The University may admit to its privileges
under prescribed conditions, an educational
institution falling within the territorial limits
of another University, whether inside or
outside Pakistan:

Provided that the consent of such other
University and the sanction of Government is
first obtained.

7. (1) Notwithstanding anything to the contrary contained
in any other law, notification, contract, agreement or instrument,
Government may, by notification in the official Gazette, integrate

with the University any educational institutions situated anywhere in the Province or transfer any institute, institution or Department of the

University to
Government.

University open all
classes, creeds, etc.

University to Government.

(2) On the publication of a notification in the official Gazette under sub-section (1), —

(a) all rights, properties, assets, and liabilities vested in or undertaken by Government or the University in respect of such educational institution, institute, institution or Department shall respectively become the rights, properties, assets and liabilities of the University or the Government, as the case may be; and

(b) all persons serving in connection with the affairs of such educational institution, institute, institution or Department in any capacity shall stand transferred for service under the University or Government, as the case may be, on such terms and conditions as Government may determine:

Provided that such terms and conditions shall not be less favorable than those admissible to them immediately before their transfer to the University or Government.

(3) Any question arising under the proviso to subsection (2) shall be referred to Government and the decision of Government on such question shall be final.

8. (1) Except where the University has to all classes, been declared by notification in the official Gazette to be open only to person of a specified gender, the University shall be open to all persons of either gender and of whatever religion, race, creed, class, color, and no person shall be denied the privileges of the University on the grounds of religion, race, caste, creed, class and color.

(2) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor/Senate.

(3) The University shall institute financial aid programs for students in need, to the extent considered feasible by the Senate

Teaching at the
University.

Principal Officers.

given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay:

Provided that the University may institute self-finance schemes not covering more than thirty percent of the total number of candidates in any one campus taught course or research-based program of study.

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

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

(3) The courses and the curriculum shall be such as may be prescribed

CHAPTER — III OFFICERS OF THE UNIVERSITY

10. The following shall be the principal officers of the University, namely: —

(a) the Chancellor;

(b) the Vice-chancellor;

(c) the Deans;

(d) the Principals of the constituent colleges;

(e) the Chairpersons of the teaching departments;

(f) the Registrar;

(g) the Director Finance/ Treasurer;

(h) the Controller of Examinations;

(i) the Auditor;

(j) Director Quality Enhance Cell (QEC)and

(k) such other persons as may be prescribed by the

Statutes or Regulations to be the principal officers of

Chancellor.

the University.

11. (1) The Governor of Balochistan shall be the Chancellor of the University and the Chairperson of the Senate.

(2) The Chancellor shall, when present, preside at the meetings of the Senate and the Convocation of the University. In the absence of the Chancellor the Senate may request a person of eminence to preside over the Convocation of the University.

(3) The members of the Senate and the Vice Chancellor shall be appointed by the Chancellor as per section 22 (4) and 15 (1) of the Act, from amongst the persons recommended by the Selection Committee set up for this purpose or the Search Committee established in accordance with the provisions of the Act and the Statutes, as the case may be.

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

(5) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may —

(a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued: Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he may after calling upon the Senate to show cause in writing, appoint a five member Review Panel to examine and report to the Chancellor on the functioning of the Senate. The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

(b) as regards proceedings of any Authority or with respect to matters within the competence

of any Authority other than the Senate, direct the Senate to exercise powers under section 23.

Removal from the 12. (1) The Chancellor may, upon the recommendation of the Senate. Review Panel, remove any person from the membership of the Senate on the ground that such person: —

- (a) has become of unsound mind; or
- (b) has become incapacitated to function as member of the Senate; or
- (c) has been convicted by a court of law for an offence involving moral turpitude ; or
- (d) has absented himself from two consecutive meetings without just cause; or
- (e) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

(2) The Chancellor shall remove any person from the membership of the Senate, on a resolution called for the removal of such person and passed by at least three-fourth of the membership of the Senate: Provided that before passing such resolution the Senate shall provide the member concerned a fair hearing: Provided further that the provisions of this section shall not be applicable to the Vice-Chancellor in his capacity as a member of the Senate.

Visitation. 13. (1) The Chancellor may cause an inspection or inquiry to be made in respect of any matter connected with the University, and shall, from time to time, appoint such person or persons as he may deem fit, for the purposes of carrying out inspection of, —

- (a) the University, its buildings, laboratories, libraries, museums, workshops, and equipment;
- (b) any institution, college or hostel maintained or recognized by, or affiliated to the University;
- (c) the teaching and other work conducted by the University; and
- (d) the conduct of examinations held by the

Vice-Chancellor.

University.

(2) The Chancellor shall, in every such case, give notice to the Syndicate of his intention to cause an inspection or inquiry to be made, and the Syndicate shall be entitled to be represented thereat.

(3) The Chancellor shall communicate to the Syndicate his views with regard to the results of such inspection or inquiry and shall, after ascertaining the views of the Syndicate, advise the Syndicate on the action to be taken.

(4) The Syndicate shall communicate to the Chancellor such action, if any, as has been taken or may proposed to be taken upon the results of the inspection or inquiry. Such communication shall be submitted to the Chancellor within such time as may be specified by the Chancellor.

(5) Where the Syndicate does not, within a reasonable time, take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the syndicate, issue such directions as he thinks fit, and the Vice-Chancellor shall comply with such directions.

14. (1) There shall be a Vice-Chancellor of the University who shall be an eminent academic or a distinguished administrator and may be from amongst the Senior Professors of the University. He shall be appointed on such terms and conditions as may be prescribed.

(2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of the Act, Statutes, Regulations and Rules are faithfully observed in order to promote the general efficiency and good order of the University. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.

(3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any Authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the members of the

Emergency Committee of the Senate, to be set up by Statute. The Emergency Committee on such report may either confirm the action taken or direct such other action, as it considered appropriate.

(5) The Vice-Chancellor shall also have the following powers, namely: —

(a) to direct teachers, officers and other employees of the University to take up such assignments in connection with examination, administration and such other activities in the University as he may consider necessary for the purposes of the University;

(b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen item not provided for in the budget and report it to the Senate at the next meeting;

(c) to make appointments of such categories of employees of the University and in such manner as may be prescribed by the Statutes;

(d) to suspend, punish and remove, in accordance with prescribed procedure, from service officers, teachers and other employees of the University except those appointed by or with the approval of the Senate;

(e) to delegate, subject to such conditions as may be prescribed, any of his powers under the Act to any officer or officers of the University; and

(f) to exercise and perform such other powers and functions as may be prescribed.

(6) The Vice-Chancellor shall preside at the convocation of the University in the absence of the Chancellor.

(7) The Vice-Chancellor shall present an annual report before the Senate within three months of the close of the academic year, which shall contain an overview of all the activities, achievements and performance of the University during and such other information regarding the year under review as may be

Appointment and
removal of Vice-
Chancellor.

prescribed, including disclosure of all relevant facts pertaining to:

- (a) academics;
- (b) research;
- (c) administration; and
- (d) finances:

Provided that the Vice-Chancellor's annual report
shall be made available to all the officers and University teachers
before its presentation to the Senate, and shall be published in such
numbers as are required to ensure its wide circulation.

15. (1) The Vice-Chancellor shall be by the Chancellor on the
basis of appointed recommendations made by the Senate.

(2) A Search Committee for the recommendation of
persons suitable for appointment as Vice-Chancellor shall be
constituted by the Senate on the date and in the manner prescribed by
the Statutes and shall consist of two eminent members of society
nominated by the Chancellor, of whom one shall further be
nominated as the Convener of the Committee, two members of the
Senate, two distinguished University Teachers who are not members
of the Senate and one academic of eminence not employed by the
University. The Senate through a process shall select the two
distinguished University Teachers in such manner as prescribed by
Statute that provides for the recommendation of suitable names by
the University Teachers in general. The Search Committee shall
remain in existence till such time that the appointment of the next
Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for
appointment as Vice-Chancellor shall be considered by the Senate
and of these a panel of three in order of priority, shall be
recommended by the Senate to the Chancellor:

Provided that the Chancellor may decline to appoint
any of the three persons recommended and seek recommendation of a
fresh panel. In the event of a fresh recommendation being sought by
the Chancellor the Search Committee shall make a proposal to the
Senate in the prescribed manner.

(4) The Vice-Chancellor shall be appointed for a
renewable tenure of five years on such terms and conditions as

Registrar.

prescribed by Statute. The tenure of an incumbent Vice Chancellor shall be renewed by the Chancellor on receipt of a resolution of the Senate in support of such renewal: Provided that the Chancellor may call upon the Senate to reconsider such resolution once.

(5) The Senate may, pursuant to a resolution in this behalf passed by three fourths of its membership, recommend to the Chancellor the removal of the Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice. After consideration of the reference the Senate may, pursuant to a resolution in this behalf passed by two thirds of its membership, recommend to the Chancellor for the removal of the Vice-Chancellor:

Provided further that prior to a resolution for the removal of the Vice-Chancellor being voted upon the Vice-Chancellor shall be given a fair opportunity of being heard.

(6) A resolution recommending the removal of the Vice-Chancellor shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order removal of the Vice-Chancellor or return the recommendation to the Senate.

(7) At any time when the office of the Vice Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Senate shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

16. (1) There shall be a Registrar of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as prescribed by the Senate.

(2) The experience as well as the professional and academic qualifications necessary for appointment to the post of the

Director Finance/
Treasurer.

Registrar shall be as prescribed by the Senate.

(3) The Registrar shall be a full-time officer of the University and shall —

(a) be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the Authorities of the University;

(b) be the custodian of the common seal and the academic records of the University;

(c) maintain a register of registered graduates in the prescribed manner;

(d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and

(e) perform such other duties as may be prescribed.

(4) The term of office of the Registrar shall be renewable for a period of three years; Provided that the Senate may, on the advice of the Vice Chancellor, terminate the appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

17. (1) There shall be a Treasurer of the University to be appointed by the Senate on the recommendation of the Vice Chancellor, on such terms and conditions as _ may be prescribed.

(2) The experience and the professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

(3) The Treasurer shall be the chief financial officer of the University and shall, —

(a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;

(b) prepare the annual and _ revised budget estimates of the University and present them to

Controller of
Examinations.

the Syndicate or a committee thereof for
approval and incorporation in the budget to be
presented to the Senate;

(c) ensure that the funds of the University are
expended on the purposes for which they are
provided;

(d) have the accounts of the University audited
annually so as to be available for submission to
the Senate within six months of the close of the
financial year; and

(e) perform such other duties as may be
prescribed.

(4) The Treasurer shall be appointed for a renewable term
of three years; and shall cease to hold the office of Treasurer on expiry
of three years from the date of his appointment or renewal of
appointment if not extended earlier:

Provided that the Senate may, on the advice of the
Vice Chancellor, terminate the appointment of the Treasurer any time
before the expiry of his term of appointment, on the grounds of
inefficiency or misconduct in accordance with the prescribed
procedure.

18. (1) There shall be a Controller of Examinations to be
appointed by the Senate on the recommendation of the Vice-
Chancellor, on such terms and conditions as may be prescribed.

(2) The minimum qualifications necessary for
appointment to the post of the Controller of Examinations shall be as
may be prescribed.

(3) 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 perform such other
duties as may be prescribed.

(4) The Controller of Examinations shall be appointed for
a renewable term of three years; and shall cease to hold the office of
Controller of Examination on expiry of three years from the date of
his appointment or renewal of appointment if not extended earlier:

Auditor.

Other Officers.

Authorities.

Provided that the Senate may, on the advice of the Vice Chancellor, terminate the appointment of the Controller of Examinations any time before the expiry of his term of appointment, on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

19. There shall be an Auditor of the University taken from Government on deputation, or appointed on contract basis who shall have such functions, duties and powers as may be prescribed by Statutes.

20. (1) Subject to the provisions of the Act, the terms and conditions of service and the powers and duties of other officers of the University shall be such as may be prescribed.

(2) Notwithstanding anything to the contrary contained in the Statutes, the Chancellor may, on the recommendation of the concerned appointing authority, relax the qualifications, on grounds of outstanding scholarship and contribution to learning, for appointment to a post of an officer referred to in sub-section (1) in an individual case.

CHAPTER - IV AUTHORITIES OF THE UNIVERSITY

21. (1) The following shall be the Authorities of the University under the Act, namely: —

- (a) the Senate;
- (b) the Syndicate; and
- (c) the Academic Council.

(2) The following shall be the Authorities that may be established by the Statutes, —

- (a) Faculty Council;
- (b) Graduate and Research Management Council;
- (c) Departmental Council;
- (d) — the Selection Committees for appointment to the Senate, Syndicate and the Academic Council;
- (e) Search Committee for the appointment of the

Senate.

Vice Chancellor;

(f) Recruitment, Development, Evaluation and Promotion Committees for teachers and other staff whether at the level of the department, the Faculty or the University; and

(g) Career-placement and Internship Committee of each Faculty.

(3) The Senate, the Syndicate and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through Statutes or Regulations as appropriate. Such committees or sub-committees shall be Authorities of the University for the purposes of the Act.

22. (1) There shall be a Senate of the University which shall be the body responsible for the governance of the University.

(2) The Senate shall consist of the following members and the Chairperson, namely: —

(a) the Chancellor who shall be the Chairperson of the Senate;

(b) the Vice-Chancellor;

(c) the Secretary or in his absence the Additional Secretary to the Government of Balochistan, Higher Education Department;

(d) the Secretary or in his absence the Additional Secretary to the Government of Balochistan, Finance Department;

(e) the Principal Secretary to the Governor or in his absence the Additional Secretary, Governor

Secretariat;

(f) four persons from society at large being persons of distinction in the fields of administration, management, education,

academics, law, accountancy, fine-arts, science, agriculture, architecture, engineering and technology such that the appointment of these persons reflects a balance across the various fields: Provided that the special focus

or affiliation of the University to be declared in the manner prescribed, may be reflected in the number of persons of distinction in an area of expertise relevant to the University, who are appointed to the Senate;

(g) one person from amongst the alumni of the University;

(h) two persons from the academic community of the country, other than an employee of the University, at the level of Professor or Principal of a college;

(i) four University Teachers; and

(j) one person nominated by the Higher Education Commission.

(3) The numbers of the members of the Senate described against clauses (e) to (i) of sub-section (2) may be increased by the Senate through Statutes subject to condition that the total membership of the Senate does not exceed twenty one, with a maximum of five University Teachers, and the increase is balanced, to the extent possible, across the different categories specified in sub-section (2).

(4) All appointments to the Senate shall be made by the Chancellor.

(5) Appointments of persons described in clauses (e) to (f) of sub-section (2) shall be made from amongst a panel of three names for each vacancy recommended by the Selection Committee set up in terms of section 28 and in accordance with procedure as may be prescribed:

Provided that effort shall be made, without compromising on quality or qualification, to give fair representation to women on the Senate: Provided further that for appointment of members from amongst the University Teachers described in clause (g) of sub-section (2), the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University Teachers:

Provided also that the Senate may alternatively prescribe that appointment of University Teachers to the Senate shall

Powers and
functions of the
Senate.

also be in the manner provided for the persons described in clauses (e) to (f) of sub-section (2).

(6) Members of the Senate, other than ex officio members, shall hold office for three years. One-third of the members, other than ex officio members, of the first restructured Senate, to be determined by secret self-assessment ballot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-third of the remaining members, other than ex officio members, of the first restructured Senate, to be determined by secret ballot, shall retire from office on the expiration of two years from the date of appointment and the remaining one - third, other than ex officio members, shall retire from office on the expiration of the third year:

Provided that no person, other than an ex-officio member, may serve on the Senate for more than two consecutive terms: Provided further that the University Teachers appointed to the Senate may not serve for two consecutive terms.

(7) The Senate shall meet at least twice in a calendar year.

(8) Service on the Senate shall be on honorary basis:
Provided that actual expenses may be reimbursed as prescribed.

(9) The Registrar shall be the secretary of the Senate.

(10) In the absence of the Chancellor meetings of the Senate shall be presided over by such member, not being an employee of the University or the Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Senate.

(11) Unless otherwise prescribed by the Act, all decisions of the Senate shall be taken on the basis of the opinion of a majority of the members present. In the event of the members being evenly divided on any matter the person presiding over the meeting shall have a casting vote.

(12) The quorum for a meeting of the Senate shall be two thirds of its membership, a fraction being counted as one.

23. (1) The Senate shall have the power of the Senate general supervision over the University and shall hold the Vice Chancellor and the Authorities accountable for all the functions of the

University. The Senate shall have all powers of the University not expressly vested in an Authority or officer under the Act and all other powers not expressly mentioned in the Act that are necessary for the performance of its functions.

(2) Without prejudice to the generality of the foregoing

powers, the Senate shall have the following powers: —

(a)

(b)

(d)

(e)

(f)

(g)

(h)

to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;

to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;

to oversee the quality and relevance of the University's academic programs and to review the academic affairs of the University in general;

to approve the appointment/ promotions of the Deans, Professors, Associate Professors Assistant Professors, Lecturers and such other senior faculty and senior administrators as may be prescribed;

to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;

to approve strategic plans;

to approve financial resource development plans of the University;

to consider the drafts of Statutes and
Regulations proposed by the Syndicate and the
Academic Council: Provided that the Senate
may frame a Statute or Regulation on its own
initiative and approve it after calling for the
advice of the Syndicate or the Academic

Council as the case may be;

(i) to annul by order in writing the proceedings of any Authority or officer if the Senate is satisfied that such proceedings are not in accordance with the provisions of the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceedings should not be annulled;

(j) to recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of the Act;

(k) to make appointment of members of the Syndicate, other than ex officio members, in accordance with the provisions of the Act;

(l) to make appointment of members of the Academic Council, other than ex officio members, in accordance with the provisions of the Act;

(m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;

(n) to remove any person from the membership of any Authority if such person:

(i) has become of unsound mind;

(ii) has become incapacitated to function as member of such Authority; or

(iii) has been convicted by a court of law for an offence involving moral turpitude; and

(o) to determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Senate may, subject to the provisions of the Act delegate all or any of the powers and functions of any Authority, officer or employee of the University at its main campus, to any Authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such

Syndicate.

functions in relation to such additional campus, and for this purpose the Senate may create new posts or positions at the additional campus.

(4) The Senate may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the University.

24. (1) There shall be a Syndicate of the University consisting of the following, namely: —

(a) the Vice-Chancellor who shall be its Chairperson;

(b) the Deans of the Faculties of the University;

(c) three professors from different departments, who are not members of the Senate;

(d) two eminent citizens with practical experience of Legislation and dealing with the administrative, service and legal matters, to be nominated by the Chancellor;

(e) Principals of the constituent colleges;

(f) the Registrar;

(g) the Treasurer; and

(h) the Controller of Examinations.

(2) The Senate shall appoint the members of the Syndicate, other than the ex officio members and the members nominated by the Chancellor, from amongst a panel of the names for each vacancy recommended by the Selection Committee set up in terms of section 28 and in accordance with procedure as may be prescribed.

(3) Members of the Syndicate, other than ex officio members, shall hold office for three years, who shall cease to hold the office of the member of Syndicate on expiry of three years term from the date of their appointment, if not reappointment for a second term.

(4) The quorum for a meeting of the Syndicate shall be one-half of the total number of members; a fraction shall be counted as one.

Powers and duties
of the Syndicate.

(5) The Syndicate shall meet at least once in each quarter of the year.

25. (1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of the Act and the Statutes, exercise general supervision over the affairs and management of the University.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act, the Statutes and directions of the Senate the Syndicate shall have the powers, —

(a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;

(b) to transfer and accept transfer of movable property on behalf of the University;

(c) to enter into, vary, carry out and cancel contracts on behalf of the University;

(d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;

(e) to invest any money belonging to the University including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882 (Act II of 1882), or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;

(f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other

contributions made to the University;

(g) | to administer any funds placed at the disposal of the University for specified purposes;

(h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the

(1)

(Gj)

(k)

(l)

(m)

(n)

(o)

(p)

(q)

(r)

(t)

(u)

University;

to establish and maintain halls of residence and hostels or approve or license premises for hostels or lodgings for the residence of students;

to recommend to the Senate affiliation or disaffiliation of colleges;

to recommend to the Senate admission of educational institutions to the privileges of the University and withdraw such privileges;

to arrange for the inspection of colleges and the departments;

to institute Professorships, § Associate Professorships, Assistant Professorships, Lectureships and other teaching posts or to suspend or to abolish such posts;

to create, suspend or abolish such administrative or other posts as may be necessary;

to prescribe the duties of officers, teachers and other employees of the University;

to report to the Senate on matters with respect to which it has been asked to report;

to appoint members to various Authorities in accordance with the provisions of the Ordinance;

to propose drafts of Statutes, Rules and Regulations for submission to the Senate;

to regulate the conduct and discipline of the students of the University;

to take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;

to delegate any of its powers to any Authority

Academic Council.

or officer or a committee; and

(v) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

26. (1) There shall be an Academic Council of the University consisting of the following, namely: —

(a) the Vice Chancellor who shall be its Chairperson;

(b) the Deans of Faculties and such Heads of departments as may be prescribed;

(c) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Senate;

(d) two Principals of affiliated colleges;

(e) five Professors including Emeritus Professors;

(f) the Registrar;

(g) the Controller of Examinations; and

(h) the Librarian.

(2) The Senate shall appoint the members of the Academic Council, other than the ex officio and the elected members, on the recommendation of the Vice Chancellor:

Provided that as regards the five professors and the members representing the departments, institutes and the constituent colleges the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Selection Committee set up in terms of section 28 of the Act. Appointment of persons proposed by the Selection Committee may be made by the Senate on the recommendation of the Vice Chancellor.

(3) Members of the Academic Council shall hold office for three years.

(4) The Academic Council shall meet at least once in each quarter.

(5) The quorum for meetings of the Academic Council shall be one half of the total number of members, a fraction being

Powers and
functions of the
Academic Council.

counted as one.

27. (1) The Academic Council shall be the principal academic body of the University and shall subject to the provisions of the Act and the Statutes, have the power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University and the colleges.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of the Act and the Statutes, the Academic Council shall have the power to, —

(a) approve the policies and procedures pertaining to the quality of academic programs;

(b) approve academic programs;

(c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;

(d) approve the policies and procedures assuring quality of teaching and_ research; (e) recommend the policies and procedures for affiliation of other educational institutions;

(e) recommend the policies and procedures for affiliation of other educational institution;

(f) propose to the Syndicate schemes for the constitution and organization of faculties, teaching departments and boards of studies;

(g) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;

(h) institute programs for the continued professional development of University Teachers at all levels;

(i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;

Selection
Committees.

- (j) regulate the award of _ studentships, scholarships, exhibitions, medals and prizes;
- (k) frame Regulations for submission to the Senate;
- (1) prepare an annual report on the academic performance of the University; and
- (m) perform such functions as may be prescribed by Regulations.

28. (1) There shall be a Selection Committee constituted by the Senate through Statute for recommendation of persons for appointment to the Senate in accordance with the provisions of section 22.

(2) There shall also be a Selection Committee constituted by the Senate through Statute for the recommendation of persons for appointment to the Syndicate and Academic Council in accordance with the provisions of section 24 and 26.

(3) The members of the Selection Committee for appointments to the Senate shall consist of the following: —

- (a) three members of the Senate who are not University Teachers;
- (b) two persons nominated by the University Teachers from amongst themselves in the manner prescribed;
- (c) one person from the academic community, not employed by the University, at the level of professor or college principal to be nominated by the University Teachers in the manner prescribed; and
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

(4) The Selection Committee for appointments to the Syndicate and the Academic Council shall consist of the following: —

- (a) two members of the Senate who are not

Constitution,
functions and
powers of other
Authorities.

Appointment of
committees by
certain authorities.

Quality Assurance
Cell (QAC).

www.ezqanoon.com

University Teachers; and

(b) three persons nominated by the University
Teachers from amongst themselves in the
manner prescribed.

(5) The tenure of the Selection Committees shall be three
years: Provided that no member shall serve for more than two
consecutive terms.

(6) The procedure to be followed by the Selection
Committees in carrying out its functions in terms of the Act shall be
as may be prescribed.

(7) There may also be such other Selection Committees
set up by any of the other Authorities of the University as are
considered appropriate for recommending persons for appointment to
the various Authorities and other bodies of the University.

29. The constitution, functions and powers of the Authorities for
which no specific provision has been made in the Act shall be such as
may be prescribed by Statutes.

30. (1) The Senate, the Syndicate, the Academic Council and
other Authorities may, from time to time, appoint such standing,
special or advisory committees, as they may deem fit, and may place
on such committee persons who are not members of the Authorities
appointing the Committees.

(2) The constitution, functions and powers of the
Authorities for which no specific provision has been made in the Act,
shall be such as may be prescribed by Statutes or Regulations.

31. (1) To maintain the quality assurance in_ the
system University The Quality Enhancement Cell (QEC) will be
established in the University to be headed by a Professional whose
services should be hired against the relevant criteria for quality
assurance of higher education. The status of QEC head will be
equivalent to Dean and reporting authority for this position will be
Vice Chancellor.

(2) He / she will be the correspondent with the outside bodies and responsible for Internal Academics Audit as well.

(3) The body responsible for promoting public confidence that the quality and standards of the award of degrees are enhanced and safeguarded.

(a)

(b)

(d)

(e)

(f)

(g)

QEC is responsible for the review of quality standards and the quality of teaching and learning in each subject area;

QEC is responsible for the review of academic affiliations with other institutions in terms of effective management of standards and quality of programs;

QEC is responsible for defining clear and explicit standards as points of reference to the reviews to be carried out. It should also help the employees to know as to what they could expect from candidates;

QEC is responsible to develop qualifications framework by setting out the attributes and abilities that can be expected from the holder of a qualification, i.e. Master's, M. Phil., Doctoral.

QEC is responsible to develop program specifications. These are standard set of information clarifying what knowledge, understanding, skills and other attributes a student will have developed on successfully completing a specific program.

QEC is responsible to develop quality assurance processes and methods of evaluation to affirm that the quality of provision and the standard of awards are being maintained and to foster curriculum, subject and ___ staff development, together with research and other scholarly activities; and

QEC is responsible to ensure that the university's quality assurance procedures are designed to fit in with the arrangements in place nationally for maintaining and improving

Statutes.

the quality of Higher Education.

(4) QEC is responsible to get accreditation of all degree programs from Accreditation bodies.

(5) Director QEC will be a member (non-voting) in the statutory bodies, 1.e. Syndicate, Academic Council and Finance and Planning Committee.

CHAPTER - V STATUTES, REGULATIONS AND RULES

32. (1) Subject to the provisions of the Act, the Senate may make Statutes, which shall be published in the official Gazette of Balochistan, to regulate or prescribe all or any of the following matters: —

(a) the contents of and the manner in which the Annual Report to be presented by the Vice-Chancellor before the Senate, shall be prepared;

(b) the University fees and other charges;

(c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;

(d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;

(e) the maintenance of the register of registered graduates;

(f) affiliation and disaffiliation of educational institutions and related matters;

(g) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;

(h) the establishment of faculties, departments, institutes, colleges and other academic divisions;

(i) the powers and duties of officers and teachers;

Regulations.

- (j) conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (k) conditions for appointment of Emeritus Professors and award of honorary degrees;
- (1) efficiency and discipline of University employees;
- (m) the constitution and procedure to be followed by Selection Committees in carrying out functions in terms of the Act;
- (n) the constitution and procedure to be followed by the Search Committee for appointment of the Vice Chancellor;
- (o) constitution, functions and powers of the Authorities of the University; and
- (p) all other matters which by the Act are to be or may be prescribed or regulated by Statutes.

(2) The draft of Statutes shall be proposed by the Syndicate to the Senate which may approve or pass with such modifications as the Senate may deem fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft: Provided that Statutes concerning any of the matters mentioned in clauses (a) and (1) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

Provided further that the Senate may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of the Act and approve such Statute after seeking the views of the Syndicate.

33. (1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, which shall be published in the official Gazette of Balochistan, for all or any of the following matters: —

- (a) the courses of study for degrees, diplomas and certificates of the University;
- (b) the manner in which the teaching referred to in

Rules.

sub-section (1) of section 8 shall be organized and conducted;

(c) the admission and expulsion of students to and from the University;

(d) the conditions under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and

certificates;

(e) the conduct of examinations;

(f) conditions under which a person may carry on

independent research to entitle him to a degree;

(g) the institution of fellowships, scholarships, exhibitions, medals and prizes;

(h) the use of the Library;

(i) the formation of Faculties, Departments and Board of studies; and

(j) all other matters which by the Act or the Statutes are to be or may be prescribed by Regulations.

(2) Regulations shall be proposed by the Academic Council and shall be submitted to the Senate, which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Senate.

(3) Regulations regarding or incidental to matters contained in sub-clauses (g) and (i) of sub-section (1), shall not be submitted to the Senate without the prior approval of the Syndicate.

34. (1) The Authorities and the other bodies of the University may make Rules, with prior approval of the syndicate to be published in the official Gazette, consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the University which has not been provided for by the Act or that is not required to be regulated by Statutes or Regulations, including rules to regulate the conduct of business and the time and place of meetings

First Statutes etc.

Affiliation.

and related matters.

35. Notwithstanding anything to the contrary contained in the Act, the Statutes set out in the Schedule appended to the Act shall be deemed to be the First Statutes framed under section 32 of the Act and shall continue to remain in force until amended or repealed by a new Statutes in accordance to the provisions of the Act:

Provided that till such time the Authorities mentioned in sections 32, 33 and 34 are not constituted, the Governor Balochistan shall be the authority for making the Statutes, Regulations and Rules in accordance with the provisions of the Act.

CHAPTER - VI
AFFILIATION OF EDUCATIONAL
INSTITUTIONS TO THE UNIVERSITY

36. (1) Subject to the provisions the Act, —

(a) all colleges and educational institutions in the public sector of the district, shall be affiliated to the University of Gwadar; and

(b) all colleges and educational institutions in the private sector of the district may affiliated to the University through a process as prescribed hereinafter.

(2) An educational institution/college applying for affiliation to the University shall make an application to the University and shall satisfy that, —

(a) the institution/college is under the management of Government or a regularly constituted governing body;

(b) that the financial resources of the institution/college are sufficient to enable it to make due provision for its continued maintenance and efficient working;

(c) the strength and qualifications of the teaching staff and the other staff, and the terms and condition of their service, are adequate to make due provision for the course of instruction, teaching or training to be undertaken by the

institution/college are according to the Rules and Regulations;

(d) the institution/college has framed proper Rules regarding the efficiency and discipline of its staff and the employees;

(e) the building in which the institution/college is to be located is suitable and purpose building and other provision will be made in conformity with the Statutes and the Regulations for:

(i) the residence of students, not residing with their parents or guardians, or lodging approved by it; and

(ii) the supervision and physical and general welfare of students;

(f) provision has been made for a library and adequate library service;

(g) where affiliation is sought in any branch of experimental sciences, due arrangements have been made for imparting instruction in that branch of science in properly equipped laboratory, museum and the places of practical work;

(h) due provision will, so far as circumstances may permit, be made for the residence of the principal and members of the teaching staff in or near the institution or place provided for the residence of students; and

(i) due provision of the institution/college will not be injurious to the interests of education or discipline of the institutions/colleges in its neighborhood.

(3) The application shall further contain an undertaking that after the institution/college is affiliated, any change in the management and in the teaching staff, shall be forthwith reported to the University, and that the teaching staff shall possess such qualifications as are or may be prescribed.

Addition of courses
by affiliated
institution.

Reports from
affiliated
institutions.

Withdrawal of
affiliation.

(4) The procedure to be followed in disposing of an application for the affiliation of an institution/college shall be such as may be prescribed.

(5) The Syndicate may, on the recommendation of the Affiliation Committee grant or refuse affiliation to the institution/college: Provided that affiliation shall not be refused unless the institution/college has been given an opportunity of making a representation against the proposed decision.

37. | Where an institution/college desires to add to the course of instruction in respect of which it is affiliated the procedure prescribed under sub-section (2) and (3) of section 36 shall, so far as may be, be followed.

38. (1) Every institution/college affiliated to the University shall furnish such reports, returns and the information as the University may require enabling it to judge the efficiency of the institutions/colleges.

(2) The University may call upon any institution/college affiliated to it to take within a specified period such action as may appear to the University to be necessary in respect of any of the matters referred to in sub-section (2) of section 36.

39. (1) If an institution/college affiliated to the University fails at any time to fulfill any of the requirements mentioned in the Act, or if an institution/college has failed to observe any of the conditions of its affiliation, or its affairs are conducted in a manner which is prejudicial to the interests of education, the Syndicate may, on recommendation of the Affiliation Committee and after considering such representation as the institution/college may wish to make, withdraw either in whole or in parts, the rights conferred on the institution/college by affiliation or modify such rights.

(2) The procedure to be followed for the withdrawal of affiliation shall be such as may be prescribed. Appeal against refusal or withdrawal of affiliation.

40. An appeal shall lie to the Chancellor against the decision of the Syndicate refusing to affiliate an institution/college, or

withdrawing in whole or part, the rights conferred on an

University fund.

Audits and
Accounts.

institution/college by affiliation, or modifying such rights;

Provided that the Chancellor shall not pass any order adversely affecting the institution without giving — the institution/college concerned an opportunity of being head.

CHAPTER - VII UNIVERSITY FUND

41. (1) The University shall have a fund to which shall be credited its income from fees, charges, donations, trusts, bequests, endowments, contributions, grants and all other sources.

(2) The budgetary allocations of the funds of University of Gwadar come into force immediately before the commencement of the Act and shall continue with annual increase as may deem fit by the Government as a grant to the University fund to meet the recurrent expenditure of the University. These funds shall be transferred to the account of the University in the month of July every year.

42. (1) The Accounts of the University shall be maintained in such form and in such manner as may be prescribed.

(2) The teaching departments, constituent colleges/institutes and all other bodies designated as such by the Syndicate in terms of Statutes shall be independent cost centers of the University with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it:

Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the Statutes.

(3) All funds generated by a teaching department, constituent college or other unit of the University through consultancy, research or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by Statute, to the teaching department, constituent college or other unit for its development. A part of the funds so generated may be shared with the University Teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by Statute.

(4) No expenditure shall be made from the funds of the

Recovery of
University dues.

Opportunity to
show cause.

Appeal to the
Syndicate and
Senate.

University, unless a bill for its payments has been issued by the head of the cost center concerned in accordance with the relevant statutes and the Treasurer has verified that the payment is provided for in the approved budget of the cost centre, subject to the authority to re-appropriate available to the head of the cost centre.

(5) Provision shall be made for an internal audit of the finances of the University.

(6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force, the annual audited statement of accounts of the University shall be prepared in conformity with the Generally Accepted Accounting Principles (GAAP) by a reputed firm of chartered accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Pakistan for his observations.

(7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

43. The University or any person generally or specially authorized by it may apply to the Collector for recovery of any sum due to the University under any bond and the Collector shall thereupon proceed to recover the sum due as if it were an arrear of land revenue.

CHAPTER - VUI GENERAL PROVISIONS

44. __ Except as otherwise provided by law no officer, teacher or other employee of the University holding a permanent post shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

45. | Where an order is passed punishing an officer, teacher or other employee of the Senate. University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by any officer or teacher of the

Revisional powers
of the Chancellor.

Service of the
University and
retirement from
Service.

University other than the Vice-Chancellor, have the right to appeal to the Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate.

46. The Chancellor may, of his own motion or otherwise, call for and examine the record of any proceedings in which an order has been passed by any authority for the purpose of satisfying himself as to the correctness, legality or propriety of any finding or order and may pass such orders as he may deem fit.

Provided that no order under this section shall be passed unless the person to be affected thereby is afforded an opportunity of being heard.

47. (1) All persons employed by the University in accordance with the terms and Service conditions of service prescribed by statutes shall be persons in the Service Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973:

Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable employment notwithstanding the service of persons employed by the University shall be entirely governed by the terms and conditions prescribed by the relevant Statutes.

(2) An officer, teacher or other employee of the University shall retire from service —

(a) on such date after he has completed twenty five years of service qualifying for pension and other retirement benefit as the competent authority may, in the public interest direct:

Provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed to be taken against him and has been given reasonable opportunity of showing cause against that action; or

(b) where no direction is given under clause (a) on the completion of the sixty years of his age.

Explanation. — In this section “competent authority”

Benefits and
Insurance.

Commencement of
term of office of
members of
Authority.

Filling of casual
vacancies in
Authorities.

Flaws in the
constitution of the
Authorities.

Proceedings of

means the appointing authority or a person duly authorized by the appointing authority in that behalf, not being a person lower in rank to the officer, teacher other employee concerned.

(3) No adverse change shall be made in the terms and conditions of employment of any University Teacher in the employment of the University on the date of enforcement of the Act.

48. (1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

(2) | Where any provident fund has been constituted under the Act, the provisions of the Provident Funds Act, 1925 (Act No. XIX of 1925), shall apply to such funds as if it were the Government Provident Fund.

49. (1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under the Act, shall commence from such date as may be prescribed.

(2) Where a member who has accepted any other assignment or for any other similar reason remains absent from the University for a period of not less than six months he shall be deemed to have resigned and vacated his seat.

50. Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.

51. Where there is a flaw in the constitution of an Authority, as constituted by the Act, the Statutes or the Regulations on account of the abolition of a specified office under Government or because an organization, institution or other body outside the University has been dissolved or has ceased to function, or because of some other

similar reason, such flaw shall be removed in such manner as the Senate may direct.

52. No act, resolution or decision of any Authority shall be

Authorities not invalidated by the vacancies.

Appointment of Employees of the Government, other Universities, Educational or research institutions to the University.

Transitory Provisions.

invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of nomination of any de facto member of the Authority, whether present or absent.

53. (1) Notwithstanding anything contained in the Act, the senate may, on the advice of the syndicate, allow any post in the University to be filled by appointment, on such terms as the Senate may specify, an employee of the Government or any other University or educational research institution.

(2) Where any appointment has been made under this section, the terms and conditions of service of the appointee shall not be less favorable than those admissible to him immediately before such appointment and he shall be entitled to all benefits of his post of service.

54. (1) Notwithstanding anything contained in the Act, as regards a University set up after the promulgation date hereof, the members of the first Senate, except the University Teachers, shall be appointed by the Chancellor in accordance with the numbers and criteria for membership specified in the Act. The first Senate so constituted shall initiate, as soon as possible, the process for the recruitment of University Teachers and appointment of the members of the Syndicate and the Academic Council in accordance with the terms of the Act. The University Teachers to be appointed to the first Senate shall be appointed as soon as the procedure prescribed for appointment of University Teachers to the Senate has been complied with. The term of tenure provided in sub-section (6) of section 22 notwithstanding, one-third of the members, other than ex officio members, of the first Senate, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than ex officio members, of the first Senate, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than ex officio members, shall retire from office on the expiration of the third year.

(2) Notwithstanding anything contained in the Act, as

regards a University set up after the promulgation date hereof, the first Vice-Chancellor shall be appointed by the Chancellor for a period of three years.

Indemnity.

Repeal and savings.

(3) Notwithstanding anything contained in the Act, the first appointments to the VC, Registrar, Director Finance (Treasurer) and Controller of Examinations may be made by the Chancellor for a period of three years in his discretion provided that the persons to be appointed on the above mentioned statutory posts must fulfill all the laid down criteria required for the posts.

55. No suit or legal proceedings shall lie against the Government, the University or any Authority, officer or employee of the Government or the University or any person in respect of anything, which is done in good faith under the Act.

56. (1) The University of Turbat Act, 2012 to the extent of its application over the Gwadar Campus of University of Turbat shall stand repealed and cease to be effective on coming into force of the Act.

(2) Notwithstanding the repeal of the University of Turbat Act, 2012 to the extent of its application over the Gwadar Campus of University of Turbat, —

(a) everything done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships, studentship, or exhibitions instituted, affiliations or privileges granted and orders issued under any of the provisions of the University of Turbat Act, 2012 or the Statutes, the Regulations and the Rules made or deemed to have been made there under, shall, if not inconsistent with the provisions of the Act or the Statutes, the Regulations or the Rules made under the Act, be continued and, so far as may be, be deemed to have been respectively done, taken, incurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under the Act, and any documents referring to any of the provisions of the University of Turbat Act, 2012 or the Statutes, the Regulations and the

Removal of
difficulties.

Rules first referred shall, so far as may be, be considered to refer to the corresponding provisions of the Act or the Statutes, the Regulations and the Rules made under the Act;

(b) all institutes, colleges or other constituent units of the University functioning in terms of the provisions of the University of Turbat Act, 2012 shall continue to function in terms of the relevant repealed provisions till such time that the Senate through Statute has prescribed otherwise; and

(c) any Statutes, Regulations, or Rules made or deemed to have been made under the University of Turbat Act, 2012 shall, if not inconsistent with the provisions of the Act, be deemed to be Statutes, Regulations or Rules made under the Act having regard to the various matters which by the Act have to be regulated or prescribed by Statutes, Regulations and Rules respectively and shall continue to be in force until they are repealed, rescinded or modified in accordance with the provisions of the Act.

57. (1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Chancellor whose decision thereon shall be final.

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

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

(See Schedule on next page)

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Faculties.

1 (1)

(2)

consist of, —

SCHEDULE

(See section 35)

**THE FIRST STATUTE OF THE
UNIVERSITY OF GWADAR**

The University shall include the following Faculties: —

(a)

(b)

(c)

(d)

(e)

(f)

(g)

Faculty of Marine Sciences, Water Resource Management and Agriculture.

Faculty of Physical and Natural Sciences.

Faculty of Arts, Social Sciences and Humanities;

Faculty of Management Sciences, Commerce, Business Administration; and Port Management

Faculty of Engineering and Technology.

Faculty of Medicine and Dentistry and Pharmacy.

Faculty of languages and Literature.

There shall be a Board of each Faculty which shall

(a)

(b)

(c)

(d)

the Dean to be appointed in the manner as
prescribed in sub-paragraph (2) of paragraph 2;

the Professors and the Chairmen of the
Teaching Departments comprised in the
Faculty;

two members of each Board of Studies
comprised in the Faculty to be nominated by
the Board of Studies concerned; and

three teachers 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.

Dean.

(3) The members mentioned in clauses (c) and (d) of sub-paragraph (2) shall hold offices for two years.

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

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

- (a) to co-ordinate the teaching, publication and research work in the subjects assigned to the Faculty;
- (b) to scrutinize the recommendations of the Board of Studies comprised in the Faculty in regard to the appointment of paper setters and examiners, except for research examinations, and to forward the panels of suitable paper setters and examiners for each examination to the Vice-Chancellor;
- (c) to consider any other academic matter relating to the Faculty and to report thereon to the Academic Council; and
- (d) to perform such other functions as may be assigned.

2. (1) There shall be a Dean of each Faculty, who shall be the Chairman and convener of the Board of the Faculty.

(2) The Dean of each Faculty shall be appointed by the Chancellor from amongst the three senior most Professors in the Faculty for a period of three years and shall be eligible for reappointment:

Provided that if no Professor is available in a Faculty, a Professor from some other Faculty may act as a Dean till a Professor of the Faculty itself is appointed.

(3) The Dean shall present candidates for admission to degrees except honorary degrees, in the courses falling within the purview of the Faculty.

Teaching
Departments and
Chairmen.

Board of Studies.

(4) The Dean shall exercise such administrative and academic powers as may be delegated to him.

3. (1) There shall be a Teaching Department for each subject or a group of subjects, as may be prescribed by Regulations and each Teaching Department shall be headed by a Chairman.

(2) The Chairman of a Teaching Department and the Director of an Institute shall be appointed by the Syndicate on the recommendation of the Vice-Chancellor from amongst the three senior most Professors of the Department for a period of three years and shall be eligible for re-appointment:

Provided that in a Department where there are less than three Professors the appointment shall be made from amongst the three senior most Professors and Associate Professors of the Department:

Provided further that in a Department, in which there is no Professor or Associate Professor, no such appointment shall be made and the Department shall be looked after by the Dean of the Faculty with the assistance of the senior most teacher of the Department.

(3) The Chairman 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. Board of Studies.

4. (1) There shall be a separate Board of Studies for each subject or group of subjects, as may be prescribed by Regulations.

(2) Each Board of Studies shall consist of, —
(a) the Chairman of the Teaching Department;

(b) all Professors and Associate Professors in the University Teaching Departments;

(c) three teachers of the subject including Heads of Departments of the affiliated colleges where post-graduate teaching in the subject is being done, to be appointed by the Vice-Chancellor:

Provided that if the total number of University teachers under clauses (a) and (b) comes to less than three, this number may be

made up by nominating one Lecturer or Assistant Professor from amongst the University teachers;

(d) one teacher of the subject from outside the Department or preferably from any other University to be appointed by the Vice Chancellor:

Provided that in the case of professional subjects which are taught in the affiliated colleges only, and not in the University such as Medicine, Dentistry, Engineering, etc., the Board of Studies shall consist of, —

(i) the Principals of the Colleges concerned;

(ii) five teachers of the colleges, to be appointed by the Syndicate; and

(iii) | one teacher of the subject preferably from outside the jurisdiction of the University, to be appointed by the Vice-Chancellor:

Provided further that in the case of such subjects of Humanities and Sciences as are taught in the affiliated colleges only, and not in the University, the Board of Studies shall consist of, —

(i) three teachers from the colleges doing teaching work in the subject to be appointed by the Academic Council; and (ii) one teacher from the University, may be of a cognate distinction.

(3) The term office of members of the Board of Studies, other than ex-officio members shall be three years.

(4) The quorum for meetings of the Board of Studies shall be one-half the number of members, a fraction being counted as one.

(5) The Chairman of the University Teaching Department concerned shall be the Chairman and Convener of the Board of Studies. Where in respect of a subject there is no University Teaching Department the Chairman shall be appointed by the Syndicate.

(6) The functions of the Board of Studies shall be, —

(a) to advise the Authorities on all academic matters connected with instruction, publication, research and examination in the subject or subjects concerned;

(b) to propose curricular and syllabi for all degrees, diplomas and certificate courses in the subject or subjects concerned;

(c) to suggest a panel of names of paper setters and examiners in the subject or subjects concerned; and

(d) to perform such other functions as may be prescribed. Advanced Studies and Research Board.

Advance Studies 5. (1) The Advanced Studies and Research Board shall and Research consist of, —

Board. (a) the Vice-Chancellor (Chairman);

(b) the Deans;

(c) three University Professors other than Deans to be appointed by the Syndicate;

(d) three University Teachers having research qualifications and experience to be appointed by the Academic Council; and

(e) three teachers from affiliated colleges having research qualifications to be appointed by the Vice-Chancellor preferably from institutions where post-graduate classes are held.

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

(3) The quorum for a meeting of the Advanced Studies

Selection Board.

and Research Board shall be one-half of the total number of members, a fraction being counted as one.

(4)

Board shall be, —

6. (1)

(2)

The functions of the Advanced Studies and Research

(a)

(b)

(c)

(d)

(e)

(f)

to advise the Authorities on all matters connected with the promotion of advanced studies, publication and research in_ the University;

to consider and report to the Authorities on the institution of research degrees in_ the University;

to propose Regulations regarding the award of research degrees;

to appoint supervisors for research studies and to determine the subjects for their thesis;

to recommend panels of names of paper setters and examiners for research examinations after considering the proposals of the Board of Studies in this behalf; and

to perform such other functions as may be prescribed by Statutes.

The Selection Board shall consist of, —

(a)

(b)

(c)

(d)

(e)

the Vice-Chancellor (Chairman);

the Chairman or a member of the Public Service Commission to be nominated by the Chairman;

the Dean of the Faculty concerned;

the Chairman of the Teaching Department concerned; and

one member of the Syndicate and two other men of eminence to be appointed by the Syndicate provided that none of them is an employee of the University.

The members mentioned in clause (v) of subparagraph

Function of the
Selection board.

Finance and
Planning
Committee.

(1) shall hold office for two years.

(3) The quorum of Selection Board in case of selection of Professor or an Associate Professor and other teachers shall be four and three respectively. In case of selection of officers other than teachers, the Selection Board shall consist only of members mentioned at (a), (b) and (e) of (1).

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

(5) In selecting candidates for 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 Vice-Chancellor from the standing list of experts for each subject approved by the Syndicate on the recommendation of the Selection Board and revised from time to time. Functions of the Selection Board.

7. (1) The Selection Board for teaching and other posts shall consider the applications received in response to advertisement and recommend to the Syndicate the names of suitable candidates for appointment to teaching or other posts, as the case may be, and may also recommend, —

(a) the grant of a higher initial pay in a suitable case for reasons to be recorded; or

(b) the appointment of an eminently qualified person to a Professorship in the University on terms and conditions other than those prescribed.

(2) In the event of difference of opinion between the Selection Board and the Syndicate the matter shall be referred to the Chancellor whose decision shall be final. However, a Professorship may be conferred on an eminent scholar by the Vice-Chancellor in consultation with the Selection Board.

8. (1) The Finance and Planning Committee shall consist of,

(a) the Vice-Chancellor (Chairman);

Function of the
Finance and
planning
committee.

Affiliation
Committee.

www.ezqanoon.com

(2)

three years.

(3)

(b) one member of the Senate to be appointed by
the Senate;

(c) one member of the Syndicate to be appointed
by the Syndicate;

(d) two members of the Academic Council to be
appointed by the Academic Council;

(e) two nominees of the Chancellor, one each from
Education Department and Finance
Department;

(f) the Treasurer; and

(g) one nominee of the Academic Staff.

The term of office of the appointed members shall be

The quorum for a meeting of the Finance and Planning

Committee shall be three member.

9.

10.

(a)

(b)

(d)

(1)

The functions of the Finance and Planning Committee
shall be, —

to consider the annual statement of accounts and the
annual and revised budget estimates and advise the
Syndicate thereon;

to review periodically the financial position of the University;

to advise the Syndicate on all matters relating to planning, development, finance, investments, and accounts of the University; and

to perform such other functions as may be prescribed.

The Affiliation Committee shall consist of —

(a) a Chairman to be nominated by the Syndicate;

(b) two Professors to be nominated by the academic Council;

(c) the Director of Education of the Division; and

(d) one member from higher education commission of Pakistan(HEC) as an expert.

(2) The term of office of the members of the Committee, other than ex-officio members, shall be two years.

(3) The Affiliation Committee may co-opt not more than three experts.

(4) The quorum for a meeting of or for an inspection by the Affiliation Committee shall be three.

(5) An officer of the University to be nominated by the Vice-Chancellor for this purpose shall act as Secretary to the Committee.

(6) The functions of the Affiliation Committee shall be,

(a) to inspect the educational institution seeking affiliation with or admission to the privileges of the University and to advise the Academic Council thereon;

(b) to inquire into complaints alleging breach of conditions of affiliation by affiliated colleges and to advise the Academic Council thereon; and

(c) to perform such other functions as may be prescribed by Regulations.

Discipline 11. (1) The Discipline Committee shall consist of, — Committee. (a) a Chairman to be nominated by the Vice Chancellor;

(b) two Professors to be nominated by the Academic Council;

(c) one member to be nominated by the Syndicate;

(d) the teacher or officer incharge of students' affairs by whatever name called, (Member Secretary); and

(e) the President, University Students' Union.

(2) The term of office of the members of the Committee, other than ex-officio members, shall be two years.

(3) The quorum for a meeting of the Discipline

Committee shall be four members.

(4)

The functions of the Discipline Committee shall be:

(a)

(b)

to propose Regulations to the Academic Council relating to the conduct of University students, maintenance of discipline and breach of discipline; and

to perform such other functions as may be prescribed statement of the objects and reasons.