

THE BALOCHISTAN GAZETTE
PUBLISHED BY AUTHORITY

NO. 72 QUETTA WEDNESDAY AUGUST 3 1994,

NOTIFICATION.

Dated Quetta, the 3rd August, 1994.

NO.PAB/LEGIS: V(9)/94. The Balochistan University of Engineering and Technology Bill, 1994 having been passed by the Provincial Assembly of Balochistan on 6th July, 1994 and assented to by the Governor of Balochistan, is hereby published as an Act of the Provincial Assembly.

THE BALOCHISTAN UNIVERSITY OF ENGINEERING AND

TECHNOLOGY ACT, 1994.
(BALOCHISTAN ACT NO.IV OF 1994)

(First published after having received the assent of the Governor of Balochistan in the Balochistan Gazette (Extra Ordinary) dated 3rd August, 1994).

AN

ACT

to establish a University of Engineering and Technology at
Khuzdar.

Preamble. WHEREAS it is necessary to undertake research and development in the country and produce high quality engineers and technologists to form an organized scientific infrastructure for research in engineering and development of technologies;

WHEREAS it is imperative to achieve excellence in the advancement of knowledge in the field of engineering and to develop capability in high quality teaching, research and development for improving the existing industrial and technological base of the country;

It is hereby enacted as follows:-

Printed by Manager Government Printing and Stationery Department Balochistan, Quetta
D.No.72-50-Copies-8-94. Price Rs.35,

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CHAPTER-I.

- PRELIMINARY,

Short title i" (1) This Act may be called the Balochistan University of and Engineering and Technology Act, 1994, commencement.

(2) It shall come into force at once.

Definitions. Zz: In this Act, 'unless there is anything repugnant in the subject or

context-

(a) "Academic Council" means the Academic Council of the

University;

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(b) "Affiliated College" means the college affiliated to the University;

(c) "Authority" means any of the Authorities of the University specified in section 19;

(d) "Chancellor" means the Chancellor of the University;

(e) "College" means a College and includes an institution, in which arrangement exist for imparting instructions or practical training, in courses of studies relating to engineering, technology and such other subjects as may be prescribed;

(f) "Dean" means the Chairman / Chairperson of the Board of a Faculty;

(g) "Faculty" means a Faculty of the University;

(h) "Government" means the Government of Balochistan;

@. "Officer" means any of the officers of the University specified in section 8;

@ "Prescribed" means prescribed by Statutes, Regulation or Rules;

(k) "Principal" means the head of a College;

a "Pro-Chancellor" means the Pro-chancellor of the University;

{m) "Registered Graduate" means a graduate of the University whose name has been entered in the register maintained for this purpose,

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"Regulations" means the Regulations made or deemed to have been made under this Act;

"Rules" means the Rules made or deemed to have been made under this « Act;

"Professor Emeritus" means a retired Professor designated as such under the Regulation;

"Statutes" means the Statutes made or deemed to have been made under this Act;

"Syndicate" means the Syndicate of the University;

"Teachers" means Professors, Associate Professors and Assistant Professors having prescribed qualifications engaged whole time by the University or a college affiliated with University;

"Academic Department" means a teaching, research and technological development department maintained —_ and administered by the University;

"Technologist" means an officer having prescribed qualifications appointed in the grade of a Professor, Associate Professor or Assistant Professor engaged whole time in adapting, improving or developing technology and scientific equipment or assigned such other duties for the teaching, research and development of technology as may be prescribed;

"Chairman of the Department" means head of an Academic

Department and includes the Chairperson;

“University” means the Baluchistan University of Engineering and Technology Khuzdar established under this Act; and

“Vice-Chancellor” means the Vice-Chancellor of the University.

CHAPTER-IL.

THE UNIVERSITY, |

There shall be a University of Engineering and Technology to be called the Balochistan University of Engineering and Technology at Khuzdar.

(2)

The University shall consist of the Chancellor, the Pro-

Chancellor, the Vice-Chancellor, Members of the Syndicate and the Academic Council, Officer, Teachers and Authorities.

(3) The University shall be a body corporate by the name of Balochistan University of Engineering and Technology, Khuzdar, and shall have @ perpetual succession and a common seal and may, by the aforesaid name, sue and be sued.

(4) 'The University shall be competent to acquire and hold property, . both movable and immovable, or, sell or otherwise transfer any property vested in it or enter into contract for the purposes of this Act.

(5) All properties, owned or possessed and all rights and interests held or enjoyed, by, and all liabilities subsisting against, the Balochistan Engineering College, Khuzdar in respect of the campus set up in the former Balochistan Engineering College, Khuzdar immediately before coming into force of this Act, shall stand transferred to the University.

© All regular employees serving at Baluchistan Engineering College, Khuzdar immediately before coming into force of this Act, shall stand transferred to the University under its Statutes, Regulations and Rules:

Provided that terms and conditions shall not be less favourable than those admissible to such employees immediately before their transfer to the _ University.

Functions of the 4. The University shall have the powers-
University.

a) to provide for instructions in such branches of learning as it may be deem fit, and to make provisions for teaching, training, research and development of technologies and for the advancements and dissemination of knowledge in engineering and technology and such other fields of study as may be

prescribed;

b) to prescribe courses of studies to be taught in the University and colleges;

c) to hold examinations and confer degrees, diplomas, certify**s

and other academic distinctions on person who have, under we~ prescribed conditions, been admitted to and passed, its examination;

d) to confer, in the prescribed manner, honorary degrees or other academic distinctions on such persuns as the Chancellor may approve on the recommendation of Syndicate;

e) to provide facilities for development of prototypes based on research and development and exploit technology singly or in cooperation with such ventures and in such manner as it may deem fit;

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to provide for teaching specified courses or training for persons not being the students of the University and grant certificates and diplomas to such persons;

to affiliate or disaffiliate colleges in the prescribed manner;

to admit colleges to its privileges or withdraw such privileges from them in the prescribed manner;

to inspect colleges affiliated or seeking affiliation;

to accept the examinations passed or the period of study spent at other universities or places of learning, as equivalent to examinations or periods of study in the University or with-draw such acceptance;

to co-operate with other universities, research and educational organizations, industrial ventures in the public or private sectors or other public authorities in such manner and for such purposes as it may determine;

to create posts in connection with teaching, research, extension, administration, training and for any other purposes related thereto and appoint persons there against;

to recognize any teacher of an affiliated college or such other persons as University teacher;

to institute and award fellowships, scholarships, bursaries, medals and prizes in the prescribed manner;

to establish Academic Department, Colleges, Faculties, institutes,

. Centers of excellence, museums and other centers of learning for

the development of teaching and research and make such arrangements for their maintenance, management and administration, as it may determine;

to control the residence of the students of the University and the college, institute and maintain halls of residence and approve any

‘ place as hotel or lodging of students;

to supervise and control the discipline of the students of the University and college ad promote the extra-curricular and recreational activities of such students and make arrangements for promoting their health and general welfare;

to take disciplinary action against, “and impose penalty ory students, in the prescribed manner;

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Jurisdiction of
University.

University open
to all classes,
creeds, etc.

Teaching in the
University.

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s) to charge and receive such fees and other payments as it may determine;

t) to receive and manage property (acquired or transferred), and grants, bequests, trusts, gifts, donations, endowments and other contributions, made to the University, and invest any fund representing such property, grants, bequests, trusts, gifts,

donations, endowments or contributions in such manner as it may deem fit;

u) to provide for printing and publication of research and other works as prescribed; and

v) to do such other acts or things, whether incidental to the powers aforesaid or not, as may be necessary to further the objects of the University as a place of learning, research and technological development.

\$. (1) The University shall have jurisdiction within the limits of its the comm sub-campuses and affiliated colleges within the province of Balochistan:

Provided that Government may, in consultation With the University, by general or special order, modify the jurisdiction.

(2) On coming into force of this Act, the provisions of all other laws corresponding to the provisions of this Act, for the time being applicable with the jurisdiction of the University, shall cease to apply and be deemed to have been repealed.

6. The University shall be open to all persons irrespective to sex, religion, race, creeds, class or colour and no person shall be denied the 'privileges of the University on any such ground:

Provided that nothing in the section shall be deemed to prevent religious instruction being given to the students in their own tinsel faiths in such manner as may be prescribed.

1A (1) All teaching in various courses in the University or colleges shall be conducted in the prescribed manner, and it may include lectures, tutorials, discussions, seminars, demonstrations, practical and project works in laboratories and workshops of the University and related industrial establishments and other methods of instruction.

(2) The teaching in any sila course in the University or colleges shall be organized by such authority as may be prescribed. _

ficer of
the University.

Chancellor.

(3) The courses and the curricula. for teaching in the University or college shall be such as may be prescribed.

(4) A continuous evaluation shall be built into the system of studies, research and technology development.

(5) The degrees diploma or certificate at the University shall only be granted to a student after he fulfills the prescribed requirements for the said degree, diploma or certificate,

(6) The teaching at the University or colleges shall include such additional courses of study as would reflect national aspirations for development and social and cultural values of Pakistan. °

CHAPTER-IL. .

OFFICERS OF THE UNIVERSITY,

8. The following shall be the officers of the University:-

@) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice-Chancellor;

(iv) the Deans;

(v) the Chairman of Academic Departments;

(vi) the Registrar;

(vii) the Directors;

(viii) the Treasurer;

(ix) the Cosétaiter of Examinations;

® the Resident Auditor;

Gi) the Librarian; and'

(xii) Such other persons prescribed by the Regulations.

9. (i) The Governor of Balochistan shall be the Chancellor of the University. '

Visitation,

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

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

(4) If the Chancellor is satisfied that the proceedings of any Authority is not in accordance with the provisions of this Act, the Statutes, the Regulations or the Rules, he may, after calling upon such Authority to show

cause why such proceedings should not be annulled, by order in writing: annul ;
the proceedings. é

(93) The Chancellor may remove any person from the membership of

any Authority if such person has-

(a) become of unsound mind; or

(b) been incapacitated to functions as member of such Authority; or

(c) been convicted by a court of law of an offence involving moral turpitude; or

(d) failed to attend three consecutive meetings of the Authority without any valid reason.

10. (1) The Chancellor may cause an inspection or inquiry to be made in respect of any affair or matter directly or indirectly concerned with the University and appoint such expert or experts as he may deem fit, for purposes of carrying out the inspection or inquiry of-

(a) the University, its building, laboratories, libraries, workshops and equipments; -

(b) any hostel maintained or recognised by the University;

(c) the teaching and other works including research and technological development as conducted by the University; and

(d) the conduct of examination, held by the University.

(2) The Syndicate shall be given a notice of an inspection or inquiry under sub-section (1) and shall be entitled to be represented at such inspection or inquiry.

(G3) The Chancellor shall communicate to the Syndicate his views with regard to the results of such inspection or inquiry and shall after ascertaining his

views thereon of the Syndicate, advise the Syndicate on the action to be taken,

Pro-Chancellor.

Vice-Chancellor.

Power and
duties of the
Vice-Chancellor.

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

(S) The communication under sub-section (4) shall be submitted to the Chancellor within such time as may be specified by him.

6) Where the Syndicate fails to carry out the advice of the Chancellor given under sub-section (3) within the specified time, the Chancellor may, after considering the explanation or representation, if any, made by the Syndicate, issue such directions as he deems fit, and it shall be the duty of the Vice-Chancellor to ensure due compliance of such directions.

11. (1) ~— The Minister for Education, Balochistan, shall be the Chancellor of the University. . .

(2) The Pro-Chancellor shall perform such duties as may be assigned and delegated to him by the Chancellor.

12. (1) The Chancellor shall appoint a person other than the Principal of the College having post graduate engineering qualifications and experience necessary to ensure the discipline, educational environment visualized for the University to be the Vice-Chancellor, on the terms and conditions as the Chancellor may determine,

(2) A Vice-Chancellor shall hold office during the pleasure of the Chancellor, for a term not exceeding four years.

(3) When the office of the Vice-Chancellor is vacant, or he is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor shall make such arrangements as he may deem fit. .

(4) The Vice-Chancellor shall be the principal executive and academic Officer of the University.

13, The Vice-Chancellor shall have power:-

(i) to ensure that the provisions of this Ordinance, the Statutes, the Regulations and the rules are faithfully observed in order to promote teaching, research, technology development, publications, administration and the general efficiency and

good order of the University. He shall have all power necessary for this purpose, including administrative control over all officers, teachers and other employees of the University;

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to preside in the absence of both the chancellor and Pro-Chancellor, at convocation of the University and the meetings of the senate;

to attend and preside at the meetings of the authorities or other bodies of the University of which he may or may not be the Chairman;

to take such action, in an emergency, which he considers necessary and report his action for approval, as soon there after as possible, the action so taken to the officer, Authority or other body which in the ordinary course, would have dealt with the matter;

to create temporary posts for a period not exceeding one year and fill such posts;

to appoint employees below the initial monthly pay of BS-17 or equivalent and for this purpose to appoint such selection committee or committees as he may deem necessary;

to sanction expenditure within the approved budget and if necessary re-appropriate funds within the same major head of expenditure;

to sanction, by re-appropriation, an amount not exceeding Rs. 150,000, for an unforeseen expenditure not provided for in the budget, and report it to the Syndicate at its next meeting;

to appoint paper setters and examiners for all examinations of the University, after considering panels of names received from the relevant Authorities;

to make arrangement for the scrutiny of papers, compilation of marks sheets and preparation of examination results;

to assign to teachers, Officers and other employees of the University such duties of teaching, research, technology development, examination, administration and such other activities in the University as he may consider necessary for the purpose of the University;

Registrar.

Treasurer.

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(xii) to delegate, subject to such conditions, as, may be prescribed, any of his powers under this Act, to any Officers or employees of the University; and

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

14. (1) The Registrar, shall be a whole-time Officer of the University, and shall be appointed by the Syndicate on the recommendations of the Selection Board which shall consider for this purpose a panel of three persons recommended by a Search, Committee appointed by the Syndicate and headed by the Vice-Chancellor.

(2) The Registrar, shall be appointed on such terms and conditions as may be prescribed for a term not exceeding five years and shall be eligible for reappointments.

(3) The Registrar Shall-

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

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

(c) conduct elections of members to the Authorities in the prescribed manner; and

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

15. (1) The Treasurer, shall be a whole-time Officer of the University, and shall be appointment by the Chancellor on the recommendations of the Selection Board which shall consider for this purpose a panel of three persons recommended by a Search Committee appointed by the Syndicate and headed by the Vice-Chancellor.

(2) The Treasurer shall be appointed for a term not exceeding five years on such terms and conditions as may be prescribed and shall be eligible for reappointment,

(3) The Treasurer shall-

(a) manage the property, the finances and investments of the University; :

Controller of
Examinations.

Resident
Auditor.

Other Officer.

Authorities.

The Syndicate.

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(b) prepare and annual and revised budget estimates of the University and present them before the Finance Committee;

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

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

16. (dy) The Controller of Examinations, shall be whole- time Officer of the University, and shall be appointed by the Syndicate on the recommendations of the Selection Board which shall consider for this purpose a panel of three Person recommended by a Search Committee appointed by the Syndicate and headed by the Vice-Chancellor,

(2) The Controller of Examinations shall be appointed for a term not exceeding five years on such terms and conditions as may be prescribed and shall be eligible for reappointment.

17. There shall be a Resident auditor whose services shall be taken from the Government on deputation. .

18. Subject to the provisions of this act, the terms and conditions of service and powers and duties of other officers of the University shall be such as may be prescribed.

CHAPTER-IV AUTHORITIES OF THE UNIVERSITY

19. The following shall be the authorities of the University:-

(i) the syndicate;

(ii) the Academic Council:

(iii) the Boards of Faculties;

(iv) the Boards of Studies;

(v) the Selection Board;

(vi) the Board of Advanced Studies, Research and Technological Development;

(vii) the Finance Committee;

(viii) the Planning and Development Committee;

(ix) the Affiliation Committee;

(x) the Discipline Committee: and

(xi) such other Authorities as may be prescribed by Statutes..

20. (1) The Syndicate shall consist of-

(a) the Vice-Chancellor (Chairman);

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the Chairman, University Grants Commission or his
nominee not below the rank of a whole - time Member
of the Commission;

one Vice-Chancellor of any University of Engineering and
Technology in the country who be nominated by the
Chancellor in consultation with the Vice-Chancellor;

one of the Principals of affiliated colleges to be selected by
all such Principals;

one person from amongst the eminent engineers' and
experts in engineering and technology to be nominated
by the Chancellor;

Secretary to Government: of Baluchistan, Education
Department or his nominee not below the rank of
Additional Secretary,

two members of the Provincial Assembly of Baluchistan
to be elected by the members of the Assembly from
amongst themselves;

Secretary to Government of Baluchistan, Finance
Department or his nominee not below the rank of

Additional Secretary;

the Chief Justice of the Balochistan High Court i his
nominee from amongst the Judges of that Court; =

one Dean to be nominated by the Chandedo to
consultation with the Vice-Chaneellot}

one eminent industrialist to be nomi
Chancellor in consultation with the Vite- C! lor;

one eminent educationist to be nominated by the
Chancellor in consuhation with the Vice-Chancellor;

ong eminent research scholar of Natiengl / International.
fame to be no ed by the Chancellor i in consultation
wit the Vice lor; and

Secretary Education, Government of Pakistan or his
nominee not below: the rank next to his own rank.

Power and
duties of
Syndicate.

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(2) The Register will be the Secretary of the Syndicate.

(3) Members of the Syndicate, other than ex-officio members, shall hold office for three years and If the office of any such member becomes vacant before the expiry of such term, such vacancy shall be filled in accordance with sub-section (1), and the member appointed to such vacancy shall hold office for the unexpired portion of the term.

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

21. (1) The Syndicate shall be the executive body of the University and shall, subject to the Provisions of this Act and the Statutes, take effective

measures to raise the standards of teaching, research, technological development, .

publication and other academic pursuits and exercise general supervision over the affairs and management of the property of the University. -

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

(i) take effective measures to raise the standards of teaching, research, industrially oriented technological development and . publication keeping in view the national needs;

(ii) Manage, control and administer the property and funds of the University;

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(iii) govern and regulate, with due regard to the advice of the Finance Committees in this behalf, the finance, accounts and investments of the University and for that purpose, to appoint such agents as it may think fit;

(iv) consider and approve the annual report, the annual and revised budget estimates and to reappropriate funds from one major head of expenditure to another;

(v) consider and approve the recommendations of the Planning and Development Committee; ;

(vi) transfer and accept transfer of movable or immovable property on behalf of the University;

(vii) enter into, vary, carry out and cancel contracts on behalf of the

university;

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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;

invest any money belonging to the university including unapplied income in any of the securities of the Trusts Act, 1882, or in the purchase of immovable Property or in such other manner, as it may determine, with the like power of varying such investments;

receive and manage any property transfer and grants, trusts, gifts, donations, endowments and other contributions made to the University;

administer any funds placed at the disposal of the University for specified purposes;

determine the form, custody and regulation of the use of the Common Seal of the University;

provide the buildings, libraries, premises, furniture, apparatus, equipments and other means required for carrying out the work of the University;

establish and maintain halls of residence and hostels or approve

or license hostels or lodgings for the residence of students:

admit educational institutions to the privileges of the University
and withdraw such privileges;

arrange for the inspection of the Academic Department;

institute Professorship, Associate Professership, Assistant
Professorship and other posts and to suspend or abolish such
posts, :

create positions in the grade of Professor, Associate Professor or
Assistant Professor for Technologists and to suspend or abolish
such posts}

create suspend or abolish such administrative, technical,
research, extension or uther posts as may be necessary;

appoint University teachers and other officers on the
recommendation of the Selection Board for teaching and other
posts in BS-17 or equivalent and above;

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appoint Professors Emeritus on such terms and conditions as may be prescribed;

confer Honorary Degrees in accordance with the conditions prescribed;

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

suspend, punish and remove from service in the prescribed manner such officers, teachers and other employees as are appointed by the Syndicate;

receive an annual report and future plans at the end of each academic year from a Sub-Committee of the Syndicate headed by the Vice-Chancellor on the teaching, research and development of technology in the University and to issue such instructions as may further improve the administrative and academic performance of the University as it may deem necessary;

appoint members to the various Authorities in accordance with the provisions of this Act; 7

(xxvii) remove any person from the membership of any authority if such person has accepted any assignment which involves his absence

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from the University for a continuous period of six months or

approve drafts of Statutes or recommend drafts of Statutes to the Chancellor for approval, in accordance with the requirements of

sub-section (2) of section 45;

consider and deal in the manner prescribed in sub-section (2) of section 46, the Regulations made by the Academic Council; provided that the Syndicate may -frame.a Regulation at-its ow initiative sand approve it after calling for the advice of the Academic Council; -

regulate, determine all administer and other matters concernigg the University and exercise all other*powers in this' behalf mentioned in this Act and the Statutes;

delegate any of its powers w any Authority or Officers or a Committee or Sub- Committee;

(xxxii) appoint one or more Legal Advisers on the recommendation of the Vice-Chancellor for a term not exceeding 3 years on such terms and conditions as may be determined by it; and
(xxxiii) perform such other functions as are assigned to it by the Statutes.

Academic Council. 22. (1) 'The Academic Council shall consist of-
(i) the Deans;

(ii) the professors of the University including Emeritus
, Professors;

(iv) the Chairmen of the Academic Department;
(v) all Principals of affiliated colleges;
(vi) ~ two persons from amongst the eminent engineers and
' experts in engineering and technology to be nominated

to the Chancellor: in consultation with the Vice-
Chancellor;

(vii) the Secretary to Government of Balochistan Education
Department;

(iii) the Registrar (Member/Secretary);
(c) The Librarian;
(x) the Controller of Examination; and

(xi) the ~Director of Advance Studies, research and
» Technological Development. :

(2) Members of the Academic Council, other than ex-officio

members, shall hold office for three years and if the office of any such member

~ becomes vacant before the expiry of such term, such vacancy shall be filled in

accordance with sub-section (1); and the member appointed to such vacancy shall
hold office for the un-expired portion of the term.

(3) 'The quorum for a meeting of the Academic Council shall be one-
third. of the total number of members, a fraction being counted as one.

Powers and
duties of the
Academic Council.

23. (1)

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The Academic Council shall be the academic body of the

University and shall, subject to the provisions of this Act, the Statutes and the Regulations, have the powers to lay down proper standards of instructions, research, technological development, publication and examinations and to regulate and promote the academic life of the University and the colleges.

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Without prejudice to the generality of the foregoing powers and

subject to the provisions of this Act, the Statutes and the Regulation, the Academic Council shall have the powers-

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to advise the Syndicate on academic matters;
to propose Rules and Regulations for-

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(0) the conduct of teaching, research, technological development, publication and examinations;

(ii) the admission of students to the courses of studies and examination in the University; and

(iii) the conduct and discipline of students of the University;

to propose to the syndicate schemes for the constitution and organization of Faculties, Academic Departments and Boards of Studies;

to initiate Regulations for consideration and approval of the Syndicate;

to propose Regulations annually, on the recommendations of any Board of Faculty or the Board of Studies, prescribing the courses of studies, the syllabi and the outlines of texts or all University examination; provided that if the recommendations of such Board are not received by the prescribed date, the Academic Council may subject to the approval of the Syndicate, permit such Regulations to continue for the next following years;

to recognize the examinations of other university or examining bodies as equivalent to the corresponding examinations of the University; x

to appoint members to the Authorities in accordance with the provisions of this Act; and

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

Constitution
functions and powers
of other authorities.

Appointment of
> committees by
certain authorities.

Commencement of
term of office of
members of
authorities.

Disputes about
membership of
* Authority,

filling of
Casual Vacancies
> in Authority.

Voids in the
Constitution
of Authorities.

Proceedings of
Authorities not
invalidated by
Vacancies.

annulment of

Proceedings of
Authorities.

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

25. Any Authority may, from time to time, constitute such sub-committees, Sectoral or advisory committees, as it may deem fit, and appoint persons not being members of such Authority, as members of the Committee.

26. Where a member has been elected, appointed or nominated, in any Authority or body for any fixed term under this Act, such term shall terminate the date of its commencement has been prescribed, be reckoned from the date of the election, appointment or nomination, as the case may be.

27. If a question arises whether or not any person is entitled to be a member of any Authority, the matter shall be referred to a committee consisting of the Vice-Chancellor, the Chairman, University Grants Commission or His nominee

on the Syndicate and the Secretary Education, Government of Baluchistan or his nominee on the Syndicate and the decision of this Committee shall be final.

28. Any casual Vacancy in the membership of any Authority shall be filled, as soon as may be, by the person or the body who appointed or nominated by member whose place has become vacant and the person appointed or nominated to the vacancy shall be the member of such Authority for the residue of the term for which the person whose place he fills would have been a member,

29. Where there is a void in the constitution of an Authority because of the abolition of a specified office under the 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, it shall be filled in such manner as the Syndicate may decide.

30. No act, resolution or decision of any Authority shall be invalid merely by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the appointment, or nomination of any de facto member of the Authority, whether present or absent,

31, (1) Where the Chancellor is satisfied that the Proceedings of any Authority are not in accordance with the provisions of this, Act, the statutes, the Regulation, or the Rules, he may after calling upon such Authority to show cause why proceedings should not be annulled, by order in writing, annul, Such proceedings.

(2) Where a member of any Authority has been convicted of an offense involving moral turpitude, or has become of unsound mind or has otherwise been incapacitated from performing his functions as member of such authority such person shall be removed from membership of the authority by the Chancellor.

Transfer of Officers,
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Universities or
Government office.

Qppostuaity to
show cause.

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32. (1) Any officer, teacher or other employee of the University shall, as the Chancellor may direct, serve, for such period as may be fixed or extended from time to time by the Chancellor, in any post under the Federal or a Provincial Government or a Local Authority or a corporation or a body set up or established by any such Government or any University in Pakistan, and on terms and sanditions not fess favourable than those admissible to him in the University:

Provided that im the casé of a teacher; such a direction shall not be made without consulting the Syndicate.

(3) The Chancellor may fill any post in the University by appuinting a person in the service of Pakistan or an officer, teacher or other employee of any other pniversity in Pakistan or an employee of a local authority, or a corporation oy body set up by the Federal or a Provincial Government:

Provided that in the case of a teaching post in the University the

appolatment shall not be made without consulting the Selection Board of the

University.

33. No Officer, teacher or other employee of the University holding a 'maneng post shall be reduced in rank, or removed or compulsorily retired Som service unless he has been given a reasonable opportunity of showing cause against such action:

Provided that nothiag in this section Shall apply to a case where any such Officer, teacher or other employee is convicted of an offense involving moral turpitude or where, in the opinion of the competent authority, it is not reasonably Pragticable to give him such an opportunity of showing cause.,

4. () Where any Officer (other than the Vice-Chancellor), teacher or ather employee of the University has been punished or aay of the terms and itiong of his sesvice, has been varied to his disadvantage by an order passec by @ Vice-Chancellor or any other competent authority, have the right to appeal against guch order to the Syndicate; provided that where the order has been made

by the Syadicate, the aggrieved person may, instead of filitg appeal, to the Sysdicate for review of that arder. :

(2) The appeal or application for review under sub-section (1) shall be routed through the Vice-Chancellor who shall place it before the Syndicate

Age of
Superannuation.

Explanation:-

Pension, Insurance,

Gratuity, Provident

Fund and Benevolent
fund.

University Fund.

Audit and
Accounts.

21

35. An Officer, teacher or other employee of the University shall retire from service- :

(i) on such date, after he has completed twentyfive years of service qualifying for pension or other retirement benefits, as the competent authority may direct; or

(ii) where no direction is given under clause (i), on the completion of sixty years of age; and :

(iii) No one will be given extension in any case after superannuation.

'In this section "competent authority" means the appointing authority or a person

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

36. The University may, in such manner and subject to such condition as may be prescribed, institute pension, insurance, " gratuity @ provident fund and benevolent fund for the benefit of its Officer, teachers and other employees;

Provided that if any provident fund is instituted under this section, the provisions of the Provident Fund Act, 1925 _ {XIX of 1925) shall apply to such fund as if it were the Government provident fund.

CHAPTER - VI. UNIVERSITY FUND.

37. 'There shall be' a fund for the University to be called the University fund to which shall be credited all moneys received by the University from fees, donations, trusts, bequests, endowments, contributions, grants and other sources.

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

(2) No expgnditure shall — made from the funds or the University unless- *

(a) the expenditure is included in the approved badget of the University; and

(b) bill for its payment has been audited in conformity with the Statutes, the Regulations and the Rules by the Resident Auditor.

(3) The accounts of the University shall, in the prescribed manner, be audited once a year by the auditor appointed by Government in this belfalf.

Recovery of ~
University Dues.

Affiliation.

22

(4) The annual statement of accounts of the University signed by the

Treasurer and the Resident Auditor shall be submitted to Government within six months of the closing of the financial year.

(5) The accounts of the University together with audit objection, if any, and the observations of the auditor appointed by Government and the Treasurer shall, in the prescribed manner, be presented to the Syndicate which may pass such order as it may deem fit.

39. 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 and the Collector shall thereupon proceed to recover the sum due, as if it were an arrears of land revenue: é

Provided that the University shall not take action unless the person concerned is given an opportunity of being heard.

CHAPTER - VII.

AFFILIATION OF COLLEGES TO THE UNIVERSITY.

40. (1) A college seeking affiliation to the University shall make an application satisfying the University that-

(a) the college is under the management of Government or a regularly constituted governing body:

(b) the financial resources of the college are sufficient to ensure its continued maintenance and efficient working;

(c) the strength, qualifications and the terms and conditions of service of the teaching and other staff of the college are satisfactory for the purpose of teaching of prescribed courses of studies and training in the college;

(d) the college, has proper rules governing the conduct and discipline of its employees;

(e) the building of the college is suitable and commodious for its requirements; :

(f) the college has, or can- make, a provision, in the prescribed manner, for the residence of students, not residing with their parents or guardians, and their supervision and physical and: general welfare; ,

Addition of
courses.

Reports from
_ Affiliated
~ Educational
Institution.

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(g) the college has a provision for a library and adequate library services;

(h) the college has a properly equipped laboratory, museum and other places of practical work required for courses of studies taught in the college:

(i) the college has, or can make provision for the residence of its Principal and other members of the teaching staff in the college building or near such building or the residence of students; and

@). the affiliation of the college will not be injurious to the provisions made by another college or educational institution in the neighborhood for the interest of education or discipline of its students,

(2) The application shall further contain an undertaking by the college that after the affiliation any changes, in the management or the teaching staff, shall forthwith be reported to the University. and that the teaching staff shall possess such qualifications as may be prescribed.

(3) The Syndicate shall, after considering the recommendations of the Affiliation Committee, dispose the application for affiliation in accordance with such procedure as may be prescribed and may grant or refuse affiliation:

Provided that the affiliation shall not be refused, unless the college has been given an opportunity of making a representation against the proposed decision.

41. Where an affiliated college desires to add to the courses of studies in respect of which it has been granted affiliation, the application for permission of the University for such addition shall, as far as may be, be made and disposed in the same manner as if it were an application for affiliation,

42. a). Every affiliated college shall furnish such reports, returns and other information as the University may require, to enable it to judge the efficiency of the college.

(2) The University may call upon any affiliated college to take such action in respect of any matters mentioned in sub-section (1) of section 40 and within such period as it may deem fit.

Withdrawal-of
Affiliation.

Appeal against
refusal or of
withdrawal of
affiliation.

Statutes.

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43. Where an affiliated college has failed to fulfil any requirement of this act, or has failed to observe any to the conditions of the affiliation or its affairs are conducted in a manner prejudicial to the interests of education, the _Syndicate may, in the prescribed manner on the recommendation of the Affiliation Committee, and after considering the representation as the college may wish to make, modify or withdrawn all or any of the privileges conferred on the college by the affiliation.

44. Where any college has been refused affiliation under section 40 or all or any of the privileges conferred on any college by the affiliation have been modified or withdrawn under section 43, an appeal shall lie within the prescribed period to the Senate against such refusal or, as the case may be, modification or withdrawal, and be disposed in such manner as may be prescribed.

CHAPTER - VIII. STATUTES, REGULATIONS AND RULES.

45. (1) Statutes may be made to provide for and regulate all or any of the following matters:-

(a) the scales of pay and other terms and conditions of service of Officers, teachers and other employees of the University and institution of the pension, insurance, gratuity, provident fund and benevolent fund for such Officers, teachers and employees;

(b) the conduct and discipline of the employees of the University; including Officer;

(c) the constitution, powers and duties of the Authorities and conduct of glegtions to such Authorities and matters related thereto;

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

{e) the affitiation and disaffiliation of colleges and matters related thereto;

(f) the admission of education institutions to the privileges of the University and the withdrawal of such privileges;

(g) the establishment of Faculties, institutes, colleges and avademic

departments; P

(h) the powers and duties of Officers, teachers, technologists and other employees of the University;

Regulations,

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(i) the conditions for appointment of Emeritus Professors;

rt) the conditions on which the University may enter into

* arrangements with public bodies or other organizations 'for purposes of research development pf technology and advisory Service; *

(k) the general scheme of studies including the duration of courses, the system Of examinations and the number of subjects and papers for examination;

() the award of honurary degrees: and

(m) the other matters which ought or, are required, to be prescribed by' Statutes.

(2) The draft of Statutes concerning any of the matters metioned in clauses (a) and (b) of sub-section (1), shall be propused by the Syndicate. The draft of Statutes concerning other clauses of sub-section (1) shall be proposed by the Vice-Chancellor;

Provided that -

{i) the Vice-Chancellor shall not propose draft of Statutes effecting the constitution or powers of any "Authority of the university until such Authority has been given an opportunity of expressing an opinion in writing upon the proposals; and

(ii) the Syndicate shall not have the power to make any Statutes concerning Efficiency and Disvipline of offigers, teachers and other employees of the cee and such Statutes may be made by the Chancellor. :

(3) The dratt-of Statutes of be proposed by the syndicate shall be sent to the chancellor who may approve it with such modifications as it deems fit, or may refer it back to the Vice-Chancellor for reconsideration, or may reject it.

(4) The draft of Statutes to be proposed by the Syndicate shall be sent to the Chancellor who may approve it with such modifications as deems fit, or may refer it back to the Syndicate for reconsideration, or may reject i.

46. (1) Subject to the provisions of this Act and the Statutes, the Regulations may be made in respect of all or any of the following matters:-

(a) the courses of studies fur degree, diplomas'and certificates of the University;

Amendments and
Repeal of the
Statutes and
Regulations.

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to the Syndicate, which may approve them with or without modification or refer ~

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the manner and method of teaching conducted in the University
and colleges;

the admission of students to the University and conditions under
which they are allowed to take courses and examinations of the

University and become eligible for the award of degrees; -

diplomas certificates;

the conduct of examinations;

the fees and other charges to be paid by students for admission
to the courses of studies and the examinations of the University;

the conduct and discipline of students of the University;
the residence of the students of the University or the colleges,
and fees for residence in halls of residence and hostels and

approval of hostels and lodgings for students;

conditions for carrying out independent research for acquiring a

degree;

the institutions of fellowships, scholarships, medals and prizes;

the institutions of stipends and free and half free studentships;

the academic costume;

* the use of the Library;

the formation of Academic Departments and Boards of Students;

and

the other matters which, under this Act or Statutes, are to be or may be prescribed by Regulations.

The Academic Council shall prepare and submit the Regulations

them back to the Academic Council for reconsideration. A regulation proposed by the Academic Council shall not be valid, unless it receives the approval of the

Syndicate.

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47. The procedure for the amendment or the repeal of the Statutes and the Regulations shall be the same as that prescribed respectively for framing 'Statutes and Regulations. ;

Rules.

Transitional
Provisions.

~ Removal of
difficulties

Appointment of
First Registrar,
First Treasurer,
First Resident
Auditor and First
Director of
Advanced Studies,
Research and
Technological

*, Development.

Repeal.

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48 (1) Any Authority or body of the University may make Rules consistent with this Act, Statutes and Regulations, to regulate the conduct of its business and the time and place of its meetings and other matters related thereto:

Provided that the Syndicate may direct the amendment or withdrawal of any such rules.

(2) The Syndicate may make Rules to regulate any matter relating to the affairs of the University. .

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L P R I O N,

49. Notwithstanding any thing to the contrary contained in this Act, a Chancellor's Committee may be Constituted by the Chancellor in consultation with the Vice-Chancellor to exercise the powers assigned to the Syndicate under this Act till such time the Syndicate is constituted -in accordance with the provisions of this Act.

50. Where any difficulty arises within twelve months of the coming into force of this Act, as to implementation of any of the provisions of this Act, the Chancellor may, on the recommendation of the Vice-Chancellor, give appropriate directions for removal of such difficulty.

Si. Notwithstanding anything contained in this Act and the Statutes, the Vice Chancellor may appoint the first Registrar, the first Treasurer, the first Resident Auditor and the first Director of Advanced Studies, Research and Technological Development or any other Officers prescribed as such by this Act or by the Statutes for a period not exceeding one year on such terms and conditions as the

Vice-Chancellor may determined and report suctr actions to the Chancellor.

= The Balochistan University of Engineering and Technology Ordinance,
1994 (III of 1994), is hereby repealed.

AKHTAR HUSSAIN KHAN
SECRETARY,
PROVINCIAL ASSEMBLY OF BALOCHISTAN.