

THE BALOCHISTAN UNIVERESTY OF ENGINEERING
AND TECHNOLOGY ACT, 1994

(Baln Act IV of 1994)

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'THE BALOCHISTAN UNIVERSITY OF ENGINEERING

1 For Bill and Statement of objects and reasons see Balochistan Gazette (Extraordinary) No. 54, dated 29th June, 1994. This Act was passed by the Balochistan Assembly on 6th July, 1994; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 72, dated 3rd August, 1994. Earlier it was promulgated by an Ordinance No. I of 1994 which was made on 9th January, 1994; published in the Balochistan Gazette (Extraordinary) No. 35; and substituted by Ordinance No. III of 1994, published in Balochistan Gazette (Extraordinary) No. 42/A, dated 2nd May, 1994, now repealed by section 49 of the Act.

Preamble.

Short title and
commencemen
t.

Definitions.

this Act.

AND TECHNOLOGY ACT, 1994

(Baln Act IV of 1994)

[34 August, 1994]

An Act to establish a University of Engineering and
Technology at Khuzdar.

WHEREAS it is necessary to under take research and
development in the country and produce high quality engineers
and technologist to form an organized scientific infrastructure
for research in engineering and development of technologists;

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:—

CHAPTER- I PRELIMINARY

1. (1) This Act may be called the Balochistan
University of Engineering and Technology Act, 1994.

(2) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the

subject or context—

(a) “Academic Council” means the Academic
Council of University;

(b) “Affiliated Collage” means the collage affiliated
to the University;

(c) “Authority” means any of the Authorities of the
University specified Section 19;

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

(e) "College" means a College and includes an

institution, in which arrangement exists for imparting instructions or practical training, in courses of studies relating to engineering,

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technology and such other subjects as may be prescribed;

“Dean” means the Chairman/ Chairperson of the Board of a Faculty;

“Faculty” means a Faculty of the University;

“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;

“Principal” means the head of a College;

“Pro-Chancellor” means the Pro-chancellor of the University;

“Registered Graduate” means a graduate of the University whose name has been entered in the register maintained for this purpose;

“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;

“Pro-Vice Chancellor”? means the Pro-Vice Chancellor appointed under section, 11 of this Act.]

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

“Senate” means Senate of the University.”

“Syndicate” means the Syndicate of the University;

“Teachers” means Professors, Associate Professors and Assistant Professors having prescribed qualifications engaged whole time by

New clause (p-a) inserted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 34 October, 2015; assented to by the Governor Balochistan on 12" October, 2015; and published in the Balochistan Gazette (Extraordinary) No.

dated 14 October, 2015.

2 New clause (q-a) inserted, *ibid.*

Incorporation.

the University or a college affiliated with University;

(t) "Academic Department" means a_ teaching, research and_ technological development department maintained and administered by the University;

(u) "Technologists" 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;

(v) "Chairman of the Department" means head of an Academic Department and _ includes the Chairperson;

(w) "University" means the Balochistan University of Engineering and Technology Khuzdar established under this Act; and

(x) "Vice Chancellor" means the Vice Chancellor of the University.

CHAPTER- II THE UNIVERSITY

3. (1) 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 a 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

Functions of the University.

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.

(6) All regular employees serving at Balochistan 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.

4. The University shall have the powers—

(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 examination and confer degrees, diplomas, certificates and other academic distinctions on person who have, under the prescribed conditions, been admitted to and passed, its examination;

(d) to confer, in the prescribed manner, honorary degrees or other academic distinctions on such persons 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

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deem fit;

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 withdraw 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 their 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, centres of excellence, museums and other centres 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

Jurisdiction of
University.

University open to
all classes,

University and the college, institute and maintain
halls of residence and approve any place as hotel
or lodging of students;

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

(r) to take disciplinary action against, and impose
penalty on students, in the prescribed manner;

(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 of aforesaid or not, as
may be necessary to further the objects of the
University as a place of learning, research and
technological development.

5. (1) The University shall have jurisdiction within the
limits of its campus, 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

creeds, etc. 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 religious faiths in such manner as may be prescribed.

Teaching in the 7. (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 prescribed course in the University or colleges shall be organized by such authority as may be prescribed.

(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 in to the system of studies, research and technology development.

(5) The degree, 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- III OFFICERS OF THE UNIVERSITY

Officers of the 8. The following shall be the officers of the University: —

University. (i) the Chancellor;

(ii) the Pro-Chancellor;

(iii) the Vice-Chancellor;

‘dii-a) Pro-Vice Chancellor;]

(iv) — the Deans;

(v) the Chairman of Academic Departments;

1 New clause (iii-a) inserted by Balochistan Act XIII of 2015, passed by the Balochistan Provincial Assembly on 3" October, 20

assented to by the Governor Balochistan on 12" October, 2015; and published in the Balochistan Gazette (Extraordinary) No. dated 14 October, 2015.

Chancellor.

1 Section 9 substituted, ibid.

(vi) the Registrar;

(vii) the Directors;

(viii) the Treasurer;

(ix) — the Controller of Examinations;

(x) the Resident Auditor;

(xi) _ the Librarian; and

(xii) such other persons. prescribed by the Regulations.

9. (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) 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 be 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 as

regard 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 24.]

'19-A. The members of the Senate, the Vice-Chancellor and Pro-Vice Chancellor shall be appointed by the Chancellor as per relevant sections 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.]

Visitation. 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 recognized 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.

(3) 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.

(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.

1 New section 9-A inserted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 3" October, 2015; assented to by the Governor Balochistan on 12" October, 2015; and published in the Balochistan Gazette (Extraordinary) No. dated 14 October, 2015.

(5) 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.

1[Pro-Vice 11. (1) The Chancellor shall appoint the Pro-Vice Chancellor. Chancellor on such terms and conditions as may be determined by Chancellor.

(2) The Pro-Vice Chancellor shall hold office during the pleasure of the Chancellor for a term of three years with first year on probation which may be extended by the Chancellor, from time to time.

(3) | Whereas Pro-Vice Chancellor is appointed under sub-section (1) he shall, notwithstanding anything contained in this Act, exercise such powers and perform such functions of the Vice Chancellor or such other powers and functions as the Chancellor may delegate to him.

(4) The Pro-Vice Chancellor shall be an ex-officio member of the Senate, Syndicate, Academic Council, Selection Board and all other Statutory bodies.

(5) At any time when the office of the Vice Chancellor is vacant or the Vice Chancellor proceed on official tour or on leave, the Pro-Vice Chancellor will perform the duties of the Vice Chancellor.]

Vice-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.

1 Section 11 substituted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 3rd October, 2015; assented to by the Governor Balochistan on 12th October, 2015; and published in the Balochistan Gazette (Extraordinary) No. dated 14 October, 2015.

(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.

Power and duties of 13. The Vice Chancellor shall have power:—
the Vice- . . .
Chancellor (1) to ensure that the provisions of this '[Act], 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;

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

(iii) 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;

(iv) 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;

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

(vi) 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;

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

(viii) to sanction, by re-appropriation, an amount not

Substituted for the word "Ordinance", by a corrigendum published in the Balochistan Gazette (Extraordinary) No. 121, dated 5 December, 1994,.

Registrar.

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

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

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

(xi) to assign to teachers, Officers and _ other employees of the University such duties of teaching, research, technology development, examination, adminis-tration and such other activities in the University as he may consider necessary for the purpose of the University;

(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 whol-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 penal 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

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Treasurer.

Controller of

Examinations.

Resident Auditor.

Other Officer.

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

15. (1) The Treasurer, shall be a whole-time Officer of the University, and shall be appointed 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 re-appointment.

(3) The Treasurer shall—

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

(b) prepare an 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. (1) 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 persons 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 re-appointment.

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

Authorities. 19. The following shall be the authorities of the University: —

Tq) the Senate;]

*[(i-a)] 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.

3[The Senate. 19-A. (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) Two members of the Provincial Assembly of the area nominated by the Provincial Assembly;

2 Serial number (i) re-numbered as serial number (i-a), *ibid.*

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New Sections 19-A and 19-B, inserted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 3rd October, 2015; assented to by the Governor Balochistan on 12th October, 2015; and published in the Balochistan Gazette (Extraordinary) No. 177, dated 14th October, 2015.

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

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

the Principal Secretary to the Governor or
in his absence the Additional Secretary,
Governor Secretariat;

two out of four persons nominated by
academic council one male and one
female 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;

one person from amongst the alumni of
the University;

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;

four University Teachers including at least one female; and

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 29 and in accordance with the 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 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 one half of its membership, a fraction being counted as one.

19-B. (1) The Senate shall have the power of 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) The Senate will set the overall future direction of the University, and will explore vistas for University's advancement in the pursuit of its vision of being among the leading universities of Pakistan and the world, arranging and providing means for further expansion of facilities and growth of the physical and technological infra-structure of the university.

(3) Subject to the provisions of this Act the Senate shall have the powers: —

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

(b) — 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;

(c) to consider and approve the draft Rules proposed by the Syndicate;

(d) to appoint members to the Syndicate and other legislative and statutory bodies of the University in accordance with the

provision of this Act;

(e) to delegate any of its power to an
Authority or officer or a Committee or

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(1)

sub-committee;

to perform such other functions as may be prescribed by Rules;

to affiliate and disaffiliate colleges on the recommendation of the Syndicate;

to admit educational institutions to the privileges of the University and withdraw such privileges, on the recommendation of the Syndicate; and

to appoint University =‘ Teachers/ Professors, Associate Professor and Assistant Professor and other Officers (B-19 and above) on the recommendation of the Selection board.]

The Syndicate. 20. (1) The Syndicate shall consist of—

(a)

(b)

(d)

(e)

(f)

(g)

the Vice-Chancellor (Chairman);

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 to be nominated by _ the Chancellor in consultation with the Vice-

Chancellor;

one of the Principal of affiliated colleges
to be elected by all such Principal;

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

Secretary to Government of Balochistan,
Colleges, Higher and _ Technical]
Education Department or his nominee not
below the rank of Additional Secretary;

two members of the Provincial Assembly
of Balochistan to be elected by the
members of the Assembly from amongst

1 Inserted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 3 October, 2015; assented to by
Governor Balochistan on 12" October, 2015; and published in the Balochistan Gazette (Extraordinary) No. 177, dated 14%
October, 2015.

themselves;

(h) Secretary to Government of Balochistan, Finance Department or his nominee not below the rank of Additional Secretary;

(i) the Chief Justice of the Balochistan High Court or his nominee from amongst the Judges of that Court;

(j) one Dean to be nominated by the Chancellor in consultation with the Vice-Chancellor;

(k) one eminent industrialist to be nominated by the Chancellor in consultation with the Vice-Chancellor;

(1) one eminent educationist to be nominated by the Chancellor in consultation with the Vice-Chancellor;

(m) one eminent research scholar of National/International fame to _ be nominated by the Chancellor in consultation with the Vice-Chancellor;

(n) [Principal Secretary to the Governor of Balochistan; and"; and]

3[(0) one Professor and one _ Associate Professor, to be elected from amongst the University faculty.]

(2) The Registrar will be the Secretary of 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 un-expired portion of the term.

1
2

The word "and" omitted, *ibid*.

Clause (n) substituted by Balochistan Act XIII of 2015; passed by the Balochistan Provincial Assembly on 3rd October, 2015; assented to by the Governor Balochistan on 12th October, 2015; and published in the Balochistan Gazette (Extraordinary) No. dated 14 October, 2015.

New clause “(0)” inserted *ibid.* earlier, it was inserted by Balochistan Ordinance IV of 2008; made by the Governor Balochistan on 22TM October, 2008; published in the Balochistan Gazette (Extraordinary) No. 116, dated 21st November, 2008; and stand repealed after expiration of three months from its promulgation under Article 128 of the Constitution of Islamic Republic of Pakistan, 1973.

[Powers of
Syndicate.

1 Section 21 substituted, *ibid*.

(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, 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:

(a) to hold, control and administer the property and funds of the University;

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

(c) to consider the annual and revised budget estimates and to recommend to Senate for approval;

(d) to cause proper books of accounts 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 (II of 1882) or relevant Act best suitable to be considered by the members, or in the purchase of immovable property or in such other manner; as it may determine, with the like power of varying, such investment on the advice of the Senate;

(f) to arrange for raising revenues from partnerships, research grants and technology transfers for strengthening

University's ability to more effectively

(g)

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(q)

invest and allocate; resources for
education;

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

to administer any funds placed at the
disposal of the University for specified
purpose on the advice of the Senate;

to determine the form, provide for the
custody and regulate the use of the
common seal of the university;

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

to recommend the Senate to affiliate and
disaffiliate colleges;

to recommend the Senate to admit
educational institutions to the privileges
of the university and withdraw such
privileges;

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

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

to appoint University teachers/ lecturer and other Officers (B-18 and below) on the recommendation of the Selection board;

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

to confer Honorary Degrees in accordance with the conditions prescribed following the approval of the

Academic Council.

22.

(1)

Chancellor;

(r) to appoint members to the various Authorities in accordance with the provisions of this Act;

(s) to propose drafts for Statutes for submission to the Senate;

(t) to consider and deal in the manner prescribed, the Regulations made by the Academic Council;

(u) to regulate, determine and administer all other matters concerning good governance of the University and to this end exercise all other powers not specifically mentioned in this Act and the Statutes;

(v) to delegate any of its powers to an Authority or Officer or a Committee or Sub-committee; and

(w) to perform such other functions as have been assigned to it by the other provisions of this Act or may be assigned to it by the Statutes, Senate or the Chancellor.

The Academic Council shall consist of—

- (i) the Vice-Chancellor (Chairman);
- (ii) the Deans;

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

(iv) the Chairman 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

Powers and duties
of the
Academic
Council.

Balochistan Education Department;
(viii) the Registrar (Member/Secretary);
(ix) 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.

23. (1) 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.

(2) 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—

(a) to advice the Syndicate on academic
matters;

(b) to propose Rules and Regulations for—

(i) 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;

Constitution
functions and
powers of other
authorities.

Appointment of
committees by
certain
Authorities.

Commencement of
term of office
of members of
authorities.

(c) to propose to the Syndicate schemes for
the constitution and organization of
Faculties, Academic Departments and
Boards of Studies;

(d) to initiate Regulations for consideration
and approval of Syndicate;

(e) 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;

(f) to recognize examinations of other
university or examining bodies as
equivalent to the — corresponding
examinations of the University;

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

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

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.

25. Any Authority may, from time to time may constitute such standing, special 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, to any Authority or body for any fixed term under this Act, such term shall unless the date of its commencement has been prescribed, be reckoned from the date of the election, appointment or nomination, as the case may be.

Disputes about
membership of
Authority.

Filling of Casual
Vacancies in
Authority.

Void in the
Constitution of
Authorities.

Proceedings of
Authorities not
invalidated by
Vacancies.

Annulment of
proceedings of
Authorities.

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 of the Syndicate and the Secretary Education, Government of Balochistan 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 any 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 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)
convicted of an offense involving moral turpitude, or has become of unsound mind or has otherwise been incapacitated

Where a member of any Authority has been

from performing his functions as member of such authority such person shall be removed from membership of the authority by the Chancellor.

CHAPTER- V

Transfer of
Officers, etc. to
or from other
Universities or
Government
office.

Opportunity to
show cause.

Appeal to and
review by the
Syndicate.

OFFICERS, TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY

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 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 conditions not less favorable than those admissible to him in the University:

Provided that in the case of a teacher, such direction shall not be made without consulting the Syndicate.

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

Provided that in the case of a teaching post in the University the appointment shall not be made without consulting the Selection Board of the University.

33. 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 unless he has been given a reasonable opportunity of showing cause against such action:

Provided that nothing 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 practicable to give him such an opportunity of showing cause.

34. (1) Where any Officer (other than the Vice-

Chancellor), teacher or other employee of the University has been punished or any of the terms and conditions of his service, has been varied to his disadvantage by an order passed by the Vice-Chancellor or any other competent authority, have the right to appeal against such order to the Syndicate; provided that where the order has been made by the Syndicate the aggrieved person may, instead of filing appeal, to the Syndicate for review of that order.

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

Age of
Superannuation.

Pension Insurance,
Gratuity,
Provident Fund
and Benevolent
Fund.

University Fund.

Audit and
Accounts.

shall place it before the Syndicate alongwith his views.

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

(i) on such date, after he has completed twenty five 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.

Explanation.— In this section “competent authority” 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 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 expenditure shall made from the funds or the University unless—

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

(b) bill for its payment has been audited in

Recovery of
University
Dues.

Affiliation.

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 behalf.

(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:

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 services of the teaching
and other staff of the college a

satisfactory for the purpose of teaching of
prescribed courses of studies and training
in the college;

Addition of

(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;

(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 or other members of the teaching staff in the college building or near such building or the residence of students; and

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

(2) The application shall further contain an understanding 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 desire to add to the courses

courses.

Reports from
Affiliated
Educational
Institution.

Withdrawal of
Affiliation.

Appeal against
refusal or of
withdrawal of
affiliation.

Statutes.

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. (1) 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.

43. | Where an affiliated college has failed to fulfill 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.

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

(c)

(d)

(e)

(f)

(g)

(h)

(1)

Gj)

(k)

(l)

(m)

Officer;

the constitution, powers and duties of the Authorities and conduct of elections to such Authorities and matters related thereto;

the maintenance of the register of registered graduates;

the affiliation and disaffiliation of colleges and matters related thereto;

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

the establishment of Faculties, institutes, colleges and academic departments;

the powers and duties of Officers, teachers, technologists and _ other employees of the University;

the conditions for appointment of Emeritus Professors;

the conditions on which University may enter into arrangements with public bodies or other organizations for

purposes or research, development of technology and advisory service;

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 honorary degrees; and

the other matters which ought or, are required, to be prescribed by Statutes.

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

Provided that—

(1)

the Vice Chancellor shall not propose

Regulations.

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 Discipline of officers, teachers and other employees of the University and such Statutes may be made by the Chancellor.

(3) The draft of Statutes to 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 modification as deems fit, or may refer it back to the Syndicate for reconsideration, or may reject it.

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 for degree, diploma and certificates of the University;

(b) the manner and method of teaching conducted in the University and colleges;

(c) 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;

(d) the conduct of examinations;

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

(f) the conduct and discipline of students of

Amendments and
Repeal of the
Statutes and
Regulations.

Rules.

the University;

(g) the residence of the students of the University or the colleges, and fees for residence in the halls of residence and hostels and approval of hostels and lodgings for students;

(h) conditions for carrying out independent research for acquiring a degree;

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

(j) the institutions of stipends and free and half free studentships;

(k) the academic costume;

(1) the use of the Library;

(m) the formation of Academic Departments and Board of Students; and

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

(2) The Academic Council shall prepare and submit the Regulations to the Syndicate, which may approve them with or without modification or refer 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.

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.

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.

CHAPTER- IX GENERAL PROVISIONS

Transitional 49. Notwithstanding any thing to the contrary contained in Provisions. 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.

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

Appointment of 51. | Notwithstanding anything contained in this Act and the First Registrar, Statutes, the Vice Chancellor may appoint the first Registrar, First Treasurer, the first Treasurer, the first Resident Auditor and the first

First Resident Director of Advanced Studies, Research and Technological Auditor and . .

First Director Development or any other Officers prescribed as such by this of Advanced Act or by the Statutes for a period not exceeding one year on Studies, such terms and conditions as the Vice Chancellor may Research and determined and report such actions to the Chancellor. Technological Development.

Repeal. 52. The Balochistan University of Engineering and

Technology Ordinance', 1994, is hereby repealed.

1 That is Balochistan Ordinance III of 1994; made by the Governor Balochistan on 2TM May, 1994; and published in the Balochistan Gazette (Extraordinary) No. 42/A, dated 24 May, 1994. Now repealed by S. 52.

Earlier to above a Balochistan Ordinance I of 1994 was also made by the Governor Balochistan on 9["] January, 1994; published in the Balochistan Gazette (Extraordinary) No. 35, dated 1['] January, 1994; and repealed by section 49 of Balochistan Ordinance III of 1994.