

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARABAD

Dated the 4th June, 1996.

No. 403-10/LD/96. The following Act of the Assembly received the assent

of the President on the 29th day of May, 1996, is hereby published for

general information:-

(ACT X OF 1996)

AN

ACT

to amend the Al-Khair University, Azad Jammu and Kashmir Act, 1994

WHEREAS it is necessary to amend the Al-Khair University Azad Jammu

and Kashmir Act, 1994 (Act XXVIII of 1994) for the purposes hereinafter

appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Al-Khair University Azad Jammu and Kashmir (Amendment) Act, 1996.

‘(2) ‘It shall come into force at once.

2. Amendment of Section 2, Act XXVIII of 1994.- In the Al-Khair University Azad Jammu and Kashmir Act, 1994 (Act XXVIII of 1994), hereinafter referred to as the said Act, in Section 2, clause (xii) shall be deleted.

3. Amendment of Section 3 Act XXVIII of 1994.- In the said Act, in Section 3, in sub-section (1) the words and comma "the Pro-Chancellor", shall be omitted.

4. Amendment of Section 6, Act XXVIII of 1994.- In the said Act, in Section 6, the words "the Pro-Chancellor" shall be Omitted.

5. Amendment of Section 7, Act XXVIII of 1994.- In the said Act, in Section 7, sub-section (1) shall be substituted as under:-

"q) Sardar Mohammad Abdul Qayyum Khan shall be the life time Chancellor of the University."

6. Amendment of Section 8, Act XXVIII of 1994.- In the said Act, Section 8, shall be substituted, as under namely:-

"8. Powers _and_ functions of the Chancellor.- (1) The

Chancellor shall be the Chief Executive of the University and if

Chancellor is satisfied that the proceedings of any Authority or orders of any officer are not in accordance with the provisions of this Act, the Statutes, the Regulations, or the Rules, he may, after calling upon such Authority or officer to show cause why such proceedings should not be annulled, by order in writing annul such proceedings or orders.

(2) The Chancellor may cause a visitation or enquiry to be made in respect of any matter connected with the affairs of the University and appoint such person or persons as may deem fit

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for the purpose.

(3) The Chancellor shall, on receipt of a report under sub-section (3) shall issue such directions as he thinks fit and the Vice-Chancellor will comply with such directions.

(4) The Chancellor shall exercise and performsuch other powers and functions as may be prescribed."

Amendment of Section 9, Act XXVIII of 1994.- In the said Act, in Section 9, sub-section (2) shall be substituted as under:-
"(2) subject to sub-section (1) the Rector shall be appointed by the Chancellor."

Amendment of Section 10, Act XXVIII of 1994.- In the said Act, in Section 10, for the words. "Pro-Chancellor" wherever occurring the word "Chancellor" shall be substituted.

Amendment of Section 11, Act XXVIII of 1994.- In the said Act, in sub-section (1) for the words "Pro-Chancellor" thrice occurring the word "Chancellor" shall be substituted

Amendment of Section 13, Act XXVIII of 1994.- In the said Act, in Section 13,-

(a) in sub-section (1) in clauses (g) and (h) for the words "Pro-Chancellor" the word "Chancellor" shall be substituted;

(b) for clauses (i) and (j) the following shall be substituted,-

"(i) Vice-Chancellor Azad Jammu and Kashmir University;

G) Chairman Al-Khair Trust or his nominee;

(k)Registrar shall be the Secretary of the Board;"

(c) sub-section (2), shall be substituted as under;-

"(2) A nominated member shall hold office for a term of three years, and shall be eligible for re-nomination on the expiry of his term."

Amendment of Section 14, Act XXVIII of 1994.- In the said Act, in Section 14, in sub-section (1) in clause (j) for the words "Pro-Chancellor" the word "Chancellor" shall be substituted.

Amendment of Section 15, Act XXVIII of 1994.- In the said Act, in Section 15,-

(a) sub-section (1) shall be substituted as under;-

"(1) The Board shall meet at least twice in a year on the dates to be fixed by the Vice-Chancellor. "

(b) In the proviso for the words "Pro-Chancellor" the word "Chancellor" shall be substituted.

Amendment of Section 16, Act XXVIII of 1994.- In the said Act, in Section 16, is sub-section (1) clauses (i) and (j) shall be omitted.

Amendment of Section 20, Act XXVIII of 1994.- In the said Act, in Section 20, for the words "Pro-Chancellor" wherever occurring the word "Chancellor" shall be substituted.

Amendment of Section 23, Act XXVIII of 1994.- In the said Act,

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in Section 23, sub-section (5) shall be submitted as under:-

"(5) The account together with the report of the Auditor thereon, shall be published after the approval of the Board."

Amendment of Section 26, Act XXVIII of 1994.- In the said Act,

in Section 26, sub-section (1) shall be substituted as under:-

"(1) Where an order is passed punishing an employee (other than Vice-Chancellor and Pro-Vice Chancellor) of the University or altering or interpreting to his disadvantage, the prescribed terms or conditions of his service, he shall, where the order passed by the Vice-Chancellor or any other officer or a Teacher of the University, have the right to appeal to the Board, against the order, and where the order is made by the Board, have the right to review to the Board."

Amendment of Section 29, Act XXVIII of 1994.- In the said Act,

in Section 29;-

"(a) for the words "as soon as conveniently may be" the words "within three months" shall be substituted;

(b) in the proviso for the words "Pro-Chancellor" the word "Chancellor" shall be substituted.

Amendment of Section 30, Act XXVIII of 1994.- In the said Act,

in Section 30, in sub-section (2), for the words "Pro-Chancellor"

the words "Chancellor" shall be substituted.

Amendment of Section 36, Act XXVIII of 1994.- In the said Act,

in Section 36, for the words "Pro-Chancellor" the word

"Chancellor shall be substituted.

Amendment of the Schedule.- In the said Act, in the Schedule;-

(a) In article 3, for the word "Pro-Chancellor" wherever occurring the word "Chancellor" shall be substituted;

(b) In article 5, in sub-article (2) clause (c) shall be substituted as under:-

"Two teachers, from Azad Jammu and Kashmir University other than professors to be appointed by the Academic Council."

(c) In articles 6, 7, 8 and 9 for the words "Pro-Chancellor" wherever occurring the word "Chancellor" shall be substituted.

Repeal.- The Al-Khair University Azad Jammu and Kashmir

(Amendment) Ordinance, 1996 (Ordinance X of 1996) is hereby

repealed.

Sd/-(Syed Atta Mohy-Ud-Din Quadri)

Draftsman Law