

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

Dated the 4th July, 1994,

No. 485-490/LD/Leg/94. The following Act passed by the
Assembly on 9th May, 1994 shall be deemed to have been assented by the
President under the provisions of Section 36 (2) of the Azad Jammu and
Kashmir Interim Constitution Act, 1974, is hereby published for general
Information:-

(ACT XXVIII OF 1994)

AN

ACT

to provide for the establishment of the Al-Khair University in Azad
Jammu and Kashmir

WHEREAS it is expedient to provide for the establishment of
the Al-Khair University in Azad Jammu and Kashmir and for matters
ancillary thereto;

It is hereby enacted as follows:-

1. Short title, extent and commencement:- (1) This Act may be
called the Al-Khair University, Azad Jammu and Kashmir Act,
1994.

(2) It extends to the whole of Azad Jammu and Kashmir.
(3) It shall come into force at once.

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

- (i) "Authority" means an Authority of the university
specified in Section 12;
- (ii) "Academic Council" means the Academic Council of the
University;
- (iii) "Board" means the Board of the Governors of the
University;
- (iv) "Chancellor" means the Chancellor of the University;
- (v) "Chairman" means the Chairman of the Department;
- (vi) "Dean" means the head of a Faculty;

- (vii) "Director" means the Head of an Institute;

- (viii) "Faculty" means a Faculty of the University;

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“Government” means the Azad Government of the State of Jammu and Kashmir;

“Institute” means an Institute of the University;

“Prescribed” means prescribed by Statutes, Regulations or Rules;

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

“Principal” means the Principal of a constituent school or college of the University;

“Professor Emeritus” means a retired Professor working in the University in an honorary capacity;

“Rector” means the Rector of the University;

“Statutes, Regulations and Rules” means respectively the Statutes, Rules and Regulations made under this Act;

“School/College” means a school or college of the University;

“Trust” means the Al-Khair Trust of Pakistan;

“University”? means the Al-Khair University, Azad Jammu and Kashmir;

“University Grants Commission” means the University Grants Commission of Pakistan;

"Vice Chancellor" means the Vice Chancellor of the University.

CHAPTER-II

The UNIVERSITY

Establishment_and_incorporation of the University:- (1)

There shall be established a non-profit earning University to be called the Al-Khair University, Azad Jammu and Kashmir

¹ Omitted by the Al-Khair University, AJ&K (Amdt.) Act, 1996 (Act X of 1996) dt. 04.06.1996. The original extract of cl. (xii) Sec. 2 is reproduced as under:-

"(xii)

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

consisting of the Chancellor, [xxx] the Rector, the Vice Chancellor, the Pro-vice Chancellor, the Deans, the Chairman, the Principals and members of the Board, the members of the Academic Council and such other officers as may be prescribed.

(2) The University shall be a body corporate, with its main campus in Azad Kashmir by the name of the Al-Khair University having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property vesting in it and shall by the said name, sue and be sued.

(3) The income and the property of the University shall be exempted from taxes.

4. University open to all:- The University shall be open to all persons of either sex of whatever religion, race, creed, colour or domicile who are academically qualified for admission to the courses of study offered by the University, and no such person shall be denied the privilege on the ground only of sex, religion, creed, race, class, colour or domicile.

5. Powers and Functions of the University:- The University shall

be an autonomous body, a full-fledged University in all respect and shall have the powers:-

(a) to provide for instructions and teaching in such branches of learning as it may deem fit to make provisions for the advancement and dissemination of knowledge in such manner as it may determine;

(b) to prescribe courses of studies, mode and method of instructions and examinations as it may determine;

(c) to admit and examine internal and external students and to confer or award degrees, diplomas, certificates and other academic distinctions on and to the persons, who have passed its examinations under prescribed conditions;

(d) to affiliate itself or associate with other institutions of the Azad Jammu and Kashmir, Pakistan or any other country and to establish camp offices/campuses, faculties in Azad Jammu and Kashmir, Pakistan or abroad;

¹ In subsection (1) of Sec. 3 the words and comma "the Pro Chancellor," omitted by Ibid.

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to confer honorary degrees or other distinctions on approved persons in the manner prescribed;

to receive and manage property, grants, bequests, trusts, gifts, donations endowments and other contributions made to the University and to expend and invest them in such manner as it may deem fit;

to enter into agreements, contracts and _ other arrangements with Government Organizations, institutions bodies and individuals for carrying out its functions and activities;

to demand and receive such fees and other charges from the students and candidates as it may determine;

to appoint members of the various bodies and committees as the Board may determine for instructional and co-curricular activities and admit students of the University and its constituent units;

to appoint such officers including teachers and members of the administrative and other staff on prescribe terms and conditions and to determine powers and duties of such officers and staff; and

to do all such other acts and perform functions as may be requisite to further its objectives.

CHAPTER-III OFFICERS OF THE UNIVERSITY

6. Officers of the University:- The following shall be the Officers of the University:-

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The Vice Chancellor;

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The Directors;

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the Principals;

'In Sec. 6 the words "the Pro Chancellor," omitted by Ibid.

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(9) The Chairmen of Teaching Departments;

(10) The Registrar;

(11) The Controller of Examinations;

(12) The Treasurer; and

(13) such other persons as may be prescribed to be the officers of the University.

The Chancellor:-'["(1) Sardar Mohammad Abdul Qayyum Khan shall be the life time Chancellor of the University."]

(2) The Chancellor when present shall preside at the convocations of the University;

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

(4) The Degrees, Diplomas and Certificates issued by the University will be signed by the Controller of Examinations and be countersigned by the Chancellor.

Powers and functions of the Chancellor.- (1) The Chancellor shall be the Chief Executive of the University and if Chancellor

' Subs. by Ibid. The original extract of subsection (1) of Sec. 7 is reproduced as

under:-

"(1) The honorable President of Azad Jammu and Kashmir shall be the Chancellor of the University;"

2 Subs. by Ibid. The original extract of Sec. 8 is reproduced as under:-

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The Pro-Chancellor:- (1) The Pro-Chancellor shall be a person of eminence, known for his contributions in the field of knowledge or service to society and appreciated for his high moral and intellectual caliber:

Provided that Dr. Muhammed Bashir Goraya shall be the first life time Pro-Chancellor of the University and in case of his death, illness, Inability or any other cause, the Pro-Chancellor, appointed by the Chairman of the Trust on the recommendations made by the Trust on such terms and conditions as may be determined by the Trust, shall perform the functions of the office.

(2) The Pro-Chancellor shall be the chief executive of the University and if the Pro-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

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 annual 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 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 perform such other powers and functions as may be prescribed."]

9. The Rector:- (1) The Rector shall be a person of eminence, known for his contributions in the field of knowledge or service to society and appreciated for his high moral and intellectual calibre.

["(2) subject to sub-section (1) the Rector shall be appointed such proceedings should not be annulled, by order in writing annual such proceedings or orders.

(3) The Pro-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 for the purpose.

(4) The Pro-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.

(5) The Pro-Chancellor shall exercise and perform such other powers and functions as may be prescribed."

' Subs. by Ibid. The original extract of subsection (2) of Sec. 9 is reproduced as under:-

"(2) Subject to sub-section (1) the Rector shall be appointed by the Chairman of the Trust on the recommendations made by the Trust on such terms and conditions as the Trust may determine. In case, the Pro-Chancellor, is unable to perform his functions due to absence or any other cause, the Rector shall act as Pro-Chancellor."

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by the Chancellor."]

(3) The Rector shall be the executive head of the University and perform such function for the academic and administrative improvement of the University as he may deem fit.

(4) If the Rector is not available, the Vice Chancellor shall preside over meetings of Boards and perform other functions.

The Vice Chancellor:- (1) The Vice Chancellor shall be appointed by the '[Chancellor] on such terms and conditions as the *[Chancellor] may determine and shall hold office during the pleasure of the *[Chancellor].

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

(3) The Vice Chancellor shall be the Principal academic and administrative officer of the University, and shall be responsible for proper implementation of the provisions of the Act, directions of the *[Chancellor], the Rector, the decisions of the University and execution of the policies and programs of the University.

(4) The Vice Chancellor may, in an emergency which in his opinion requires immediate action take such action as he may consider necessary and shall, thereafter, as soon as possible, report his action to the officer authority, or, other body, which in the ordinary course would have dealt with the matter.

(5) In particular and without prejudice to the generality of the foregoing powers, the Vice Chancellor shall also have the following powers:-

(a) to call or request any person or subject specialist or eminent person from the country or outside the country

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

3 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

4 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

> For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

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to attend any meeting of the University and give his expert opinion;

to create and fill temporary posts for a period not exceeding six months;

to sanction all expenditure provided for in the approved budget and to re-appropriate funds within the same major heads of expenditures;

to sanction re-appropriation of an amount not exceeding to Rs. one hundred thousand for an unforeseen item not provided for in the budget and report it to the Board at the next meeting;

to appoint paper setters and examiners for all examinations of the University after receiving panels of names from the controller of Examinations or the relevant authorities.

to make such arrangements for the scrutiny of papers, marks and results as may be necessary;

to direct teachers, officers and other employees of the University to take up such assignments in connection with teaching, research, examinations and administration and such other activities in the University, as he may consider necessary;

to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under this Act, to the Pro-Vice Chancellor or to an officer or other employee of the University;

to appoint employees of such categories in respect of which powers have been delegated to him by the Board;

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

11. The_Pro-Vice Chancellor:- (1) The Pro-Vice Chancellor shall
be appointed by the '[Chancellor] on the recommendations of the
Vice Chancellor, on such terms and conditions as the

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

[Chancellor] may determine and shall hold office during the pleasure of the [chancellor].

(2) The Pro-Vice Chancellor will act in absence of Vice Chancellor, as Vice-Chancellor, and enjoy all the powers vested in him.

CHAPTER-IV

AUTHORITIES OF THE UNIVERSITY

12. Authorities:- The followings shall be the authorities of the

University:-

(i) the Board of Governors;

(ii) the Academic Council;

(iii) the Board of Faculties;

(iv) the Board or Advance Studies and Research;

(v) the Boards of Studies;

(vi) the Selection Board;

(vii) — the admission Committee;

(viii) the Finance and Planning Committees; and

(ix) such other Authorities as may be prescribed.

13. Board of Governors:- (1) The general supervisions and control of the affairs of the University and its powers to lay down policies shall vest in the Board consisting of the following:-

(a) the Rector;

(b) the Vice Chancellor;

(c) the Pro-Vice Chancellor;

(d) the Chief Justice of the High Court of Azad Jammu and Kashmir or a Judge of the High Court to be nominated by him.

(e) the Chairman, University Grants Commission or a whole time Member of the Commission to be nominated by him.

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid

(f) the Secretary to the Azad Government of the State of Jammu and Kashmir, Education Department;

(g) one Dean to be nominated by the [Chancellor] in consultation with the Rector and the Vice Chancellor;

(h) three persons of eminence in arts, sciences, technology, education, Media other scholarly fields, business and trade to be nominated by the [Chancellor];

3["@) Vice-Chancellor Azad Jammu and Kashmir University;

Gj) Chairman Al-Khair Trust or his nominee;

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

4["(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."

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the

' For the words "Pro-Chancellor" the word "Chancellor" subs. Ibid.

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

3 Subs. by Ibid. The original extract of cl. (i) and (j) Sec. 13 is reproduced as under:-

"(i) three persons of outstanding merit, to be nominate by the Trust;

(j) the Secretary of the trust will act as the Secretary of the Board."

4 Subs. by Ibid. The original extract of subsection (2) Sec. 13 is reproduced 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 unless the Pro-Chancellor earlier terminated his membership:

Provided that in the case of the first Board constitutes under this Act, one-third of the members for the time being, other than the ex-officio members, to be determined by lot, shall retire from office on the expiration of one year, one-half of the remaining members, also to be determined by lot, shall retire from office on the expiration of two years and remaining shall retire from office on the expiration of the third year."

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board without sufficient cause or leave of absence or his nomination is cancelled by the nominating authority.

(4) A casual vacancy of a member shall be filled by a person nominated by the authority which had nominated the member whose vacancy is to be filled.

(5) The Rector shall act as the Chairman of the Board.

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

(7) No act or proceedings of the Board shall be invalid by reason only of the existence of a vacancy or a defect in the constitution of the board.

Power _and functions of the Board:- (1) In particular and without prejudice to the generality of the provisions of sub-section (1) of Section 13, the Board shall be the highest body of the University, it shall exercise and perform the powers and functions as follows:-

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

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

(c) to consider and approve, on the advice of the Finance and Planning Committee, the annual and revised budget estimates and to lay down guidelines or rules of business dealing with financial matters;

(d) to approve, carry out, vary or cancel contracts on behalf of the University;

(e) to initiate and approve schemes for achievement of the objectives of the University;

(f) to determine the form, and regulate the custody and use of the common seal of the University;

(g) to create professional, research, administrative and such other posts as may be required to carry out the purposes of the University, and to suspend or abolish such posts;

(h) to appoint teachers, researchers and officers on the recommendations of the Selection Board;

(i) to suspend, punish and remove the University employees from the service whom it is empowered to appoint, in the manner prescribed after due enquiry and defence;

@) to propose statutes for submission to the [Chancellor];

(k) to approve Rules and Regulations on _ the recommendations of the appropriate bodies; and

)) to determine, regulate and administer all other matters concerning the University and, to this end, exercise all necessary powers not specifically mentioned in the Act, or the Statutes, the rules and regulations.

(2) The Board may delegate any of its powers to an Authority or officers or a committee or a sub-committee.

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

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(2) Not less than six clear days notice of a special meeting shall be given to the members of the Board, and the agenda of the meeting shall be restricted to the matter for which the special meeting is called.

(3) The quorum for a meeting of the board shall be one-half of its members, a fraction being counted as one.

(4) The decision of the Board shall be expressed in terms of the views of the majority of the members present and voting and, if the members are equally divided, the Chairman of the Board shall have and exercise a casting vote.

(5) The Board may frame rules of business for the functioning of the Board.

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

2 Sub. by Ibid. The original extract of subsection (1) Sec. 15 is reproduced as under:-

"() The Board shall meet at least twice in a year on the dates to be fixed by the Vice Chancellor with the prior permission of the Pro-Chancellor:

Provided that a special meeting may be called at any time on the desire of the Vice Chancellor or the direction of the Pro-Chancellor or on a requisition made by not less than seven members of the Board to consider a matter of an urgent natures."

16. Academic Council:- (1) The Academic Council shall consist of:-

(a) the Vice Chancellor, who shall be the Chairman;

(b) the Pro-Vice Chancellor;

(c) The Deans;

(d) the Directors;

(e) the Principals of the constituent Schools/Colleges of the University;

(f) the Chairman of the Teaching Departments;

(g) the University Professors including Professors Emeritus;

(h) the Registrar of the University shall be the Secretary;
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(2) A nominated member shall hold office for a term of three years and shall be eligible for re-nomination.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the council without sufficient cause or leave of absence or his nomination is cancelled by the nominating authority.

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

17. Powers and duties of the Academic Council:- (1) The Academic Council shall be the highest academic body of the University, and shall, subject to the provisions of this Act, and the Statutes, have the power to lay down proper standards of instructions, training, research and examinations, to regulate and promote the academic life of the University.

¹ Cl. @ and (j) subsection (1) of Sec. 16 omitted by Ibid. The original extract is reproduced as under:-

"(i) two eminent scholars to be nominated by the Board; and

qj) three persons of eminence to be nominated by the Pro-Chancellor."

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(2) In particular and without prejudice to the generality of the foregoing provisions, the Council shall have the powers:-

(a) to advise the Board on academic matters;
(b) to regulate the admissions and examinations;
(c) to propose to the Board, schemes for the constitution and

organization of Faculties, Teaching Departments, Institutes, Schools, Colleges and Board of Studies;

(d) to consider or formulate proposals for the planning and development of teaching, training and research in the University;

(e) to make Regulations, on the recommendations of the

Boards of Faculties and the Board of Studies, prescribing the Courses of studies and the syllabi for all University examinations:

Provided that, if the recommendations of Boards of Faculties and Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year the courses of studies already prescribed for an examination;

(f) to recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University and to request other Universities, Institutions and Departments as well, to recognize the examinations and examining bodies of this

University;

(g) to frame Regulations for submission to the Board;

(h) to appoint members to the various Authorities in accordance with the provisions of this Act, and

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

Constitution, functions and powers of other Authorities:- The constitution, functions and powers of the Authorities for which

no specific provision or insufficient provision has been made in this Act, shall be such as may be prescribed by Statutes.

Appointment of Committees:- The Board, the Academic Council and other Authorities may appoint such Standing, Special or Advisory Committees as they may consider

advantageous in the performance of their functions.

20. Statutes:- (1) Subject to the provisions of this Act, Statutes may be made to regulate or prescribe all or any of the following matters, namely-

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terms and conditions of service of employees of the University, including scales of pay, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;

terms and conditions of contractual appointments of teachers, researchers and officers;

establishment of Faculties, Teaching Departments, Schools, Colleges and other academic units and divisions, determination of mode and methods of examinations;

powers and duties of officers and teachers;

conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, examination, research and other scholarly activities;

conditions of appointment of Professors Emeritus and award of honorary degrees;

efficiency and discipline of the employees of the University;

acquisition and administration of properties and investments of the University; and

all other matters which under this Act, are required to be or may be prescribed or regulated by Statutes.

The draft of the Statutes shall be proposed by the Board

for approval by the '[Chancellor].

(3)

The *[Chancellor] shall have the powers to assent to the

Statutes submitted to him for approval, or refer them back to the Board for reconsideration.

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No Statutes shall be valid until it has been approved by

the *[Chancellor].

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

3 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

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

(a) schemes of studies, training and research, including the duration of courses, number of subjects or papers for examinations;

(b) syllabi and courses of study, training and research

programmes leading to degrees, diplomas or certificates;

(c) conduct and supervision of examinations, system of examinations, appointment of examiners, scrutiny, tabulation and declaration of results;

(d) determination of fees and other charges for admission to various faculties examinations and hostels;

(e) maintenance of discipline among students and schemes for their welfare, however, the Academic staff, the Administrative staff and the students of the University would not be allowed to indulge in politics and to form any union, who shall do or try to do such things will be terminated from services or expelled from the University at once. His/her or their appeal shall lie only before the Board of Governors and no court shall have a jurisdiction to entertain his/her or their appeal;

(f) institution of fellowships, scholarships, prizes, medals, honoraria and other financial assistance for students and research scholars;

(g) conduct of convocation and form of academic costumes;

(h) conditions of residence of students;

(i) use of library, laboratories; and

0) all other academic matters which by this Act, or statutes

are to be or may be prescribed by Regulations.

(2) The Board shall have powers to approve the Regulations submitted to its or refer them back to the Academic Council for reconsideration.

(3) No Regulation shall be valid until it has been approved by the Board.

Rules:- (1) The Authorities and the other bodies of the University may make Rules consistent with this Act, Statutes and

the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.

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(2) The Board may make rules to regulate any matter relating to the affairs of the University which under this Act, are not specifically required to be provided for by the Statutes or the Regulations.

CHAPTER-VI THE UNIVERSITY FUNDS

Funds audit and Accounts:-(1) The University shall have income from fees, donations, trusts, bequests, endowments, grants, aid, subsidies, contributions and all other sources.

(2) Capital, recurring and non-recurring expenditure of the University shall be met from the above mentioned sources.

(3) No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent liability for the University or which may involve any activity not included in the programmes for the time being, shall be accepted without the prior approval of the board.

(4) The accounts of the University shall be maintained in such form and manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by the Chartered Accountant appointed by the Board.

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

(6) For each payment, a pre-audit/internal audit system shall be adopted.

CHAPTER-VII GENERAL PROVISIONS

Retirement from Service:- An employee of the University shall retire from service-

(1) 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:

Provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed

' Subs. by Ibid. The original extract of subsection (5) of Sec. 23 is reproduced as under:-

"(5) The accounts, together with the report of the auditor thereon,

shall be submitted to the Board for approval."

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to be taken against him and has been given reasonable opportunity of showing cause against that actions; or

(2) Where no direction is given under clause (1) above on the completion of sixty years of his age.

Opportunity to show cause:- Except as otherwise provided, 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 the action proposed to be taken against him, under the rules of the University.

Appeal to Review:- '["(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."]

(2) The appeal or application for review shall be submitted to the Vice-Chancellor who shall lay it before the Board with his views and record of the case.

(3) No order in appeal or review shall be made unless the appellant or the applicant, as the case may be, has been given an opportunity of being heard.

Insurance, Pension, Provident Fund etc:- (1) The University shall constitute for the benefit of its employees in such manner and subject to such conditions as may be prescribed, such pension, insurance, gratuity, provident fund and benevolent fund schemes as it may deem fit.

' Subs. by Ibid. The original extract of subsection (1) of Sec. 26 is reproduced 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 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 apply to the Rector or Pro-Chancellor for review of that order."

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(2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925 shall apply to such fund.

Members of Authorities:- When a member of a newly constituted Authority is appointed or nominated, his term of office, as fixed under this Act, shall commence from such date as may be prescribed.

Casual Vacancy:- Any casual vacancy among the appointed or nominated members of any Authority shall be filled '[within three months], by the person or the body who appointed or nominated the members whose place has become vacant, and the person appointed or nominated to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member;

Provide that where a vacancy in the membership of an Authority, other than the Board, cannot be filled for the reason that the member was ex-officio, and the office has ceased to exist, or the organization, institution or other body, other than the University has ceased to exist or has ceased to function, or for any other circumstances which make it impracticable to fill the vacancy, the vacancy shall be filled in such manner as the [Chancellor] may direct on the recommendation of the Board.

Dispute about membership of Authorities:-

(1) Notwithstanding anything contained in this Act, a person

nominated or appointed to any Authority shall cease to be a member of such Authority as soon as he has ceased to hold the position by virtue of which he was nominated or appointed.

(2) If a question arises whether 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 Chief Justice of the High Court of Azad Jammu and Kashmir or the Judge of the High Court who is the member of the Board and a nominee of the *[Chancellor], and the decision of the committee shall be final and binding.

¹ For the words "as soon as conveniently may be" the words "within three months" subs. by Ibid.

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

3 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

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Proceedings of Authorities:- No act, proceeding, resolution or decision of any Authority shall be invalid by reason only of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority.

First_Schedule:- Notwithstanding anything contained in this Act, the Statutes set out in the Schedule, shall be deemed to be the Statutes framed under Section 20 and shall remain in force until they are amended or replaced by new statutes framed.

Bar_of Jurisdiction:- No Court shall have jurisdiction to entertain any proceeding, grant any injunction or make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act.

Indemnity:- No suit or legal proceedings shall lie against Government, the University or any Authority or an employee of Government or the University or any person, in respect of anything which is done, or purported to have been done in good faith or is intended to, or has been done under this Act.

Discipline:- The University shall have powers to supervise and control the discipline of the students or the trainees of the University and institutes in the prescribed manners.

Removal of difficulties:- If any difficulty arises as to the first constitution or reconstitution of any Authority upon coming into force of this Act, or otherwise in giving effect to any provision of this Act, the [Chancellor] may give appropriate directions to remove such difficulty.

THE SCHEDE
THE FIRST STATUTES
(See Section 20)

Faculties:- The Schools/Colleges/ Departments, Institutes and faculties of the University would be known as constituent institution of this University;

(1) The University shall include the Faculties of Science, Humanities, Fine Arts, Computer Sciences and the following:-
(a) Faculty of Natural Sciences.

(b) Faculty of Languages, Social Sciences and Humanities;

(c) Faculty of Pharmacy and Chemical Technology;

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

(2)

(d) Faculty of Islamic Learning;
(e) Faculty of Education;
(f) Faculty of Commerce, Chartered Accountancy, Banking, Business Administration, Hospital Management, Hotel Management and Management Sciences;

(g) Faculty of Health and Medical Sciences;
(h) Faculty of Law;

(i) Faculty of Engineering and Textile;

(j) Faculty of Agriculture and Forestry;

(k) Such other faculties or institutions as may be desired to be established.

The Islamic Studies, Pakistan Studies and Kashmir

Studies shall be compulsory subjects for Muslim Students and Non-Muslim students shall in lieu of these subjects have option to offer Ethics, Pakistan Studies and Kashmir Studies in all faculties.

(3)

Each Faculty shall include such institutes, teaching departments, campuses, centres, or other teaching or training, or research units as may be prescribed by statutes.

Board of Faculties:- (1) There shall be a Board of each Faculty consisting of-

(a)

(b)

(c)

(d)

(2)

the Dean;

the Professors, Associate Professors and Chairman/Principal of the Teaching Departments, Schools/Colleges comprising the Faculty;

one member of each Board of Studies Comprising the Faculty, to be nominated by the Board of Studies

concerned; and

two teachers to be nominated by the Academic Council by reason of their specialized knowledge of Subjects which though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty.

The members, mentioned in clause (c) and (d) of sub-

section (1) shall hold office for three years.

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

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

(a) to co-ordinate the teaching and research in the subjects assigned to the Faculty;

(b) To scrutinize the schemes of courses and syllabi proposed by the Board Studies comprising the Faculty, and forward them to the Academic Council along with its observations;

(c) to scrutinize the recommendations of the Board of Studies comprising the Faculty, on the appointment of paper setters and examiners, except for research degrees examiners to the Vice-Chancellor; and

(d) to perform such other functions as may be prescribed.

Deans:- (1) There shall be a Dean for each Faculty who shall be the Chairman of the Board of Faculty, and shall be nominated by the [Chancellor] from amongst the three senior most Professors in the Faculty, on the recommendations of the Vice Chancellor:

(2) The Dean shall hold office for two years or for a longer duration as may be determined by the Pro-Chancellor.

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

(4) The Dean shall exercise such other powers and perform such other duties as may be prescribed.

(5) The Dean shall supervise the academic work of the Faculty and report to the Pro-Chancellor each year about the progress of teaching and research in the Faculty.

(6) The Dean with the approval of the Vice Chancellor and Rector lay down procedures for the performance evaluation of teaching and research staff.

¹ For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

4. Teaching Departments:- (1) There shall be a Teaching Department for each subject or a group of allied subjects as may be approved and each Teaching Department shall be headed by Chairman, Director or Principal.

(2) The Chairman of a Department shall be appointed by the Board from amongst the senior teachers of the Department or directly by giving an advertisement in the newspapers, or on contract basis or on deputation basis.

(3) The Chairman of the Teaching Department shall plan, organize and supervise the work of the Department in accordance with the provisions of this Act, and shall be responsible to the Dean of the Faculty in which his Department is comprised for the work of his Department.

5. Board of Studies:- (1) There shall be a Board of Studies for each subject or group of subjects as may be prescribed by regulations.

(2) Each Board of Studies shall consist of:-

(a) the Director or Chairman or Principal of the Teaching Department concerned;

(b) all Professors and Associate Professors in the Teaching Department concerned;

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

(d) two experts, other than University Teachers, to be

appointed by the Vice-Chancellor.

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

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

' Subs. by Ibid. The original extract of cl. (c) sub article (2) of article 5 is reproduced as under:-

"(c) two University Teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;"

(5) The Director, Chairman or Principal of the University Teaching Department concerned shall be the Chairman and Convener of the Board of Studies.

(6) The Functions of the Board of Studies shall be:-

- (a) to suggest authorities on all academic matters connected with instructions, research and examinations in the subjects concerned;
- (b) to propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;
- (c) to suggest a panel of names of paper setters and examiners; and
- (d) to perform such other functions as may be prescribed.

Board of Advanced Studies and Research:- (1) There shall be a Board of Advanced Studies and research consisting of the following members:-

- (a) the Vice Chancellor, who shall be the Chairman;
- (b) the Pro-Vice Chancellor;
- (c) the Deans;
- (d) two University Professors, other than Deans to be appointed by the Board of Governors;
- (e) two University Teachers having research qualifications and experience, to be appointed by the Academic Council; and
- (f) the Professors Emeritus;
- (g) Two eminent scholars nominated by the [Chancellor].

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

(3) The quorum for a meeting of the Advanced Studies and Research Board shall be one half of the total number of members, a fractions being counted as one.

(4) The functions of the Advanced Studies and Research Board shall be-

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

(b)

(c)

(d)

(e)

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

to propose Regulations regarding the award of research degrees;

to appoint supervisors for research students and to determine the subject of their thesis.

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

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

The Selection Board:- (1) There shall be a Selection Board consisting of -

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(g)

(h)

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(2)

the Vice Chancellor who shall be the Chairman; the Pro-vice Chancellor;

one member of the Board of Governors and two persons of eminence to be nominated by the Board provided that none of them is an employee of the University;

the Chairman, University Grants commission or any Whole-time Member of the commission nominated by him;

the Chairman of Azad Jammu and Kashmir Public Service Commission or any Whole-time member of the

commission nominated by him;

a Sitting Judge of High Court nominated by the Chief Justice of Azad Jammu and Kashmir High Court;

the Dean of the Faculty Concerned;

the Director or chairman or Principal of the Teaching Department Concerned;

One expert to be nominated by the Trust;

the Registrar of the University will act as Secretary of the Selection Board.

The members of the Selection Board, other than ex-officio members, shall hold office for three years.

(3)

The quorum for a meeting of the Selection Board shall be five members.

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

(5) In selection candidates for the post of Professors and Associate Professors, the Selection Board shall, co-opt or consult two experts in the subject concerned and, in selecting candidates for other teaching posts. One expert in the subject concerned, to be nominated by the [Chancellor], from a standing list of experts of each subject approved by the Board on the recommendations of the Selection Board and revised from time to time.

(6) Subject experts from foreign countries may be called or appointed on contract basis for a specified period or date or dates. The foreigners would be appointed by the Vice-Chancellor with the prior approval of the *[Chancellor]. They may be exempted to appear before the selection board.

Functions of the Selection Board:- (1) The Selection Board shall consider all applications for teaching and other posts received in response to an advertisement and shall recommend to the Board the names of suitable candidates for appointment to such posts.

(2) The Selection Board may recommend to the Board the grant of a higher initial pay in a suitable case for reasons to be recorded.

(3) The Selection Board may recommend to the Board the appointment of an eminently qualified person to a position in the University on the terms and conditions as may be prescribed.

(4) The Selection Board shall consider all cases of promotion of officers of the University and recommend to the Board the names of suitable candidates for such promotions.

(5) In the event of an unresolved difference of opinion between the Selection Board and the Board of Governors, the matter shall be referred to the *[Chancellor] whose decision shall be final.

¹ For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

² For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

³ For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

9. The Finance and Planning Committee:- (1) There shall be a

Finance and Planning committee consisting of-

(a)
(b)
(c)
(d)
(e)

(f)
(g)

(h)
(2)

the Vice Chancellor, who shall be the Chairman;
the Pro-Vice Chancellor;

a nominee of the Trust;

a nominee of the Board;

two experts in the field of finance and planning to be
nominated by the '[Chancellor];

the Project Director of the University;

one Dean to be nominated by the ?[Chancellor] on the
recommendations of the Vice Chancellor; and

the Treasurer of the University shall be the Secretary.

The quorum for a meeting of the Finance and Planning

committee shall be five members.

10. Functions of the Finance and Planning committee:- The

functions of the Finance and Planning Committee shall be-

(a)
(b)
(c)
(d)

03)

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

to review periodically the financial position of the University;

to advise the Board on all matters relating to planning, developments and accounts of the University;

to prepare short term and long term development plans; to prepare resource development plans; and

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

Sd/- (Syed Shakir Shah)

Deputy Secretary Law.

' For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.

2 For the words "Pro-Chancellor" the word "Chancellor" subs. by Ibid.