

THE UNIVERSITY OF MALAKAND REGULATION, 2001
'IKHYBER PAKHTUNKHWA| REGULATION NO. II OF 2001

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SCHEDULE

THE UNIVERSITY OF MALAKAND REGULATION, 2001
'IKHYBER PAKHTUNKHWA REGULATION NO. II OF 2001

A
REGULATION

to provide for the establishment of the
University of Malakand.

WHEREAS it is expedient to provide for the establishment of the University
of Malakand and for matters ancillary thereto or connected therewith;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the
fourteenth day of October, 1999, the Provincial Constitution Order No. 1 of 1999,
the Powers and Functions of the Governors Order No. 5 of 1999, read with clause
(4) of Article 247 of the Constitution of the Islamic Republic of Pakistan, and in
exercise of all powers enabling him in that behalf, the Governor of the *[Khyber
Pakhtunkhwa], with the prior approval of the President, is pleased to make the
following Regulation:-

1. Short title and commencement.— (1) This Regulation may be called the
University of Malakand Regulation, 2001.

(2) It shall come into force at once.

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

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

(b) "Affiliated College" means an educational institution affiliated

to the University but not maintained or administered by it;

(c) "Authority" means any of the authorities of the University
specified in section 18;

(d) "Bye-laws", "Rules" and "Statutes" shall mean respectively
the Bye-laws, the Rules and Statutes made or deemed to have
been made under this Regulation;

(e) "Chairperson" of a Department means the Head of a Teaching
Department;

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"Chancellor" means the Chancellor of the University;

"Dean" means the Dean of Faculty of the University;

"Director" means the Director of an Institute;

"Faculty" means a Faculty of the University;

"Government" means the Government of the [Khyber Pakhtunkhwa];

"Officer" means an officer of the University specified in this Regulation;

"prescribed" means prescribed by Bye-laws, Rules or Statutes;

"Principal" means the head of a College;

"Professor Emeritus" and "Honorary Professor" means a retired professor working in a Faculty in the capacity of an Emeritus or Honorary Professor;

"Syndicate" means the Syndicate of the University;

"Teacher" includes Professors, Associate Professors, Assistant Professors, Lecturers and research staff engaged whole-time by the University for teaching degree, honours or post-graduate classes, and such other persons as may be recognized to be teachers by the University;

"Teaching Department" means a teaching department established and maintained by the University;

"University College or institute" means a college or institute maintained and administered by the University;

"University" means the University of Malakand established under this Regulation; and

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

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3. Establishment and incorporation of the University.— (1) There shall be established a University to be called the University of Malakand, with its principal seat at Chakdara, consisting of a Chancellor, the Vice-Chancellor, the Deans, the Principals and members of Syndicate, the Academic Council, the Board of Faculties, the members of University bodies, the teachers and students of the University, its constituent units and Colleges and such other officers and members of staff as may, from time to time, be determined, to be the officers and members of staff of the University.

(2) The University shall be a body corporate by the name of University of Malakand having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property or investments and shall by the said name sue and be sued.

4. University open to all classes, creed, etc.— The University shall be open to 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 privileges of the University on the ground only of sex, religion, creed, caste, race, class, colour or domicile.

5. Objectives powers and functions of the University.—(1) The objectives of the University shall be the promotion and dissemination of knowledge in areas of emerging sciences and technology and to provide for instruction, training, research, demonstration and service in such branches of learning as the University may determine.

(2) The University shall have the powers—

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

(b) to admit and examine students;

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

(d) to confer degrees on persons who have carried out independent research under prescribed conditions;

(e) to confer in the manner prescribed honorary degrees or other distinctions on persons approved by the Syndicate for the

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purpose;

to affiliate other institutions or branches or departments thereof, to recognize selected members of the staff thereof as teachers of the University, to admit the members thereof to any of the privileges of the University and to accept attendance at courses of study in such institutions, branches or departments in place of such part of the attendance at courses of study at the University upon such terms and conditions and subject to such regulations as may from time to time be determined by the University and establish campuses and faculties in Pakistan or abroad under prescribed conditions and in accordance with any law for the time being in force in this behalf for better discharge of its functions and responsibilities;

to admit colleges and other educational institutions to its privileges or withdraw such privileges from the in the prescribed manner;

to inspect colleges, affiliated or seeking affiliation;

to accept the examinations passed, or the periods of study spent by the students of the University at other universities, colleges or places of learning as equivalent to such examinations and periods of study in the University as it may determine, and to withdraw such acceptances;

to institute Professorships, Associate Professorships, Assistant Professorships, or lecturership and any other posts and to appoint persons thereto and to remove them from such offices and to prescribe their conditions of service;

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

to institute and award fellowships, scholarships, bursaries, medals, prizes and other aids of study and research in the

prescribed manner;

to establish institutes, colleges, departments, centres of advanced studies, museums, herbaria and other centres of learning for the development of teaching and research and to

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make suitable arrangements for their maintenance, management and administration;

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

to use the financial and other resources allocated to it for the execution of its functions;

to make provisions for research and advisory services and with these objectives to enter into arrangements with other institutions or with public bodies within Pakistan and abroad under prescribed conditions and in accordance with any law for the time being in force in this behalf;

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

to receive and manage property transferred, or any 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 and convert one kind of property into another in such manner as it may deem fit;

to provide, for reward or otherwise, such good and services for members of staff of the University and their families, guests, and servants as may be deemed expedient and consistent with the objects of the University as a place of education, learning and research;

to deprive persons of any degrees, diplomas, licences, certificates, or other distinctions conferred or granted for reasons to be given by the University;

to prescribe rules for the discipline of the students of the University;

to make provision for research, design, development and advisory services and with these objects to enter into such arrangements with other institutions, companies, organizations or bodies as may be deemed desirable; and

to establish and maintain and to administer and govern hostels and other Institutions for the residence of the students of the

University and to supervise such hostels and other institutions and licence and supervise other places of residence whether or not maintained by the University.

6. Teaching and examinations---(1) All recognized teaching in various courses in the University and affiliated colleges shall be conducted in the prescribed manner and it may include lectures, tutorials, discussions, seminars, demonstrations as well as practical work in laboratories and workshops and other methods of instruction including, but not limited to, voice, graphics, text, dynamic content, and data structures of all types whether they are in electronic, visual, auditory, optical or any other form.

(2) The teaching in any prescribed course in the University, constituent colleges or affiliated colleges shall be organized by such Authority as may be prescribed.

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

(4) A discipline to be called Islamic and Pakistan Studies shall be offered, as a compulsory subject at the Bachelor's level in the University and affiliated colleges provided that non Muslim students may opt for Ethics and Pakistan Studies.

(5) The University may associate external examiners for conduct of examinations as and when necessary.

7. Jurisdiction of the University—The University shall exercise the powers conferred on it by or under this Regulation within the territorial limits of the [Khyber Pakhtunkhwa] and in respect of the institutions over which it has jurisdiction in accordance with law.

8. Officers of the University—The following shall be the officers of the University, namely;

(a) the Chancellor;

(b) the Vice-Chancellor;

(c) the Deans;

(d) the Principals of University Colleges;

(e) the Director of Institutes;

(f) | Chairpersons of Teaching Departments;

(g) the Registrar;

(h) _ the Director Finance;

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- (i) the Controller of Examinations;
- Gj) the Librarian; and
- (k) such other officers as may be appointed by the Syndicate.

9. Chancellor.—(1) The Governor of the [Khyber Pakhtunkhwa] shall be the Chancellor of the University,

(2) The Chancellor, or in his absence, the Vice-Chancellor shall preside at the convocation of the University.

(3) Where the Chancellor is satisfied that the proceedings of any Authority or the orders of any officer are not in accordance with the provisions of this Regulation, the Statutes, the Bye-Laws or the Rules he may, after calling upon such Authority or Officer to show cause why such proceedings or orders should not be annulled and by an order in writing annul such proceedings or orders.

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

(5) The Chancellor shall have the powers to assent to such Statutes as are required to be submitted to him by the University who may withhold, assent or refer them back to the University for reconsideration.

(6) The Chancellor may remove any person from the membership of any Authority of the University if such person—

(a) has become of unsound mind; or

(b) has become subject to an incapacity from functioning as a member of such authority;

(c) does not attend three consecutive meetings without intimation to the Vice-Chancellor;

(d) remains absent from the country for more than six months without intimation to the Vice-Chancellor; or

(e) has been convicted by a court of law of an offence involving moral turpitude.

10. —‘Visitation.— (1) The Chancellor may cause an inspection or inquiry to be made in respect of any matter directly or indirectly connected with the affairs of the

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University and shall, from time to time, appoint one or more persons to conduct inspection of—

(a) the University, its buildings, libraries, museums, workshops and or any other installation;

(b) any institution, college or hostel maintained, recognized or licensed by the University;

(c) the teaching and other work conducted by the University; and

(d) the conduct of examinations held by the University.

(2) The Chancellor shall give notice to the Syndicate of his intention to cause an inspection or inquiry to be made under sub-section (1) and the Syndicate shall be entitled to be represented thereat.

(3) After the inspection or inquiry is completed, the Chancellor shall cause his views as a result thereof to be communicated to the Syndicate and, after ascertaining the reaction of the Syndicate, the Chancellor may advise the Syndicate to refrain from taking an action or to take such action, within such time, as he may specify in this behalf.

(4) Where the Syndicate fails to carry out the advice of the Chancellor given under sub-section (3), the Chancellor may, after considering the explanation or representations, if any, made by the Syndicate, issue such directions as he may deem fit, and the Vice-Chancellor shall comply with such directions.

11. -Vice-Chancellor.— (1) The Vice-Chancellor shall be appointed by the Chancellor on such terms and conditions as he may determine and shall hold office during the pleasure of the Chancellor for a term not exceeding four years.

(2) At any time when the office of Vice-Chancellor is vacant or he is absent, or is unable to perform the functions of the 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.

12. Powers and duties of the Vice-Chancellor.— (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall ensure that the provisions of this Regulation, the Statutes, the Bye-Laws and the Rules are duly observed in order to promote the general efficiency and good order of the University and shall have all powers necessary for this purpose including administrative control over all officers, teachers and students and employees of the University.

(2) The Vice-Chancellor shall, besides presiding at a convocation of the University in the absence of the Chancellor, shall, if present, preside at the meetings of the Authorities or other bodies of the University, colleges and institutions of which the Vice-Chancellor may, or may not be, the head.

(3) The Vice-Chancellor may take such action in an emergency as may be considered necessary by him and report thereafter as soon as possible, the action so taken to the officer, Authority or other body which, in the ordinary course, would have taken that action.

(4) The Vice-Chancellor shall also have the powers—

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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 appropriate funds within the same major head of expenditure;

to sanction re-appropriation of an amount not exceeding five hundred thousand rupees for an unforeseen item not provided for in the budget and report it to the Syndicate at the next meeting;

to appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant Authority;

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

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

to delegate, subject to such conditions, if any, as may be prescribed, any of the powers under this Regulation to an

Officer or other employees of the University;

to exercise general control and supervision over the system of examinations in the University;

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

to appoint visiting Professor in various disciplines for a period not more than one Academic year on the terms and conditions as prescribed; and

to appoint employees below the rank of Lecturer or any equivalent office.

13. Registrar.— The Registrar shall be a whole-time officer of the University and shall be appointed by the Syndicate on such terms and conditions as may be determined by it and 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 various authorities in the prescribed manner;

(d) be the Secretary of the Syndicate, the Academic Council, Advanced Studies and Research Board, the Selection Board and such other Committees as may be prescribed; and

(e) perform such other duties as may be specified by the Vice-Chancellor and other authorities from time to time.

14. Director Finance.— (1) The Director Finance shall be a whole-time officer

of the University appointed by the Syndicate on such terms and conditions as may be determined, and shall—

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manage the property, the finances and the investments of the University;

prepare the annual and revised budget estimates of the University and present them to the Finance and Planning

Committee and the Syndicate; and

perform such other duties as may be prescribed.

(2) The Director Finance shall also act as Secretary of the Finance and Planning Committee.

15. Controller of Examinations.— The Controller of Examinations shall be a whole-time Officer of the University and shall be appointed by the Syndicate on such terms and conditions as may be determined by it and shall be responsible for all matters pertaining to the conduct of examinations and perform such other duties as may be prescribed.

16. | Auditor.— (1) The annual audit shall be conducted by the Audit Department of Government.

(2) There shall be an internal auditor of the University to be appointed by the University on such terms and conditions as it may determine.

(3) The internal auditor shall be responsible for pre-auditing of all bills and documents for all payment to be made by the University.

17. Other Officers.— (1) Subject to the provisions of this Regulation, the terms and conditions of service and the powers and duties of other officers of the University shall be such as may be prescribed.

18. Authorities of the University.— The following shall be the authorities of the University, namely:-

(a) the Syndicate;

(b) the Academic Council;

(c) the Selection Board;

(d) the Finance and Planning Committee;

(e) the Board of Faculties;

(f) the Advance Studies and Research Board;

(g) the Discipline Committee;

(h) the Affiliation Committee; and

(i) such other Authorities as may be prescribed.

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

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

(b) Chief Justice, or any judge, of the Peshawar High Court, Peshawar, to be nominated by the Chief Justice;

(c) Secretary to Government Education Department or his nominee not below the rank of Additional Secretary;

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

(e) Chairman of the University Grants Commission, Islamabad, or

hisnominee;

(f) one male member, a religious scholar, nominated by the Vice-Chancellor;

(g) one Vice-Chancellor of any recognized University in Pakistan to be

nominated by the Chancellor in consultation with the Vice-Chancellor concerned;

(h) two Deans of the Faculties to be nominated by the Chancellor on the recommendation of the Vice-Chancellor;

(i) two principals (one male and one female) of affiliated colleges to be selected by the Vice-Chancellor from a panel of four principals recommended by the Education Department of Government;

Gj) one Professor, one Associate Professor, one Assistant Professor and one Lecturer to be nominated by the Academic Council; and

(k) three persons, prominent in the field of their specialization because of their experience and achievements, to be nominated by the Chancellor.

(2) The Registrar shall also act as Secretary of the Syndicate.

(3) The members of the Syndicate, other than the ex-officio members, shall hold office for two years.

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

20. Powers and duties of the Syndicate.— (1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Regulation and the Statutes, take effective measures to raise the standard of teaching, research and publications and other academic pursuits and exercise general supervision over the affairs and the property of the University.

(2) In general and without prejudice to the generality of the foregoing powers and subject to the provisions of this Regulation and the Statutes, the Syndicate shall have the powers—

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

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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 deem fit;

to consider and pass the annual report and revised budget estimates and to re-appropriate funds from one major head of expenditure to another;

to transfer and accept transfer of movable and immovable property on behalf of the University;

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

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;

to invest any money belonging to the University including any unexpended income, in any of the securities described in section 20 of the Trusts Act, 1882 (II of 1881), or in the purchase of immovable property or in such other manner, as it may determine, with the like power of varying such investments;

to receive and manage property transferred and grants, bequests, trusts, gifts, donations, endowments and other contributions made to the University and to administer funds placed at the disposal of the University for specific purposes;

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

to provide buildings, libraries, premises, furniture,

apparatus, equipments and other means required for carrying out the work of the University and to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;

to affiliate or disaffiliate colleges and institutes;

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

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to arrange for the inspection of affiliated and University Colleges and the teaching departments and institutes;

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

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

to appoint teachers and other officers on the recommendations of the Selection Board for teaching and other posts in the initial basic pay scale of 17 and above on terms and conditions as may be prescribed;

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

to confer, with the prior approval of the Chancellor, honorary degrees in accordance with the conditions prescribed;

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

to suspend, punish and remove from service in the prescribed manner officers, teachers and employees whom it is empowered to appoint;

to appoint members to the various authorities in accordance with the provisions of this Regulation;

to consider and approve Bye-Laws recommended by the Academic Council;

to approve statutes, and recommend those drafts of the statutes for approval of the Chancellor which pertain to terms and conditions of service of the University employees;

to regulate, determine and administer all other matters concerning the University and to this end exercise all necessary powers not specifically mentioned in this Regulation and the statutes but not inconsistent with the provisions of this Regulation;

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to delegate any of its powers to an Authority or officer or a committee or sub-committee; and

to perform such other functions as may be assigned to it by this Regulation and the Statutes.

21. Academic Council.— (1) The Academic Council shall consist of-

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the Vice-Chancellor who shall be its Chairperson;
the Deans of the University;

the Directors of Institutes;

the Principals of the Constituent Colleges;

the Chairpersons of the Teaching Departments;

the University Professors including Professors Emeritus;

the Secretary to Government, Education Department;

four teachers other than Professors to be nominated by the Vice Chancellor;

two Principals of affiliated colleges (one male and one female) to be nominated by the Secretary to Government, Education Department;

a representative of the University Grants Commission;

two Associate Professors, two Assistant Professors and two Lecturers (with service of not less than three years) to be

elected from the respective constituency;

two Deans from private sector Universities to be nominated by the Vice-Chancellor;

the Registrar;
the Controller of Examinations; and

the University Librarian.

(2) The members of the Academic Council, other than ex-officio members, shall hold office for two years, and if the office of any such member becomes vacant before the expiry of such terms such vacancy shall be filled in the prescribed manner.

(3) The number of members to constitute the quorum for a meeting of the Academic Council shall be one-third of the total number of members,

22. Powers and duties of the Academic Council.— (1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Regulation, the Statutes and the Bye-Laws, have the power to lay down proper procedures for instruction, research and examination and to regulate and promote the academic life of the University, constituent colleges and affiliated colleges.

(2) In particular and without prejudice to the generality of the forgoing provisions but subject to the provisions of this Regulation, the Statutes and the Bye-Laws, the Academic Council shall have the powers-

(a) to advise the Syndicate on academic matters;

(b) to regulate teaching, research and examinations;

(c) to regulate the admission of students to the courses of studies and examinations of the University, its Constituent and Affiliated Colleges;

(d) to regulate the award of scholarships, studentships, medals and prizes;

(e) to regulate the conduct and discipline of the students of the University and Affiliated Colleges;

(f) to propose to the Syndicate schemes for the constitution and organization of faculties, institutes and other academic bodies;

(g) to make Bye-Laws on the recommendations of the Board of Studies for consideration and approval of the Syndicate;

(h) to propose for each academic year, on the recommendations of the Board of Studies, Bye-Laws prescribing the courses of studies, the syllabi and the outlines of the tests for all University examinations;

Provided that, if the recommendations of the Board of Faculties or Board of Studies are not received by the

prescribed date, the Academic Council may, subject to the approval of Syndicate, permit such Bye-Laws to continue for the next following year;

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

G) to make Bye-Laws for submission to the Syndicate;

(k) to appoint members to the authorities in accordance with the provisions of this Regulation; and

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

23. Constitution, functions and powers of other Authorities.—The constitution,

functions and the powers of the authorities for which no specific provision, or insufficient provisions, have been made in this Regulation shall be such as may be prescribed by the Statutes.

24. Appointment of Committees by the Authorities. Any Authority may, from time to time, constitute such standing, special or advisory committees as it may deem

fit, and appoint to such committees persons who are not its members.

25. Statutes.— (1) Subject to the provisions of this Regulation, Statutes may be made to provide for to regulate all or any of the following matters, namely:-

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

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

(c) efficiency and discipline of University employees;

(d) the constitution, powers and duties of the authorities and conduct of elections to such authorities and related matters;

(e) the affiliation and disaffiliation of colleges, institutes, etc., and related matters;

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

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the establishment of institutes, faculties, affiliated colleges and academic divisions;

the powers and duties of officers, teachers and employees of the University;

the conditions for appointment of Professors Emeritus;

the conditions on which the University may enter into arrangements with public bodies or other organizations for purposes of research and advisory services;

the award of honorary degrees;

the maintenance of register of registered graduates; and

any other matters which are to be, or may be, prescribed or regulated by Statutes.

draft Statutes shall be proposed by the Syndicate to the

Chancellor for his assent who may approve it with or without any modification or refer it back to the Syndicate for reconsideration or reject it provided that-

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the Statutes affecting the constitution or powers of any Authority shall not be proposed or approved until such Authority has been given an opportunity of expressing its opinion in writing on the proposal; and

the Statutes made under clauses (a) and (b) of sub-section (1) shall not be effective until they have been approved by the Chancellor.

26. Bye-laws.—(1) Subject to the provisions of this Regulation and the Statutes, Bye-laws may be made in respect of all or any of the following matters, namely:—

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the courses of studies for degrees, diplomas and certificates of the University;

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

the admission of students to the University and conditions under which they are admitted or allowed to take courses and examinations of the University and become eligible for the award of degrees, diplomas and certificates;

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

the conduct of examinations;

the conduct and discipline of students of the University;

the conditions of residence of the students of the University or colleges including the levying of fees for residence in halls of residence and hostels and approval of hostels and lodgings for students;

conditions for acquiring research degrees;

the institution of fellowships, scholarships, medals and prizes; the institution of stipends and free and half free studentships; the academic costumes;

the use of the library;

the formation of Teaching Department and Board of Studies; and

any other matters which under this Regulation the Statutes are to be or may be prescribed by Bye-Laws.

(2) The Academic Council shall prepare and submit the Bye-Laws to the Syndicate which may approve them with or without modifications or refer them back to the Academic Council for reconsideration or reject them.

(3) No Bye-Laws shall be valid unless it has been approved by the Syndicate.

27. Rules.— (1) The authorities and other bodies of the University may make Rules, not inconsistent with this Regulation, the Statutes and Bye-Laws, to regulate the conduct of their business:

Provided that the Syndicate may direct the amendment or annulment of any

such Rules made by any authority or body other than the Syndicate:

Provided further that if any such Authority is dissatisfied with such direction given by the Syndicate, it may appeal to the Chancellor whose decision shall be final.

28. Affiliation of educational Institutions.— (1) An educational institution seeking affiliation to the University shall make an application satisfying the University that—

- (a) the educational institution is under the management of the Government or a regularly constituted governing body;
- (b) the financial resources of the educational institution are sufficient to ensure its continued maintenance and efficient working;
- (c) the strength and qualifications and the terms and conditions of service of the teaching and other staff of the educational institution are satisfactory for the purpose of teaching the prescribed courses;
- (d) the educational institution has framed proper rules governing the conduct and discipline of its employees;
- (e) the building of the educational institution is suitable and commodious for its requirements;
- (f) the educational institution can make provisions in the prescribed manner for the residence of students not residing with their parents or guardians, for their supervision and physical general welfare;
- (g) the educational institution has a provision for a library and adequate library service;
- (h) the educational institution has properly equipped, laboratories, museums and other places of practical work required for courses of studies taught in the educational institutions; and
- (i) the educational institution can make provision for residence of its Heads and other members of the teaching staff.

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

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

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

29. Extension of affiliation When an affiliated college desires to add to the courses of studies in respect of which it is granted affiliation, the procedure prescribed for affiliation of Colleges shall, as far as possible, be followed.

30. Inspection and reports.— (1) Every affiliated educational institution shall furnish such report, returns and other information as the University may require to enable it to judge the efficiency of the educational institution.

(2) The University shall call upon any affiliated educational institution to take, within a specified period, such action in respect of any matter as the University may deem fit.

31. ~~ Disaffiliation.— (1) If an educational institution affiliated to the University has failed to fulfil any requirement or has failed to observe any of the condition of affiliation or its affairs are conducted in a manner prejudicial to the interest of education, the Syndicate may, in the prescribed manner and after considering any representation that the educational institution may wish to make, modify or withdraw all or any of the privileges conferred on the educational institution.

(2) | Where any educational institution has been refused affiliation or any of the privileges conferred on any educational institution, it may, within the prescribed period apply for review to the Syndicate against such refusal and the application shall be disposed of in such manner as may be prescribed.

32. University Fund,— There shall be a fund of the University to be called the University Fund to which shall be credited all money received by it from fees, donations, trusts, bequests, endowments, contributions, grants and other sources.

33. Recovery of University dues.— All dues of the University shall be recoverable as arrears of land revenue.

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

(2) No expenditure shall be made from the University Fund unless-

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

(b) a bill for its payment has been audited in conformity with the

Statutes, Bye-Laws and the Rules by the Internal Auditor appointed by the Syndicate.

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

(4) The annual statement of accounts of the University signed by the Director Finance and the auditors shall be submitted to the Government within six months of the closing of the financial year.

(5) The observations of the Government Auditor, together with such annotations as the Director Finance may make, shall be presented to the Syndicate.

35. Retirement from service.— An officer, Teacher or other employee of the University shall retire from service-

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

(b) where no direction is given on the completion of the sixtieth year of his age.

EXPLANATION.— In this section, "competent authority" means the appointing authority.

36. Opportunity to show cause.— Except as otherwise provided, no officer, Teacher or 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.

37. Appeal to and review,— (1) Where an order is passed punishing any officer, other than Vice-Chancellor or any Teacher or employee of the University or altering or interpreting to his disadvantage the prescribed terms and conditions of service, he shall, where the order is passed by the Vice-Chancellor or any other officer or Teacher of the University, have the right to appeal to the Syndicate against the order and where the order is made by the Syndicate, have the right to apply to the Chancellor for revision of that order.

(2) Subject to sub-section (3) the appeal or application for revision shall be submitted to the Vice-Chancellor who shall refer it to the Syndicate or, as the case may be, to the Chancellor with such recommendations, as the Vice-Chancellor may consider necessary.

(3) No order on an appeal or application for revision shall be passed without affording the appellant or, as the case may be, the applicant, an opportunity of being heard.

38. Pension, insurance, gratuity, provident fund and benevolent fund.— (1) The University shall constitute for the benefit of its officers, teachers and other 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.

(2) Where any provident fund is constituted under this Regulation the provisions of the Provident Funds Act, 1925 (XIX of 1925) shall apply to such fund as if it were a Government Provident Fund and the University were the Government.

39. Commencement of term of office of authorities.— When a member of a newly constituted Authority is elected, appointed or nominated, his or her term of office, as fixed under this Regulation, shall commence from such day as may be prescribed.

40. 'Filling of casual vacancies in authorities.— (1) Any casual vacancy among the elected, appointed or nominated members of any Authority shall be filled as soon as may be possible by the person or the body who elected, appointed or nominated the member whose place has become vacant and the person elected, 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.

(2) | Wherever there occurs a vacancy in the constitution of an Authority, as constituted by this Regulation, because of the abolition of a specified post under the Government or because an organization, institution or other body outside the University has been dissolved or has ceased to function or because of some other reason, it shall be filled in such manners as the Chancellor may direct.

41. Disputes about membership of authorities.— (1) Notwithstanding anything contained in this Regulation a person nominated or elected to an Authority, shall cease to be member of such Authority as soon as he ceases to hold the position by virtue of which he was elected or nominated.

(2) _ If a question arises whether any person is entitled to be member of any Authority, the matter shall be referred to a committee consisting of the Vice-Chancellor, the Education Secretary or his nominee not below the rank of Additional Secretary and a Dean who is a member of the Syndicate and the decision of the committee shall be final.

42. Proceedings of authorities not invalidated by vacancies.— No act, or proceedings, resolution or decision of any Authority shall be invalid by reason only of the existence of any vacancy in, or any defect in the constitution of, the Authority.

43. Tripartite mobility— (1) Any officer, Teacher or employee of the University, on the recommendations of the Syndicate, may be directed to serve in any position in the University, the Government or any educational research institution in the public interest; provided that the terms and conditions offered to him shall not be less favourable than those admissible to him in the University and full benefit of his previous service shall be allowed to him.

(2) Government may, in consultation with the Syndicate, place the services of an employee of Government or any other University or an educational or research institution at the disposal of the University in the public interest:

Provided that the terms and conditions offered to him shall not be less favourable than those enjoyed by him immediately before his services are placed at the disposal of the University and that full benefit of his previous service shall be allowed to him.

44. First Statutes.— Notwithstanding anything to the contrary contained in this Regulation, the Statutes set out in the Schedule appended to this Regulation shall be deemed to be the Statutes framed under section 25 of this Regulation and shall until amended or repealed continue to remain in force.

45. Transitory provisions —— A Chancellor's committee shall be constituted by the Chancellor on the recommendations of the Vice-Chancellor to exercise the powers assigned to the Syndicate under this Regulation, till such time the Syndicate is constituted in accordance with the provisions of this Regulation.

46. Removal of difficulties If any difficulty arises in giving effect to any provisions of this Regulation, the Chancellor may, on the recommendations of the Vice-Chancellor, give appropriate directions to remove such difficulty.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
Governor of the [Khyber Pakhtunkhwa]

'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

SCHEDULE

[See section 44]

1. **Faculties.**—(1) The University shall include the following Faculties: —

(a)
(b)
(c)
(d)
(e)
(f)
(g)
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(k)

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(3)

Faculty of Arts and Humanities;

Faculty of Social Sciences;

Faculty of Science;

Faculty of Education;

Faculty of Law;

Faculty of Biological Sciences;

Faculty of Engineering;

Faculty of Information Technology;

Faculty of Agriculture;

Faculty of Management Sciences; and

Such other Faculties, as may be determined by Statutes.

There shall be a Board of each Faculty which shall consist of —

(a) the Dean to be appointed in the manner as may be prescribed;

(b) the Professors and the Chairpersons of the Teaching
Departments and Directors of Institutes comprising the
Faculty;

(c) one Lecturer, one Assistant Professor and one Associate
Professor to be nominated by rotation in order of seniority
from each Department or Institute constituted in the
Faculty; and

three teachers to be nominated by the Academic Council by reason of
their specialized knowledge of the subjects which, though not

assigned to the Faculty, have in the opinion of the Academic Council, important, bearing on the subjects assigned to the Faculty.

The members mentioned in clauses (c) and (d) of sub-paragraph (2)

shall hold office for two years.

(4)

The quorum for a meeting of the Board of a Faculty shall be one-half

of the total number of members, a fraction being counted as one.

(5)

The Board of each Faculty shall, subject to the general control of the

Academic Council and the Syndicate, have the powers—

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

2. Dean,—(1) There shall be a Dean of each Faculty who shall be the Chairperson and Convenor of the Board of Faculty.

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

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

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

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

3. Teaching department.— (1) There shall be a Teaching Department or Institute for each subject or a group of subjects, as may be prescribed by Bye-Laws and each teaching Department or Institute shall be headed by a Chairperson or Director.

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

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

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

(3) The Chairperson of the Department or Director of the Institute shall plan, organize and supervise the work of the Department or Institute and shall be responsible to the Dean for the work of his Department or Institute.

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

(2) Each Board of Studies shall consist of—

(a) the Chairperson or Director of the Registered Institute;

(b) all Professors and Associate Professors in the University teaching departments or institute;

(c) two experts to be appointed by the Vice-Chancellor;

(d) three teachers, other than University teachers, to be appointed by the Vice-Chancellor from affiliated Colleges; and

(e) one Assistant Professor and one Lecturer to be appointed by rotation in order of seniority from the Department concerned, provided that in the case of professional subjects which are taught in the affiliated Institute or Colleges only and not in the University, such as Medicine, Dentistry, and Education, etc. the Board of Studies shall consist of—

(i) the Principals of the Colleges, Directors of the Institutes, Heads of the Institute concerned;

(ii) two teachers of the Colleges, to be appointed by the Syndicate; and

(iii) two experts 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 meetings of the Board of Studies shall be one-half of members, a fraction being counted as one.

(5) The Chairperson of the University Teaching Department concerned shall be the Chairperson and Convenor of the Board of Studies. Where in respect of a subject there is no University Teaching Department, Chairperson shall be appointed by the Vice-Chancellor.

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

(a) to advise the authorities on all academic matters concerning instructions, publications, research and examinations in the

subjects concerned;

(b) to propose the curricula and syllabi for all degree, diploma and certificate courses in the subjects concerned;

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

(d) to perform such other functions as may be prescribed by Bye-Laws.

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

(a) the Vice-Chancellor (Chairperson);

(b) the Deans and Directors of research Institutions;

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

(d) Principals of Constituent Colleges;

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

(f) three teachers from affiliated Colleges having research qualifications to be appointed by the Academic Council,

(2) The term of the office of 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 fraction being counted as one.

6. Functions of the Advanced Studies and Research Board.— The functions of the Advanced Studies and Research Board shall be—

- (a) to advise the authorities on all matters connected with the promotion of Advanced Studies and Research in the University;
- (b) to consider and report to the authorities on the institution of research degrees in the University;
- (c) to propose Bye-Laws regarding the award of research degrees;
- (d) to appoint supervisors for postgraduate research students and to approve titles and synopses of their thesis or dissertations;
- (e) to recommend panels of names of examiners for evaluation of their thesis and other research examinations; and
- (f) to perform such other functions as may be prescribed by Statutes.

7. Selection Board,— (1) The Selection Board shall consist of—

- (a) the Vice-Chancellor (Chairperson);
- (b) one Vice-Chancellor of a Pakistani University to be appointed by the Chancellor;
- (c) the Chairman or a member of the '[Khyber Pakhtunkhwa] Public Service Commission to be nominated by the Chairman;
- (d) the Dean of the Faculty concerned;
- (e) the Chairperson of the Teaching Department or Director of the institute and Principal of the constituent college concerned; and
- (f) one member of the Syndicate and two other members to be appointed by the Syndicate; provided that none of them is an employee of the University; and
- (g) the Registrar shall be the Secretary of the Selection Board.

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(2) The members other than ex-affilio members shall hold office for two years.

(3) The quorum of the Selection Board in case of selection of a Professor or Associate Professor and other teachers shall be four and three respectively. In case of selection of officers other than teachers, the Selection Board shall consist only of members specified in clauses (a), (b), (c) and (e) of paragraph (I) and the quorum shall be three.

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

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

8. Functions of the Selection Board.—(1) The Selection Board for teaching and other posts shall consider the applications received in response to an advertisement or cases of persons whose services are to be acquired on deputation basis and recommend to the Syndicate the names of suitable persons for appointment to teaching or other posts as the case may be and may also recommend—

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

(b) the appointment of an eminent qualified person to a position in the University on terms and conditions other than those

prescribed; and

(c) cases of move-over and award of increments or cash award on the basis of research contribution as prescribed.

(2) In the event of unresolved difference of opinion between the Selection Board and the Syndicate, the matter shall be referred to the Chancellor

whose decision shall be final.

9. Finance and Planning Committee.— (1) The Finance and Planning Committee shall consist of—

(a) the Vice-Chancellor (Chairperson);

(b) the representative of the University Grants Commission;

(©)

(d)

(e)

(f)

(g)

(h)

one member of the Syndicate to be appointed by the Syndicate;

two members of the Academic Council to be nominated by the Academic Council;

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

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

the Director Finance (Secretary); and

the Registrar.

(2) The term of office of the appointed members shall be two years.

(3) The quorum for a meeting of the Finance and Planning Committee shall be three members.

10. Functions of Finance and Planning Committee.—The functions of Finance and Planning Committee shall be—

(a)

(b)

(©)

(d)

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

to review periodically the financial position of the University; to advise the Syndicate on all matters relating to planning, development, finances, investment and accounts of the

University; and

to perform such other functions as may be prescribed.

11. Affiliation Committee.— (1) The Affiliation Committee shall consist of—

(a)
(b)
(c)

the Vice-Chancellor (Chairperson);
two Professors to be nominated by the Academic Council; and

the Director of Education (Colleges), : [Khyber

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Pakhtunkhwa].

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

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

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

(5) The Deputy Registrar (Academic) dealing with the affiliation cases, or in his absence such other person as may be designated by the Vice-Chancellor for this purpose, shall act as Secretary of the Committee,

12. Functions of the Affiliation Committee.—(1) The functions of the Affiliation Committee shall be—

(a) to constitute an inspection committee to inspect the educational institution seeking affiliation with, or admission to the privileges of, the University and to advise the Syndicate thereon provided that the Affiliation Committee may itself inspect the institution concerned and advise the Syndicate accordingly;

(b) to inquire into complaints alleging breach of conditions of affiliation by Affiliated Colleges and to advise the Syndicate thereon; and

(c) to perform such other functions as may be prescribed by Bye-Laws.

13. Discipline Committee.— (1) The Discipline Committee shall consist of—

(a) a Chairperson to be nominated by the Vice-Chancellor;
(b) two Professors to be nominated by the Academic Council;
(c) two Professors to be nominated by the Syndicate; and

(d) a teacher or officer in-charge of Students Affairs shall be ex-officio Secretary of the Committee.

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

(3) The quorum for a meeting of the Discipline Committee shall be four

members.

14. Functions of the Discipline Committee.— (1) The functions of the Discipline Committee shall be—

(a) to propose regulations to the Academic Council relating to the conduct of University students, maintenance of discipline and

breach of discipline; and

(b) to perform such other functions as assigned to it.