

THE GHULAM ISHAQ KHAN (GIK) INSTITUTE OF
ENGINEERING SCIENCES AND TECHNOLOGY ACT, 1994.

'IKHYBER PAKHTUNKHWA| ACT NO. III OF 1994.

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THE GHULAM ISHAQ KHAN (GIK) INSTITUTE OF
ENGINEERING SCIENCES AND TECHNOLOGY ACT, 1994.
"IKHYBER PAKHTUNKHWA| ACT NO. III OF 1994.

AN
ACT

to provide for the establishment of Ghulam Ishaq Khan (GIK)
Institute of Engineering Sciences and Technology.

WHEREAS the Society for the Promotion of Engineering Sciences and
Technology has expressed the desire to establish Ghulam Ishaq Khan (GIK) Institute
of Engineering Sciences and Technology at Topi, [Khyber Pakhtunkhwa];

AND WHEREAS it is in the interest of the country in general and the
3[Khyber Pakhtunkhwalin particular to establish a centre of excellence in the field of
science and technology to provide a strong manufacturing and industrial base which

is a pre-requisite for the economic growth and development of the country and to
provide quality education to talented students;

AND WHEREAS it is expedient to provide for the establishment of the
Ghulam Ishaq Khan (GIK) Institute of Engineering Sciences and Technology and for
matters ancillary thereto.

It is hereby enacted as follows:-

1. SHORT TITLE AND COMMENCEMENT.

(1) This Act may be called the Ghulam Ishaq Khan (GIK) Institute of
Engineering Sciences and Technology Act, 1994.

(2) It shall come into force at once and shall be deemed to have taken
effect on the 21st September, 1993.

2. DEFINITIONS.

In this Act, unless there is anything repugnant in the subject or context,---

(a) "Advisory Board" means the Advisory Board of the Institute;

'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

°Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

- (b) 'Board' means the Board of Governors of the Institute;
- (c) 'Chancellor' means the Chancellor of the Institute;
- (d) 'Committee' means the Executive Committee of the Institute;
- (e) 'Council' means the Governing Council of the Institute;
- (f) 'Dean' means the Dean of a school, faculty or other teaching or research unit of the Institute;
- (g) 'Institute' means the Ghulam Ishaq Khan (GIK) Institute of Engineering Sciences and Technology;
- (h) 'President' means the President of the Society;
- (i) 'Pro-Rector' means the Pro-Rector of the Institute;
- Gj) 'Rector' means the Rector of the Institute;
- (k) 'Regulations' means the Regulations framed under this Act;
- (l) 'Rules' means the Rules framed under this Act;
- (m) 'Society' means the Society for the Promotion of Engineering Sciences and Technology in Pakistan formed under the Societies Registration Act (XXI of 1860) (Registration No. 8768); and
- (n) 'Teachers' means the Professors, Associate Professors, Assistant Professors, Lecturers and Research Staff engaged by the Institute, or such other persons as may be recognized to be teachers by the Council.

3. ESTABLISHMENT AND INCORPORATION OF THE INSTITUTE.

(1) There shall be established at Topi, near Tarbela, an Institute to be called the Ghulam Ishaq Khan (GIK) Institute of Engineering Sciences and Technology consisting of:-

- (a) the members of the Board, the Committee and such other bodies as the Board may establish;
- (b) the Chancellor, the Rector, the Pro-Rectors, the Deans and other members of the Council;

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(c) the teachers and students of the Institute and its constituent units; and

(d) such other officers and members of the staff as may from time to time be specified by the Board.

The Institute shall be a body corporate by the name of the Ghulam Ishaq Khan (GIK) Institute of Engineering Sciences and Technology having perpetual succession and a common seal, with powers, among others, to acquire, hold, control and dispose of moveable and immovable properties and shall by the said name sue and be sued.

4. POWERS AND FUNCTIONS OF THE INSTITUTE.

The Institute shall have powers:-

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to provide for instruction and training in engineering sciences, technology and other allied disciplines in such manner as it considers appropriate so as to produce competent, imaginative, skilled and committed scientists and engineers;

to print, publish and circulate periodicals, journals, magazines and books and disseminate scientific, technological and other related knowledge and information conducive to the attainment of any of the objectives of the Institute;

to promote contact and establish liaison with national and international universities, institutions and other research and development organizations within the country and abroad for effective discharge of its functions and responsibilities;

to provide assistance to industry, government institutions and organizations in the country and abroad through expert advice,

consultations and in any other manner as it may deem fit;

to undertake joint investigation and collaborative research in the field of engineering sciences, technology and other allied disciplines;

to pursue and make provisions for research, innovations, inventions, demonstrations and other services as it may deem fit;

to admit and examine students;

to hold examinations and to confer or award degrees, diplomas, certificates, academic and research prizes and distinctions on and to

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persons who fulfil the requirements or have passed its examinations in accordance with the conditions laid down in the Rules and Regulations;

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

to recognize the examinations passed or the period of study spend at other universities or places of learning as equivalent to examinations or periods of study in the Institute or withdraw such recognition;

to create posts for teaching, research, extension, administration, training and for any other purposes related thereto and appoint persons thereto;

to inspect schools colleges, universities and other institutions of learning associated or seeking association with it;

to institute and award fellowships, scholarships, stipends, bursaries, medals and prizes;

no establish, administer and maintain halls of residence and approve any place as hostel or lodging for students;

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

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

determine;

to authorize and agree to the mobility of qualified staff among universities, research and development organizations and _ the Government or corporate bodies on terms and conditions laid down in the Rules or Regulations;

to select and promote faculty;

to confer honorary degrees;

to prescribe courses of studies in engineering sciences, technology and other allied disciplines;

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to establish workshops, laboratories, museums and other facilities for training, education and research;

to affiliate or associate itself with other institutions and to establish faculties in Pakistan or abroad for the effective discharge of its functions and responsibilities;

to decide upon teaching methods and strategies in order to ensure the most effective educational and training programmes;

to use its financial and other resources to the fullest extent for the execution of its programmes;

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

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

5. INSTITUTE OPEN TO ALL.

The Institute 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 Institute, and no such person shall be denied the privileges of the Institute only on grounds of sex, religion, creed, race, class, colour or domicile.

6. TEACHING AND EXAMINATIONS.

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The academic programmes of the Institute shall be conducted in the manner laid down in the Rules and Regulations.

The Institute may associate external examiners for the conduct of examinations and viva voce.

No degree shall be granted unless a student has passed an examination in Islamic Studies, Pakistan Studies and Ethics, or in the case of a non-Muslim student, in Ethics and Pakistan Studies at his option.

7. OFFICERS OF THE INSTITUTE.

The following shall be the officers of the Institute, namely:

- (a) the Chancellor;
- (b) the Rector;
- (c) the Pro-Rectors;
- (d) the Deans; and
- (e) such other persons as may be specified by the Rules or Regulations to be officers of the Institute.

8. THE CHANCELLOR.

- (1) The President of the Islamic Republic of Pakistan shall be the Chancellor of the Institute;
- (2) The Chancellor shall, when present, preside over the convocations of the Institute and, in his absence, a person nominated by him shall preside;
- (3) Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor.

9. VISITATION.

- (1) The Chancellor may cause an inspection or inquiry to be made in

respect of any matter connected with the affairs of the Institute and may, when considered necessary, direct one or more persons or any organization to carry out inspection or inquiry of:-

- (a) The Institute, its buildings, laboratories, libraries and other facilities;
- (b) any institution, school, centre, division or hostel maintained by the Institute;
- (c) the adequacy of human and financial resources;
- (d) the teachings, research, curriculum, examinations and other matters of the Institute; and
- (e) such other matters as may be specified by the Chancellor.

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The Chancellor shall, in every case as aforesaid, give notice to the Council of his intention to cause an inspection or inquiry to be made, and the Council shall be entitled to be represented thereat.

The Chancellor shall communicate to the Council his views with regard to the results of an inspection or inquiry and shall, after considering the explanation or representation, if any, made by the Council, advise the Council to take such actions or refrain from doing such things as he may specify in this behalf.

The Council shall, within such time as may be specified by the Chancellor, report to him such action, if any, as has been taken or may be proposed to be taken upon the results of an inspection or inquiry.

Where the Council does not, within the time specified, take action to the satisfaction of the Chancellor, the Chancellor may issue such directions as may be considered appropriate and the Council shall comply with all such directions.

THE RECTOR.

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The Rector of the Institute shall be appointed by the Chancellor, in consultation with the Committee, for a fixed period on such terms and conditions as the Chancellor may determine.

The Rector shall exercise general control and supervision over the affairs of the Institute and shall ensure that the provisions of this Act, the Regulations, the Rules, policies and directions of the Board, the Committee and the Council are properly executed.

The Rector shall perform such other functions as may be entrusted to him by the Chancellor, the Board, the Committee or the Council and, in particular, shall-

(a) submit plans of work and budget estimates of the Institute for

recommendations of the Council and thereafter for approval of the Committee;

(b) submit to the Committee, in accordance with the rules of procedures made by it, reports on the activities of the Institute

and the execution of the plans of work; and

(c) provide necessary services to the Board and the Committee.

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The Rector shall also have power-

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to supervise the activities connected with the execution of programmes for teachings, training, research, inventions, innovations, demonstrations and other services;

to authorize expenditure provided for in the budget in accordance with the Rules;

to appoint, with the approval of the Committee, teachers and officers of the Institute and such other persons as may be necessary in accordance with the Rules so as to ensure the highest intellectual and moral qualities in the persons appointed;

to re-appropriate funds within the approved budget;

to sanction by re-appropriation an amount not exceeding a sum specified in the Rules and Regulations for an unforeseen item not provided for in the budget, and report it to the Committee;

to engage experts and consultants as may be required for efficient and effective discharge of the functions of the Institute;

to constitute from amongst the officers and staff of the Institute such Committees, Sub-Committees and Working Groups as he may deem necessary;

to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board or the Committee, from time to time; and

to delegate any of his powers to appropriate levels of management subject to such conditions as he may deem fit to impose.

11. THE PRO-RECTOR ADMINISTRATION AND FINANCE.

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Subject to the overall supervision of the Rector, the Pro-Rector Administration and Finance shall be in charge of the administrative and financial affairs of the Institute and shall formulate and recommend to the Committee or the Council for approval, Rules and

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Regulation relating to financial and administrative matters of the Institute.

The Pro-Rector Administration and Finance shall have power-

- (a) to liaise with government agencies, local bodies and other authorities in connection with the financial and administrative affairs of the Institute;
- (b) to administer the financial resources of the Institute;
- (c) to administer the residences of the students, teachers and other staff members of the Institute;
- (d) to supervise the extra-curricular and recreational activities of the Institute, including the matters of health and general welfare;
- (e) to maintain discipline in the Institute;
- (f) to sanction expenditure provided for in the approved budget in accordance with the Rules;
- (g) to appoint staff members of the Institute against vacant posts in accordance with the Rules and Regulations;
- (h) to engage such casual workers, subject to budgetary provisions, as may be required from time to time;
- (i) to initiate disciplinary action against the employees of the Institute and impose penalties, including suspension, removal or dismissal from service in the Institute, in accordance with the Rules and Regulations;
- Gj) to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board, the Committee, the Council, or the Rector; and
- (k) to delegate any of his powers to appropriate levels of management, subject to such conditions as he may deem fit to impose.

12. THE PRO-RECTOR ACADEMIC.

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The Pro-Rector Academic shall be in charge of the academic affairs of the Institute and shall assist the Rector on matters relating to teaching, research, academic programmes, extension and other development projects.

Subject to the overall supervision of the Rector, he shall formulate and recommend to the Committee or the Council for approval, Rules and Regulations relating to academic and research matters of the Institute.

The Pro-Rector Academic shall have power-

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to liaise with universities, learning institutions, industry and other research organizations for apprenticeship and placement of students, training of teachers, and other academic and research activities;

to submit recommendations to the Council on the courses of study to be taught in the Institute giving due consideration to the advice of the Advisory Board and other bodies constituted for this purpose;

to supervise the admission of students to the courses of studies and examinations of the Institute;

to coordinate the award of fellowships, stipends, medals and prizes;

to arrange convocations;

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

to coordinate the teaching and research work of the schools or facilities of the Institute;

to control and manage the publications and circulation of periodicals, magazines, journals and books and dissemination of scientific technological and other related information;

to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board, the Committee, the Council or the Rector; and

Gj) to delegate any of his powers to appropriate levels of management, subject to such conditions as he may deem fit to impose.

13. DEAN

(1) Each Dean shall be appointed for a fixed period which may be extended by the Committee.

(2) Subject to the overall supervision of the Rector, each Dean shall have power-

(a) to ensure proper implementation of the Rules and Regulations relating to his school or faculty;

(b) to regulate the conduct and discipline of the students of his school or faculty and impose penalties, including cancellation of the enrolment of the students;

(c) to coordinate, advise and liaise with the Advisory Board, Pro-Rector Academic, other academic authorities and Pro-Rector (Administration and Finance) for teaching, research, extension, development works and administrative matters;

(d) to present candidates for admission to degrees, except honorary degrees, in the course falling within the purview of his school or faculty;

(e) to appoint examiners for all the examinations of his respective school or faculty;

(f) to direct teachers, students and staff members of his school or faculty to take up such assignments in connection with teaching and research as he may consider appropriate;

(g) to nominate teachers, students and staff members of his school or faculty for training, fellowships, scholarships and other academic distinctions; and

(h) to perform such other duties and exercise such other powers as may be assigned to, or vested in, him by the Board, the Committee, the Council or the Rector.

14, THE BOARD OF GOVERNORS

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The overall control of the Institute shall vest in the General Council of the Society which shall function as the Board of Governors of the Institute.

Changes in the composition of the Board shall be made on the recommendations of the General Council of the Society, from time to time, through a notification in the official Gazette.

In particular and without prejudice to the generality of the foregoing provisions, the Board shall have power-

(a) to approve the creation of new components of the Institute such as school, faculty or any other teaching or research unit;

(b) to approve changes in the constitution of the Committee, Council or any other body of the Institute;

(c) to perform all such other activities as may be required for the furtherance of the objectives of the Institute; and

(d) to delegate any of its powers to the Committee, the Council, the Rector or other appropriate levels of management, subject to such conditions as it may deem fit to impose.

The Secretary of the Society shall act as Secretary of the Board and the Committee. He shall perform such duties and exercise such power as may be entrusted or delegated to him by the Board or the Committee.

15. THE EXECUTIVE COMMITTEE.

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Without prejudice to the generality of the control of the Board, the general supervision and control of the affairs of the Institute shall vest in the Executive Committee which shall, subject to re-constitution and expansion from time to time, consist of the following members, namely:

NOMINATED MEMBERS:

(a) The President of the Society who shall be the President of the Committee;

(b) two eminent engineers;

(c) two prominent scientists; and

(d) three distinguished persons known for their learning or experience in the field of banking, finance, industry or any other field of interest.

EX-OFFICIO MEMBERS:

(e) Rector;

(f) Pro-Rectors;

(g) Chief Secretary of the Government of the 1 [Khyber Pakhtunkhwa];

(h) Chairman, Central Board of Revenue;

(i) Chairman, University Grants Commission;

Gj) Secretary General, BCCI Foundation;

(ik) Vice Chancellor, 7 [Khyber Pakhtunkhwa] University of Engineering and Technology;

() Secretary Education, Government of *[Khyber Pakhtunkhwa];
and

(m) Secretary Law, Government of "[Khyber Pakhtunkhwa].

(2) The nominated members of the Committee shall be nominated by the Board.

(3) A nominated member of the Committee shall, unless the Board terminates his membership earlier, hold office for a term of three years and shall be eligible for renomination on the expiry of his term:

Provided that the first Committee to be constituted after the commencement of this Act shall be appointed by the Chancellor.

‘Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

‘Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

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The office of a nominated member of the Committee shall become vacant if he resigns or fails to attend three consecutive meetings of the Committee without sufficient cause or leave of absence.

A casual vacancy in the office of a member of a Committee shall be filled by a person nominated by the Committee and approved by the Chancellor.

No act or proceedings of the Committee shall be invalid by reason only of the existence of a vacancy in, or any defect in the constitution of, the Committee.

16. POWER AND FUNCTIONS OF THE EXECUTIVE COMMITTEE.

The Committee shall exercise and perform the following powers and functions, namely:

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to hold, control and administer the property, funds and resources of the Institute and borrow or raise money for the purposes of the Institute upon such securities as may be required;

to acquire or dispose of any movable or immovable property of the Institute;

to recommend creation of the new components of the Institute such as school, department, faculty, division or any other teaching or research unit for approval to the Board;

to formulate or approve long-term strategy, policies and plans governing the activities and operation of the Institute so as to ensure its autonomy in teaching, research and other academic work;

to approve plans of work and the annual budget of the Institute;

to call for annual, bi-annual or quarterly progress reports relating to the activities of the Institute and execution of the approved work plans to review the progress and direct the Rector to furnish information relating to any matter specified by the Committee;

to create such administrative or academic posts on specified terms and conditions as it may deem necessary and to approve appointment to the posts of Pro-Rector, Deans and Professors on_ the recommendation of a duly constituted Selection Committee;

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to ensue financial viability of the Institute and effectiveness of its operations, their continuity and preservation of that autonomy of the Institute;

to approve all affiliations and other arrangements through which universities and other research and development organizations may become associated with the Institute;

to appoint from amongst its members such committees or sub-committees as it may deem necessary;

to take all such initiative as it may consider necessary or desirable for the efficient and effective management and functioning of the Institute;

to approve the Rules of the Institute; and
to delegate any of its powers to the Rector, the Pro-Rectors and other

appropriate levels of management in the Institute, subject to such conditions as it may deem fit to impose.

MEETINGS OF THE COMMITTEE.

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The Committee shall meet at least twice a year on dates to be fixed by the President:

Provided that special meeting may be called at any time at the request of not less than five members of the Committee, to consider any matter of an urgent nature.

The President shall, when present, preside over the meetings of the Committee and in his absence, a member nominated by him shall

preside.

The quorum for a meeting of the Committee shall be one half of its members, a fraction being counted as one, and out of which not less than four shall be the nominated members.

The decisions of the Committee shall be expressed in terms of the views of the majority of the members present and voting and, in case of equality of votes, the President shall have and exercise a casting vote.

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THE ADVISORY BOARD.

The Institute shall have an Advisory Board nominated by the Committee and consisting of national and international scientists, engineers, academicians and industrialists to advise the Institute on academic and research matters.

THE GOVERNING COUNCIL.

(1) There shall be a Governing Council of the Institute consisting of the following members:-

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the Rector, who shall be the Chairman of the Council;
the Pro-Rector, Administration and Finance;
the Pro-Rector Academic; and

all the Deans.

(2) The Rector shall, when present, preside over the meetings of the Council and, in his absence, a member nominated by him shall preside.

POWERS AND DUTIES OF THE COUNCIL.

(1) Subject to the general control of the Board and the Committee, the Council shall be the executive body of the Institute and shall carry out its day-to-day administration.

(2) In particular and without prejudice to the generality of the foregoing provision, the Council shall have power to-

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exercise executive and financial control over the
administration of the Institute;

manage the properties and assets of the Institute;

prepare the annual budget estimates and annual statements of accounts of the Institute;

lay down and define the functions of various constituent parts of the Institute, including its schools and committees;

sanction schemes for under-graduate and post-graduate programmes of teaching and research in engineering sciences,

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technology and other allied disciplines leading to the award of degrees;

develop and approve non-degree programmes of specialized teaching or training leading to the award of diplomas or certificates in areas of engineering sciences, allied disciplines and technology;

approve schemes of faculty development for specialization in engineering sciences, technology and other allied disciplines;

develop and promote collaboration with other appropriate bodies for the development of courses in engineering sciences, technology and other allied disciplines;

secure the services of experts on terms and conditions as it may deem fit;

approve regulations for administrative and financial matters concerned with or incidental to the provisions of this Act;

perform such other functions as may be necessary for the realization of its approved targets and objectives; and

delegate, from time to time, to the Pro-Rectors, the Deans and other appropriate levels of management such powers and functions as it may consider necessary for the purposes of this Act.

ACADEMIC AND ADMINISTRATIVE STAFF.

The academic and administrative staff of the Institute shall be selected with a view to achieving its stated objectives and the basic criteria for their selection shall be highest standard of competence, integrity and efficiency.

FUND, AUDIT AND ACCOUNTS OF THE INSTITUTE.

(1) The Institute shall have a FUND to which shall be credited:

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all grants and contributions made by the Society;

donations, contributions, subscriptions, aid and grants made
by the donors and benefactors;

(c) aid, grants and other forms of assistance by any foreign government, Federal Government, Provincial Government and Local Bodies, national and international institutions, organizations and agencies; and

(d) fees, remuneration, charges for any service rendered, sale proceeds, royalties on publications, commission and receipts from any other source.

(2) The accounts of the Institute shall be maintained in such form and in such manner as may be specified by the Committee.

(3) The accounts of the Institute shall be audited each year by an Auditor to be appointed by the Committee.

23. INDEMNITY AND BAR OF JURISDICTION.

(1) No suit, prosecution or other legal proceedings shall lie against any person or authority for anything which is done in good faith or intended to be done under this Act.

(2) No decision taken, or act or thing done, by the Chancellor or the Board or the Committee or the Council under this Act shall be called in question before any court of law or any other authority.

24. ACT TO OVERRIDE OTHER LAWS.

This Act shall have effect notwithstanding anything contained in any other law for the time being in force.

25. REMOVAL OF DIFFICULTIES, ETC.

(1) If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Chancellor whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Act, the Chancellor may make such order, not inconsistent with the provisions of this Act, as may appear to him to be necessary for removing the difficulty in question.

(3) Where this Act makes any provision for anything to be done, but no provision or insufficient provision has been made as respecting the authority by whom, or the time at which, or the manner in which it

shall be done, then it shall be done by such authority, or at such time, or in such manner, as the Chancellor may direct.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF 'TKHYBER
PAKHTUNKHWA]

‘Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.