(g) administer any funds placed at the disposal of the University for specified purposes;

(h) provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the affairs of the University;

(i) establish and maintain halls of residence and hostels, as far as possible;

(j) affiliate or disaffiliate educational institutions;

(k) arrange for the inspection of colleges, institutions and the Teaching Departments;

(l) institute Professorships, Associate Professorships, Assistant Professorships, Lecturer ships, and other teaching posts or to suspend or abolish such posts;

(m) subject to this Act, appoint Teachers and other officers on the recommendation of the Selection Board in BPS-17 and above.

(n) create, suspend or abolish such administrative or other posts as may be necessary;

(o) prescribe the duties of Officers, Teachers and other employees of the University;

(p) report to the Senate on matters with respect to which it has been asked to report;

(q) propose drafts of Statutes for submission to the Senate;

(r) regulate the conduct and discipline of the students of the University;

(s) take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;

(t) delegate any of its powers to any Authority or Officer or a committee; and

(u) perform such other functions as have been assigned to it by the provisions of this Act or the Statutes made thereunder.

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

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

(b) the Chairperson;

(c) the Deans;

(d) the Professors Emeritus and Meritorious Professors;

(e) eight University Teachers, including two Professors, two Associate Professors, two Assistant Professors and two Lecturers to be elected by teachers of their respective cadre from amongst themselves;
two Principals, preferably one female, of affiliated colleges, one each from public and private sector, to be nominated by the Secretary to Government, Higher Education Department;

four members of the Senate to be elected by the Senate;

one Principal of the constituent college, to be nominated by the Senate;

the Director Admissions;

the Controller of Examinations; and

the Registrar, who shall be its member-cum-secretary.

Members of the Academic Council, other than ex-officio, shall hold office for three years.

The Academic Council shall meet at least once in six months.

The quorum for meetings of the Academic Council shall be one-half of the total number of members, a fraction being counted as one.

25. **Powers and duties of the Academic Council.**

(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act and the Statutes, have the powers to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University, colleges and institutions.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Academic Council shall have the powers to:

- advise the Syndicate on academic matters;
- to regulate and lay down standards for the conduct of teaching, research, examinations and students discipline;
- propose to the Syndicate schemes for the constitution and organization of Faculties, Teaching Departments and Boards of Studies;
- institute programmes for the continued professional development of University Teachers at all levels;
- recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;
- regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- make Regulations on the recommendations of the Board of Faculties, Advance Studies and Research Board and the Board of Studies, prescribing the schemes of studies, the syllabi and mode of examinations:

  Provided that if the recommendations of the Board of a Faculties or Board of Studies or Advanced Studies are not accepted, the reasons therefor shall be recorded in the minutes of the Academic Council.

Provided that if the recommendations of the Board of a Faculties or Board of Studies or Advanced Studies are not accepted, the reasons therefor shall be recorded in the minutes of the Academic Council.
(h) prepare an annual report on the academic performance of the University;

(i) appoint member to various authorities in accordance with the provisions of this Act; and

(j) perform such other functions as may be prescribed by Regulations.

26. Constitution, function and powers of other Authorities.---The constitution, functions and powers of other Authorities for which no specific provisions, or insufficient provisions, have been made in this Act shall be such as may be prescribed by the Statutes.

27. Appointment of Committees by certain Authorities.---The Senate, the Syndicate, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such committee persons who are not members of the Authorities appointing the committees.

CHAPTER -V
STATUTES, REGULATIONS AND RULES

28. 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:

(a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor before the Senate shall be prepared;

(b) the University fees and other charges;

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

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

(e) the maintenance of the register of registered graduates;

(f) affiliation and disaffiliation of educational institutions and related matters;

(g) the conduct of elections for membership of the Authorities of the University and related matters;

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

(i) the establishment of Faculties, Teaching Departments, constituent institution, constituent colleges and other academic divisions;

(j) the powers and duties of Officers and Teachers;

(k) conditions under which the University may enter into agreements with other institutions or with public bodies for purposes of research and advisory services;
(l) conditions for appointment of Emeritus Professors and Meritorious Professors, award of honorary degrees;

(m) constitution of emergency committee or other committees as may be required;

(n) efficiency and discipline of University employees;

(o) constitution, functions and powers of the Authorities of the University; and

(p) all other matters which by this Act are to be or may be prescribed or regulated by Statutes.

(2) The draft of Statutes shall be proposed by the Syndicate to the Senate which may approve or pass it with such modifications as the Senate may deem fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (n) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

Provided further that the Senate may initiate Statutes with respect to any matter in its power or with respect to which a Statute may be framed in terms of this Act and approve such Statutes after seeking the views of the Syndicate.

29. Regulations.—(1) Subject to the provisions of this Act and the Statutes, the Academic Council may make Regulations for all or any of the following matters:

(a) the courses of study for degrees, diplomas and certificates of the University;

(b) the manner in which the teaching referred to in sub-section (1) of section 7 shall be organized and conducted;

(c) the admission, registration and expulsion of students to and from the University;

(d) the consideration under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;

(e) the conduct of examinations;

(f) conditions under which a person may carry on independent research to entitle him to a degree;

(g) the Institution of fellowships, scholarships, exhibitions, medals and prizes;

(h) the use of the Library;

(i) the formation of Faculties, Teaching Departments and Board of Studies; and

(j) all other matters which by this Act or the Statutes made there under are to be or may be prescribed by Regulations.
(2) Regulations shall be proposed by the Academic Council and shall be submitted to the Syndicate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. Regulations proposed by the Academic Council shall not be effective unless these are approved by the Syndicate.

30. Amendment and repeal of Statutes and Regulations.---The procedure for adding to, amending or repealing the Statutes and Regulations shall be the same as prescribed respectively for framing or making Statutes and Regulations.

31. Rules.---The Authorities and other bodies of the University may make Rules, consistent with this Act, the Statutes or the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.

32. Affiliation of educational institution.---(1) An educational institution seeking affiliation to the University shall satisfy that the-

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

(2) The application for affiliation shall further contain an undertaking by educational institution that after it is affiliated, any changes in management or teaching staff shall forthwith be reported to the University and that the teaching staff shall possess such qualification 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
33. **Extension of Affiliation**.—When an affiliated educational institution desires to alter or expand the courses of studies, number of seats and fee structure in respect of which it is granted affiliation, the procedure prescribed for affiliation of college shall, as far as possible, be followed.

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

(2) The University may call upon any affiliated educational institution to take, within a specified period, such action in respect of any matter mentioned in sub-section (1) as the University may deem fit.

35. **Disaffiliation**.—(1) If an educational institution affiliated to the University has failed to fulfill any requirement of this Act or has failed to observe any of the conditions 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 by the affiliation.

(2) Where any educational institution has been refused affiliation or all or any of the privileges conferred on any educational institution by affiliation have been modified or withdrawn under sub-section (1), 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.

**CHAPTER VI**

**UNIVERSITY FUND**

36. **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.

37. **Recovery of University Dues**.—All dues of the University shall be recoverable as arrears of land revenue.

38. **Audits and accounts**.—(1) The Accounts of the University shall be maintained and audited in such form and in such manner as may be prescribed.

(2) The Teaching Departments and all other bodies designated as such by the Syndicate in terms of Statutes shall be independent cost centers of the University with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it:

Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the Statutes.

(3) All funds generated by a Teaching Department, constituent colleges or other unit of the University through consultancy, research or other provision of service shall be credited to the University fund:

Provided that the Teaching Department, constituent college or other unit concerned may be allowed enhanced budget allocation equivalent to a part of the funds generated in accordance with prescribed terms and procedure.

(4) No expenditure shall be made from the funds of the University unless a written authority for such payment has been issued by the University.
(5) Provision shall be made for an internal audit of the finances of the University.

(6) The University shall cause to carry out audit of its accounts by the Auditor-General of Pakistan.

CHAPTER VII
GENERAL PROVISIONS

39. Opportunity to show cause.---Except otherwise provided by law, 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 for cause arising out of any act or omission on the part of the person concerned, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.

40. Appeal.---Where an order is passed punishing any Officer (other than the Vice-Chancellor), Teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his 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 passed by the Syndicate, have the right to appeal to the Chancellor.

Provided that such appeal shall be submitted to the Vice Chancellor, who shall place it before the next meeting of the Syndicate or the Chancellor, as the case may be, with his views.

Provided further that no order shall be passed on the said appeal unless the person concerned is given an opportunity of being heard.

41. Service of the University.---(1) All persons employed by the University in accordance with the terms and conditions of service prescribed by Statutes shall be persons in the service of Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan:

Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable employment notwithstanding the service of persons employed by the University shall be entirely governed by the terms and conditions prescribed by the relevant Statutes.

(2) An Officer, Teacher or other employee of the University shall retire from service on the attainment of such age or tenure of service as may be prescribed.

42. Benefits and Insurance.---(1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

(2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925 (XX of 1925), shall apply to such funds as if it were the Government Provident Fund.

43. Commencement of term and termination of membership of Authority.---(1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under this Act, shall commence from the date of notification.

(2) Where a member who has accepted any other assignment which necessitate his absence from the University for a period of six months or more, or absents himself from two consecutive meetings without the leave of such authority, he shall be deemed to have resigned and vacated his seat.
44. **Filling of casual vacancies in Authorities.**—Any casual vacancy among the members of any Authority shall be filled in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed 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.

45. **Flaws in the constitution of Authorities.**—Where there is a flaw in the constitution of an Authority, as constituted by this Act, the Statutes or the Regulations on account of the abolition of a specified office under 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 similar reason, such flaw shall be removed in such manner as the Senate may direct.

46. **Proceedings of Authorities not invalidated by the vacancies.**—No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de-facto member of the Authority, whether present or absent.

47. **Removal of Difficulties.**—(1) If any question arises as to the interpretation of any of the provisions of this Act or giving effect to the same, it shall be placed before a committee constituted by the Chancellor.

(2) Where this Act makes any provision for anything to be done, but no provision or insufficient provision has been made in respect the authority by whom, or the time at which, or the manner in which, it shall be done, by such authority, at such time, or in such manner as shall be prescribed by the Statutes.

48. **Repeal and Savings.**—(1) The Acts, Ordinances or other legislative instruments constituting the universities listed in the Schedule shall stand repealed from such dates as may be notified by the Government in the official Gazette:

Provided that Government may save, through appropriate provision in the repealing notifications, such parts of the Acts, Ordinances or other legislative instruments constituting the universities listed in the Schedule as are necessary for preservation of such specific features that are essential given the nature of the University and are not in conflict with the management and governance structure laid down by this Act or for continuation of the legal status of an institute, college or other constituent unit of the University as on the date of the notification in the official Gazette.

(2) Notwithstanding the repeal envisaged by sub-section (1),

(a) everything done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations or grants made, scholarships, studentship, or exhibitions instituted, affiliations or privileges granted and orders issued under any of the provisions of the repealed Acts, Ordinances, other legislative instruments or the Statutes, the Regulations and the Rules made or deemed to have been made there under shall, if not inconsistent with the provisions of the Act or the Statutes, the Regulations or the Rules made under this Act, be continued and, so far as may be, be deemed to have been respectively done, taken, incurred, acquired, appointed, authorized, conferred, created, made, instituted, granted and issued under this Act, and any documents referring to any of the provisions of the repealed Acts, Ordinances, other legislative instruments or the Statutes, the Regulations, the Rules.
(b) all institutes, colleges or other constituent units of the University functioning in terms of the provisions of the repealed Acts, Ordinances or other legislative instruments shall continue to function in terms of the relevant repealed provisions till such time that the Senate through Statutes have prescribed otherwise; and

(c) any Statutes, Regulations, or Rules made or deemed to have been made under the repealed Acts, Ordinances or other legislative instruments shall, if not inconsistent with the provisions of this Act, be deemed to be Statutes, Regulations or Rules made under the Act having regard to the various matters which by this Act have to be regulated or prescribed by Statutes, Regulations and Rules respectively and shall continue to be in force until they are repealed, rescinded or modified in accordance with the provisions of this Act.

49. **Bar of Jurisdictions.**--No Court shall have jurisdiction to entertain any proceedings, 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.

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

51. **Tripartite Mobility.**--(1) Any Officer, Teacher or other employees of the University shall, as the Chancellor may direct, serve in a Government department or an educational or 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 that full benefit of his previous service shall be allowed to him:

Provided further that in the case of a Teacher, such direction shall be issued after consulting the Syndicate.

(2) The Chancellor may 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:

Provided further that, in the case of a teacher, the Chancellor may consult the Selection Board of the University before placing his services at the disposal of the University.
List of existing Universities to which this Act may be applied through notification in the official Gazette

1. The Gomal University.
2. The Khyber Pakhtunkhwa University of Engineering & Technology, Peshawar.
3. The Khyber Pakhtunkhwa Agricultural University.
4. The Hazara University.
5. The Kohat University of Science & Technology.
6. The Shaheed Benazir Bhutto Women University.
7. The University of Science and Technology Bannu.
8. The Islamia College, Peshawar.
9. The Abdul Wali Khan University, Mardan.
10. The Khyber Medical University.
11. The Bacha Khan University Charsadda.
12. The University of Haripur.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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