

**CECOS UNIVERSITY OF INFORMATION TECHNOLOGY AND EMERGING
SCIENCES ORDINANCE, 2001.**

¹[KHYBER PAKHTUNKHWA] ORDINANCE NO. XXI OF 2001.

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**CECOS UNIVERSITY OF INFORMATION TECHNOLOGY AND EMERGING
SCIENCES ORDINANCE, 2001.**

²[KHYBER PAKHTUNKHWA] ORDINANCE NO. XXI OF 2001.

[30th August, 2001.]

**AN
ORDINANCE**

*to provide for the establishment of CECOS University of
Information Technology and Emerging Sciences at Peshawar.*

WHEREAS it is expedient to provide for the establishment of the CECOS University of Information Technology and Emerging Sciences at Peshawar, in the Private Sector, and for matters ancillary thereto;

AND WHEREAS the Governor of ³[Khyber Pakhtunkhwa] is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution Order No.1 of 1999, read with Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of the ⁴[Khyber Pakhtunkhwa] is pleased to make and promulgate the following Ordinance:

**CHAPTER – I
PRELIMINARY**

1. Short title and commencement.---(1) This Ordinance may be called the “CECOS University of Information Technology and Emerging Sciences Ordinance, 2001.

(2) It shall come into force at once.

2. Definitions.---In this Ordinance, unless there is anything repugnant in the subject or context, the following expressions shall have the meanings hereby respectively assigned to them:

- (a) “Academic Council” means the Academic Council of the University (CECOS University of Information Technology and Emerging Sciences);
- (b) “Affiliated College” means an educational institution affiliated to the University but not maintained and administered by it;

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (c) “Authority” means any of the Authorities of the University under this Ordinance;
- (d) “Board” means the Board of Governors of the University;
- (e) “Board of Directors” means the Board of Directors of CECOS Educational Institution (Pvt) Ltd;
- (f) “Chairman” means the Chairman of Board of Governors of the University;
- (g) “College” means a constituent college or an affiliated college;
- (h) “Constituent College” means a College maintained and administered by the University;
- (i) “Controller of Examinations” means Controller of Examinations of the University;
- (j) “Dean” means the Dean of a Faculty of the University;
- (k) “Director” means the head of a teaching division or an Institute established as a constituent institution of the University;
- (l) “Director Finance” means Director Finance of the University;
- (m) “Educational Institution” means an institution imparting Instructions in a subject or subjects relating to a Faculty;
- (n) “Government” means the Government of the ⁵[Khyber Pakhtunkhwa];
- (o) “Head” means the Head of a Teaching Department of the University;
- (p) “Institute” means the Institute of the University;
- (q) “IT Board” means IT Board of the Government of ⁶[Khyber Pakhtunkhwa];
- (r) “Managing Director” means Managing Director of CECOS Educational Institutions (Pvt) Ltd;
- (s) “Patron in Chief” means the Patron in Chief of the University;
- (t) “Policy and Guidelines” means the policy and guidelines of the Board of Directors as communicated by the President;

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (u) “Prescribed” means prescribed by Statutes, Regulations or Rules;
- (v) “President” means the President of the University;
- (w) “Principal” means the Head of the College of the University;
- (x) “Professor emeritus” means a professor retired from the University and holding honorary title;
- (y) “Registered Graduate” means graduate of the University who has his name entered in the register maintained for this purpose;
- (z) “Registrar” means the Registrar of the University;
- (aa) “Statutes, Regulations, and Rules” mean respectively the statutes, regulations and rules made or deemed to have been made under this Act;
- (ab) “Teacher” means Professors, Associate Professors, Assistant Professors and Lecturers engaged whole time by the University or by the College for research and teaching degree, honors or postgraduate classes, and such other person as may be declared to be Teacher by regulations;
- (ac) “Teaching Department” means a teaching department, established, maintained and administered or recognized by the University;
- (ad) “University Grants Commission” means the University Grants Commission of Pakistan;
- (ae) “University” means the “CECOS University of Information Technology and Emerging Sciences” established under this Ordinance;
- (af) “Vice Chancellor” means the Vice-Chancellor of the University; and
- (ag) “Vice President” means the Vice President of the University.

**CHAPTER --II
INCORPORATION AND ESTABLISHMENT
OF UNIVERSITY**

3. Establishment and incorporation of the University.---(1) There shall be established, at Peshawar, a University to be called ‘CECOS University of Information Technology and Emerging Sciences in accordance with the provisions of this Ordinance.

(2) The University shall consist of-

- (i) the President, the Vice President, the Vice Chancellor, members of the Board of Governors, the Dean, the Principal, the Director, the Controller of Examination and such other officers as may be prescribed;
- (ii) the members of Authorities, committees and other bodies as the Board or the President may establish;
- (iii) all teachers of the University and its constituent units;
- (iv) Professor emiratus; and
- (v) such other officers and members of the staff as may, from time to time, be specified by the Board or the President.

(3) The University shall be a body corporate by the name of ‘CECOS University of Information Technology and Emerging Sciences, Peshawar, having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property or investments belonging to the University and shall sue and be sued by the said name

4. Powers and functions of the university.---The University shall have powers-

- (a) to provide for establishment of Faculties, Centers of Excellence, Institutes, Colleges and Departments, for imparting instructions and training in such allied and non-allied branches of learning as it may deem fit and to make provision for research, demonstration and other services and for the advancement and dissemination of knowledge in such manner as it may determine;
- (b) to admit and examine internal and external students;
- (c) to hold examination and confer or award degrees, diplomas, certificates and other academic distinctions on and to persons who have passed its examinations under its prescribed conditions;
- (d) to confer honorary degrees;
- (e) to select and promote faculties;
- (f) to prescribe courses of studies in such branches of learning as the University may determine;
- (g) to pursue research and make provisions for innovations, inventions, demonstrations and other services as it may deem fit;
- (h) to establish and support other facilities for education, training and research;

- (i) to affiliate or associate itself with other Universities and educational institutions, within or outside Pakistan and to establish Branches/Faculties/constituent colleges and other institutions in Pakistan and abroad for the effective discharge of its functions and mandate, in accordance with any law for the time being in force in this behalf;
- (j) 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 University;
- (k) 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 mandate in accordance with any law for the time being in force in this behalf;
- (l) to provide assistance to industry, Government/non-Government institutions and organizations in the country and abroad through expert advice, consultation, research and in any other manner as it may deem fit;
- (m) to decide teaching methods and strategies in order to ensure most effective educational training programs;
- (n) to use its financial and other resources to the fullest extent for the execution of its programmes as it may deem fit;
- (o) to receive and manage property, grants, gifts, donations and other contributions made to the University from any quarter and to expend and invest them in such manner as it may deem fit;
- (p) to supervise and control discipline of the students, the trainees and the staff as it may determine;
- (q) to demand and receive such fee and other charges as it may determine;
- (r) to appoint members of various bodies, officers, teachers and members of administrative and general staff on prescribed terms and conditions and to determine powers and duties of all such staff;
- (s) to enter into agreements, contracts and arrangements with organizations, Institutions, bodies and individuals, in Pakistan and abroad for carrying out its functions and activities;

- (t) to affiliate/disaffiliate educational institutions in accordance with the procedure approved by the Board of Governors and subject to prior approval of the Government of ⁷[Khyber Pakhtunkhwa]; and
- (u) to do all such other acts and things as it may deem necessary to achieve and further the objectives of the University.

5. University open to all.---The University shall be open to persons of either sex of whatever religion, race, creed, color, citizenship or domicile, who are academically qualified for admission to the courses of studies offered by the University, and no such person shall be denied the privileges of the University, on the mere grounds of sex, religion, creed, race, class, color, citizenship or domicile, except that in the case of foreign nationals, the procedure prescribed by Government will be followed.

6. Teaching and examinations.---(1) The academic programmes of the University shall be conducted in the prescribed manner.

(2) The University may associate external examiners for the conduct of examinations.

(3) No degree shall be granted at Bachelor's level unless a student has passed an examination in the subject of Islamic and Pakistan studies, or in the case of a non-Muslim student, in Ethics and Pakistan Studies, at his option.

7. Patron in chief.---(1)The Governor of the ⁸[Khyber Pakhtunkhwa]shall be the Honorary Patron in Chief of the University.

(2) The Patron in Chief shall preside over the Convocations of the University. In his absence the President shall preside over the Convocations.

(3) Every proposal to confer an honorary degree shall be subject to the confirmation by the Patron in chief.

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

- (a) the President;
- (b) the Vice President;
- (c) the Vice-Chancellor;
- (d) the Dean;
- (e) the Heads of the Teaching Departments; and

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁸Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (f) the Registrar, the Controller of Examinations, Director Finance and such other persons as may be specified by regulations to be the officers of the University.

9. The President.---Engineer Muhammad TanveerJaved, the present Managing Director of CECOS Educational Institutions (Pvt) Limited, Peshawar, shall be the lifetime President of the University, on terms and conditions that the Board of Directors may determine, and thereafter the Board of Directors of CECOS Educational Institutions (Pvt) Limited shall nominate the subsequent Presidents of the University.

10. Functions of President.---(1) The President shall be the Chief Executive Officer of the University and shall exercise full control over all the affairs of the University.

(2) The President shall approve the draft statutes proposed by the Board of Governors.

(3) The President may, in an emergency or other situations, which, in his opinion require immediate action, take such action, as he may consider necessary. His actions shall be final and binding on all the Authorities of the University.

(4) The President shall appoint the Vice President, the Vice-Chancellor, Registrar, Director Finance and Controller of Examination on such terms and conditions as he (the President) may determine.

(5) If the President is satisfied that the proceedings of any Authority or orders of any officer are not in accordance with the provisions of this Ordinance, the statutes, the regulations, the rules or 'Policy and Guidelines', he may, after calling upon such Authority or officer to show cause why such proceedings should not be annulled, by order in writing, annul such proceedings or orders.

(6) The President may remove any person from the membership of any Authority if such person:

- (a) has become of unsound mind; or
- (b) has been incapacitated to function as member of such Authority; or
- (c) has been found involved in any activity or undesirable act which is against the interest of the University; or
- (d) has been convicted by a court of law for an offence involving moral turpitude.

(7) The President may cause an inspection or an inquiry to be made on his own motion or on the request of the Government in respect of any matter connected with the affairs of

the University and shall, from time to time, direct any person, or persons, to inquire into or carry out inspection of-

- (a) the University, its buildings, laboratories, libraries, and other facilities;
- (b) any institution, college, department, or hostel maintained by the University;
- (c) the adequacy of financial and human resources; and
- (d) the teaching, research, curriculum, examination and such other matters as may be specified by him.

(8) The President shall communicate to the respective Authority, his views with regard to the result of visitation and shall, after ascertaining the views of the respective Authority, advise the Authority on the action to be taken thereupon.

(9) The respective Authority shall, within such time as may be specified by the President, communicate to him such action, if any, as has been taken or may be proposed to be taken upon the results of visitation.

(10) Where the respective Authority does not, within the time specified, take action to the satisfaction of the President, the President may issue such directions as he deems fit and the respective Authority shall comply with such directions.

(11) The President shall have all the powers to perform all such other acts and things, whether incidental to powers aforesaid or not, as may be required in order to further the objectives of the University as a place of education, learning, and research.

(12) Should the President be unable from acting as such, due to absence or any other cause, he may nominate the Vice President, the Vice-Chancellor or any member of the Board of Governors to act for him.

(13) The President will preside over the Convocation of the University and confer degrees in the absence of Patron in Chief.

11. The Vice President.---(1) The Vice President shall be a person known for contribution and services to society, and appreciated for high moral and intellectual caliber

(2) The Vice President shall be appointed by the President on such terms and conditions that the President may determine and shall hold office during the pleasure of the President.

(3) The Vice President shall perform duties as delegated by the President.

12. The Vice-Chancellor.---(1) The Vice-Chancellor shall be an eminent Scholar and an educationist of distinction, appointed by the President for such period and on such terms and conditions as may be determined by the President and shall hold office during the pleasure of the President.

(2) At any time when the office of Vice Chancellor is vacant, or the Vice Chancellor is absent or unable to perform the functions of his office due to illness or some other reason, the President shall take necessary steps for smooth functioning of the University.

(3) The Vice-Chancellor shall be the Principal Academic and Administrative Officer of the University and shall be responsible to implement the decisions and execute the programmes of the University in accordance with the Policy and Guidelines of the Board of Directors and Board of Governors.

13. Powers and duties of Vice Chancellor.---The Power and duties of the Vice Chancellor shall be-

- (a) to submit plans of work and budget estimates of the University for the approval of the Board;
- (b) to regulate the activities connected with the execution of programmes for instruction, training, research demonstration, services;
- (c) to, authorize expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure, in consultation with the Director of Finance and report it to the Board of Governors in the next meeting;
- (d) to sanction and re-appropriate an amount not exceeding Rupees fifty thousand (Rs: 50,000/-) for an unforeseen item not provided for in the budget, and report it to the President and the Board of Governors in the next meeting;
- (e) to appoint, with the approval of the President, on merit and through a Selection Committee, formed by the President, all support staff of the University (BPS 1-16 or equivalent) and such other persons as may be necessary in accordance with policies and procedures approved by the Board, if any;
- (f) to submit to the Board, in accordance with the rules of procedures made by it, reports on the activities of the University and the execution of the plans of work;
- (g) to appoint paper-setters and examiners for all examinations of the University from the panel approved by the relevant Authorities;

- (h) to direct, with the approval of the President, teachers, and officers of the University to take up such academic and administrative assignments as he may consider necessary in the best interest of the University; and
- (i) to undertake other assignments as directed by the President or the Board.

14. Director Finance.---The Director Finance shall be appointed by the President on such terms and conditions as the President may determine and shall hold the office during the pleasure of the President. He shall-

- (a) manage the property, finances and the investments of the University;
- (b) ensure that the funds of the university are expended for the purpose for which they are provided;
- (c) be responsible for planning and development of on going and future projects of the University;
- (d) prepare the annual and revised budget estimates of the University and present to the Board of Directors, through the Finance and Planning Committee and the Board of Governors;
- (e) be responsible to arrange, transfer of funds from CECOS Educational Institutions (Pvt) Ltd to the University, should the latter face financial difficulties. Similarly, with the approval of President, he may transfer surplus funds from the University to the CECOS Educational Institutions (Pvt) Ltd for achieving its objectives; and
- (f) perform such other duties as may be assigned to him by the President.

15. Powers and duties of Registrar.---(1)The Registrar shall be the whole time officer of the University and shall be appointed by the President on such terms and conditions as he may determine.

(2) The Registrar 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; and
- (c) perform such other activities as may be prescribed.

16. Controller of Examinations.---(1) The Controller of examinations shall be the whole time officer of the University and shall be appointed by the President on such terms and conditions as he may determine.

(2) The Controller of Examinations shall be responsible for all matters connected with the conduct of Examinations and perform such other duties as may be prescribed.

17. Power and Functions of Board of Directors.---(1) The Board of Directors shall be the owners of the University.

(2) The Board of Directors shall exercise and perform the powers and functions as follows:

- (a) to own, hold, control and administer the property, funds and resources of the University and raise funds for the purpose of the University upon such security as may be required under regulations;
- (b) to undertake responsibility of the functional viability of the University including responsibility for ensuring effectiveness of its operations and their continuity;
- (c) to consider and pass the resolution of the annual report, plan of work, statements of accounts and the annual budget estimates as recommended by the Board of Governors;
- (d) to appoint members of Board and other Authorities in accordance with the provisions of this Ordinance;
- (e) to approve arrangements through which other institutions may become affiliated or associated with the University, on recommendations of the Board of Governors; and
- (f) to approve, as per its discretion, all matters referred to it by Authorities/Officers.

(3) The decision/directives of Board of Directors shall be communicated to Authorities and others through the President.

CHAPTER --III AUTHORITIES OF THE UNIVERSITY

18. Authorities of the University.---The following shall be the Authorities of the University:

- (a) the Board of Governors;
- (b) the Academic Council;
- (c) the Board of Faculties;
- (d) the Board of Studies;

- (e) the Advanced Studies and Research Board;
- (f) the Selection Board;
- (g) the Finance and Planning Committee; and
- (h) any other Authority constituted under this Ordinance.

19. The Board Of Governors.---(1)Board of Governors shall consist of the following members:-

- (a) the President, who shall be the Chairman of the Board;
- (b) the Vice President;
- (c) the Vice Chancellor;
- (d) one of the Vice Chancellors, from Public Sector Universities in the Province, nominated by the Patron-in-Chief;
- (e) two persons of eminence nominated by the President;
- (f) two eminent educationists, to be nominated by the Board of Directors;
- (g) one retired judge to be nominated by the Chief Justice, Peshawar High Court, Peshawar;
- (h) Chairman, University Grants Commission, or his nominee, not below the rank of a Member of the University Grants Commission;
- (i) one member from Industrial/Commercial sector to be nominated by the Board;
- (j) Chairman ⁹[Khyber Pakhtunkhwa] Information Technology Board or his nominee; and
- (k) one Dean/Chairman to be nominated by the Vice Chancellor;

(2) The Registrar of the University shall act as Secretary to the Board of Governors. In his absence, the Chairman may direct any other officer to perform the functions of secretary.

(3) A nominated member of the Board shall hold office for a term of three years and shall be eligible for re-nomination on the expiry of his term unless the President, on the

⁹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

recommendation of the Vice-Chancellor, terminates his membership earlier, for reasons to be specified.

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

(5) A casual vacancy in the office of a member of the Board shall be filled by a person nominated by the Authority that had nominated the member whose vacancy is to be filled.

(6) No act or proceedings of the Board shall be invalid by reason of absence of the member, the existence of a vacancy or any defect in the constitution of the Board.

20. Powers and functions of the Board of Governors.---(1)The Board shall exercise and perform the following powers and functions:

- (a) formulate the principles, policies and plans governing the activities and operations of the University so as to facilitate research, teaching and academic work;
- (b) propose rules and regulations and statutes for the efficient and effective operation of the University;
- (c) prepare or have prepared and revised from time to time rules, regulations for the efficient and effective operation of the University;
- (d) create components of the University, such as, faculties, colleges and institutes etc and to constitute such standing committees and other administrative or academic advisory bodies as it deems necessary, and review their performance;
- (e) consider plans of work and annual budget of the University for information and approval of the Board of Directors;
- (f) call for and consider reports relating to the activities of the University and the execution of the plans of work and to direct the Vice-Chancellor to furnish information relating to any matter specified by the Board;
- (g) create or abolish such academic or administrative posts as it may deem necessary and to recommend appointments to such posts as it may specify;
- (h) constitute from amongst its members, such committees or sub-committees as it may deem necessary;
- (i) affiliate and disaffiliate educational institutions in the prescribed manner;

- (j) appoint teachers and other employees in BPS 17 (or equivalent) and above, on the recommendation of the Selection Board;
- (k) approve the award of honorary degrees in accordance with the prescribed conditions; and
- (l) take all such initiatives, as per the 'Policy and Guidelines' it may consider necessary or desirable for the efficient and effective management and functioning of the University.

(2) The Board of Governors may delegate any of its administrative powers to the Vice-Chancellor subject to such conditions, as it may deem fit to impose.

(3) All decisions of the Board shall require the approval of the President.

21. Meetings of the Board.---(1)The Board shall meet at least twice a year on dates to be fixed by the President; provided that a special meeting may be called at any time on a request having been made by the President/Vice President, the Vice-Chancellor or by not less than four members of the Board to consider any matter of urgent nature.

(2) In case of a special meeting not less than four working days notice shall be given to the members of the Board, and the agenda of the meeting shall be restricted to the matter for which the special meeting is called.

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

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

22. Academic and administrative staff.---The academic and administrative staff of the University shall be selected with a view to achieving its stated objectives. The basic criteria for their selection shall be the highest standards of competence, integrity and efficiency; provided that in the case of academic staff, academic qualifications shall not be less than those duly approved/laid down by the University Grants Commission for such appointments.

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

- (a) the Vice-Chancellor (Chairman);
- (b) all the Deans;
- (c) all the Heads of the Teaching and Research Departments/Institutes;
- (d) all Professors of the University;

- (e) the Director of Technical Education of the Province or his nominee;
- (f) two Assistant Professors and two Lecturers to be nominated by the Board of Governors;
- (g) three persons eminent in the arts, the sciences and the profession, of whom one shall invariably be from each category to be nominated by the Board of Governors;
- (h) Advisor (Academics) or nominee of University Grants Commission; and
- (i) the Registrar, who shall also be the secretary of the Council.

(2) Members appointed by nomination shall hold office for three years.

(3) The quorum for a meeting of the Academic Council shall be fifty percent of the total number of members, a fraction be counted as one.

24. Powers and duties of Academic Council.---(1)The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Ordinance and the Statutes, have the powers to lay down proper standards of instruction, research, publications, examinations and to regulate and promote the academic life of the University.

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

- (a) to advise the Board of Governors on academic matters;
- (b) to regulate the conduct of teaching, research, publications and examinations;
- (c) to regulate the admission of students to the courses of studies and examinations in the University;
- (d) to approve regulations in connection with the conduct and discipline of the students of the University;
- (e) to propose to the Board of Governors scheme(s) for the constitution and organization of Faculties and Teaching Departments, Institutes and Constituent Colleges;
- (f) to make regulations on the recommendations of the Board of Study and Board of Faculties prescribing the courses of studies, the syllabi and the outlines for University examinations subject to the approval of the Board of Governors;

- (g) to consider or formulate proposals for the planning and development of teaching and research in the University;
- (h) to regulate the award of studentships, scholarships exhibitions, medals and prizes;
- (i) to frame regulations for submission to the Board of Governors;
- (j) to recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University; and
- (k) to perform such other functions as may be prescribed by Statutes or assigned by the competent Authority.

25. Appointment of committees by Authorities.---The Board of Governors, the Academic Council and other Authorities may from time to time constitute such standing, special or advisory committees as they may deem fit and may nominate such persons on these committees who are not members of the Authorities.

26. Constitution, powers and functions of other Authorities.---The constitution, powers and functions of other Authorities of the University shall be such as may be recommended by the Board of Governors and approved by the President.

**CHAPTER --IV
STATUTES, REGULATIONS, RULES,
AMENDMENT AND REPEAL THEREIN**

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

- (a) terms and conditions of service of employees of the University, including scales of pay and other fringe benefits;
- (b) terms and conditions of contractual appointment of teachers, researchers and officers;
- (c) establishment of Faculties, Teaching Departments and other Academic Units and Divisions;
- (d) affiliation and disaffiliation of established institutions and related matters;
- (e) powers and duties of officers and teachers;
- (f) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, research and other scholarly activities;

- (g) conditions of appointment of Professor Emeritus;
- (h) award of honorary degrees;
- (i) standards for evaluation of efficiency and exercising disciplinary measures over the employees of the University;
- (j) acquisition and administration of properties and investments of the funds of the university; and
- (k) all other matters which, under this Ordinance, are required to be incidental or may be prescribed or purported by the Statutes.

(2) The draft of the Statutes shall be proposed by the Board of Governors and submitted for approval of the President who shall have the power to approve the statutes with or without modification or refer them back to the Board of Governors for reconsideration on the lines indicated.

(3) No statutes shall be valid unless these are approved by the President.

28. Regulations.---Subject to the provisions of this Ordinance and the Statutes, Regulations may be made for all or any of the following matters:

- (a) the courses of study for degrees, diplomas and certificates of the University;
- (b) scheme of Studies and Research, including duration of courses, number of subjects or papers for examinations;
- (c) admission of students to the University;
- (d) conditions under which students shall be admitted and shall become eligible for the award of degree, diplomas and certificates;
- (e) the conduct of examinations;
- (f) fees and other charges to be paid by students for admission to the courses of study and examinations of the University;
- (g) conduct and discipline of students of the University;
- (h) conditions of residence of the students of the University or the Colleges, including the levying of fees for residence in the halls of residence and hostels;
- (i) approval of hostels and lodgings;

- (j) conditions under which a person should carry on independent research to entitle him to a degree;
- (k) institution of fellowships, scholarships, exhibitions, medals and prizes;
- (l) institutions of stipends and free and half-free assistantships;
- (m) academic costumes;
- (n) use of Library;
- (o) formation of Faculties, teaching and research departments and Boards of Studies; and
- (p) all other matters which by this Ordinance and statutes are to be or may be prescribed by regulations.

(2) The regulations shall be prepared by the Academic Council and shall be submitted to the Board of Governors, which may approve or withhold approval or refer them back to the academic council for reconsideration.

(3) A regulation prepared by the Academic Council and approved by the Board shall not be valid, unless it receives the final approval of the President.

29. Rules.---(1)The Authorities and other bodies of the University may make rules consistent with this Ordinance, to regulate the conduct of their business, the time and place of meeting and related matters; provided that the Board of Governors, with prior approval of the President may direct the amendments or the annulment of any rules, made by any Authority or body under this section;

(2) The Board of Governors, with the prior approval of the President, may make rules to regulate any matter relating to the affairs of University which had not been specifically provided for by this Ordinance, the Statutes or the Regulations.

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

CHAPTER --V UNIVERSITY FUND, AUDIT AND ACCOUNTS

31. University fund, audit and accounts.---(1)The University shall have a fund to which shall be credited income from fees, donations, trusts, bequests, endowments, grants, contributions, and any other source(s).

(2) No contributions, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability of the University, or which may involve an activity not included in its programs for the time being, shall be accepted without the prior approval of the President.

(3) The accounts of the University shall be audited each year within four months of the closing of the financial year of the University by a chartered accountant appointed by the President.

(4) The auditor's report shall certify that the auditor has complied with the standards of audit and certification laid down by the Institute of Chartered/ Cost and Management Accountants of Pakistan.

(5) The University shall transfer 0.5% of the first collection of the funds from the students to Government for the purpose of registration and students' welfare.

(6) The University shall transfer 10% of its annual gross income to CECOS Educational Institutions (Pvt) Ltd to achieve its objectives.

(7) The accounts, together with the report of the auditor thereon, shall be submitted to the Board of Directors for final approval.

32. Recovery of University's dues.---All dues of the University shall be recoverable as arrears of land revenue.

CHAPTER --VI GENERAL PROVISIONS

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

34. Filling of casual vacancies in Authorities.---(1)Any casual vacancy among the appointed or nominated members of any Authority shall be filled as soon as conveniently may be, by the person or the body who appointed or nominated the member whose place has become vacant, and the person appointed or nominated to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member:

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

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

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

36. Disputes about membership of Authority.---(1)Notwithstanding anything contained in this Ordinance, a person nominated or appointed to any Authority shall cease to be a member of such Authority as soon as he has ceased to hold the position by virtue of which he was nominated or appointed.

(2) If a question is raised whether any person is entitled to be a member or any Authority, the matter shall be referred to a committee consisting of the Vice-Chancellor, the Judge of the High Court of Peshawar who is the member of the Board of Governors and two nominees of the President and the decision of the committee, by simple majority, shall be final.

37. Bar of jurisdiction.---No court shall have jurisdiction to entertain any proceedings, grant any injunctions 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 Ordinance.

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

39. Discipline.---(1)The University shall have power to supervise and control the discipline of the students of the University in the prescribed manner.

(2) No student or staff of the University shall be allowed to indulge in politics, unionism or activities contrary to the interest of the University.

40. General provision.---(1)The University shall work within the provisions of National Education Policy and other laws or policies framed or amended by the Government from time to time.

(2) The University shall determine the salary structure of its employees.

(3) In case of academic staff, salary and fringe benefits shall commensurate with his/her qualification, experience and publications.

41. To override other laws.---This Ordinance shall have effect notwithstanding anything contained in any other law and for the time being in force.

42. Ownership of assets.---All properties, assets, and buildings, moveable or immovable, of the University shall be considered to be the property, assets, and belongings of CECOS Educational Institutions (Pvt) Ltd.

43. Removal of difficulties.---(1)If any question arises as to interpretation of any of the provisions of this Ordinance, it shall be placed before the Board of Directors whose decision thereon shall be final.

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

(3) Where this Ordinance makes any provision for anything to be done but no provision or no sufficient provision has been made in respect of the Authority, who or the time at which, it shall be done, then it shall be done by such Authority, at such time, or in such manner as the President may direct.

Peshawar,
dated the,
28th August, 2001.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
Governor of the ¹⁰[Khyber Pakhtunkhwa]

THE SCHEDULE

1. THE FACULTIES

There shall be a faculty for an academic department or a group of academic departments. The University shall include the following faculties and such other faculties as may be prescribed:

- (i) Faculty of Computing Science and Information Technology;
- (ii) Faculty of Management Sciences;
- (iii) Faculty of Arts, Social Sciences and Education;
- (iv) Faculty of Natural and Applied Sciences;
- (v) Faculty of Engineering;
- (vi) Faculty of Medical Sciences;

¹⁰Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (vii) Faculty of Distance/Virtual Education; and
- (viii) any other Faculty to be approved by the Board.

2. BOARD OF FACULTY

There shall be a Board of each faculty which shall consist of-

- (i) the Dean of the Faculty;
- (ii) the Professors and the Heads of the Academic Departments in the Faculty;
- (iii) one member other than Professors and Head of each Academic Department to be nominated by the Head of department;

two 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;

- (iv) two experts in the field from outside the university to be appointed by the Board of Governors;
- (v) one member to be nominated by the Vice-Chancellor;
- (vi) the members other than ex-officio members shall hold office for three years;
- (viii) the quorum for a meeting of the Board of a Faculty shall be fifty percent of the total number of members, a fraction being counted as one; and
- (ix) an officer of the University designated by the Vice-Chancellor shall act as secretary to the Board of Faculty.

3. FUNCTIONS OF THE BOARD OF FACULTY

The Board of each faculty shall, subject to the general control of the Academic Council and Board of Governors will have the power to-

- (i) co-ordinate the teaching and research work in the subjects assigned to the faculty;
- (ii) scrutinize the recommendations of the Board of Studies comprising the faculty with regard to the appointment of paper-setters and examiners for graduate and post graduate examinations and examiners for each examination to the Vice Chancellor;

- (iii) consider any other academic matter relating to the faculty and report thereon to the academic council;
- (iv) prepare a comprehensive annual report regarding the performance of each department, comprising the faculty for presentation to the academic council; and
- (v) perform such other functions as may be prescribed under Statutes.

4. DEAN OF FACULTY

- (a) There shall be a Dean of each Faculty who shall be the Chairman and convener of the Board of Faculty;
- (b) The Dean shall be appointed by the President from amongst the three most senior professors of the faculty on the recommendations of the Vice-Chancellor and shall hold office for a period of three years and shall be eligible for re-appointment;
- (c) The Dean shall present candidates for admission to degree (except honorary degrees) in the courses falling within the purview of the faculty; and
- (d) The Dean shall have such powers and duties as may be prescribed by the Board of Governors on the recommendations of the Vice-Chancellor.

5. ACADEMIC DEPARTMENTS AND HEAD OF THE DEPARTMENTS

- (a) There shall be an Academic Department for each subject or a group of subjects, as may be prescribed by regulations and each Academic Department shall be headed by a Head of the Department;
- (b) The Head of a Teaching Department shall be appointed by the Board of Governors on the recommendations of the Vice Chancellor for a period of two years, and shall be eligible for re-appointment;
- (c) The Head of the Department shall plan, organize and supervise the work of the department and shall be responsible to the Dean for the work of his department;
- (d) The Head of Department shall under the general supervision of the Vice-Chancellor and the Dean, exercise all administrative, financial and academic powers and such other duties or powers as may be delegated to him; and
- (e) The Head of the Department shall prepare a comprehensive annual report on the performance of the department at graduate and postgraduate levels and faculty research and development and submit it to the Dean of the Faculty for evaluation and submission to relevant Authorities.

6. BOARD OF STUDIES

- (a) There shall be a separate Board of Study for each subject or a group of subjects as may be prescribed by regulations;
- (b) Each Board of study shall consist of-
 - (i) the Head of the Teaching Department;
 - (ii) all professors and associate professors in the University teaching department;
 - (iii) in case total number of university teachers comes to less than three then, this number may be made up by nominating other University Teachers as prescribed below;
 - (iv) one or two University Teachers, as the case may be, other than a professor or Associate Professor to be appointed by the academic council;
 - (v) three teachers other than University Teachers to be appointed by the Board of Governors. The number will be determined according to the need of each Board; and
 - (vi) one expert to be appointed by the President;
- (c) The term of office of members of the Board of Study other than ex-officio members shall be three years;
- (d) The quorum for a meeting of the Board of study shall be one half of the total number of the members, a fraction being counted as one;
- (e) The Head of the Teaching Department concerned shall be the Chairman and convener of the Board of Study.
- (f) The functions of the Board of study shall be-
 - (i) to advise the Authorities on all academic matters connected with institutions, publications, research and examinations in the subject or subjects concerned;
 - (ii) to propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;
 - (iii) to suggest panel of names of paper setters and examiners in the subject or subjects concerned; and

- (iv) to perform such other duties as may be prescribed by the Dean concerned.

7. BOARD OF ADVANCED STUDIES AND RESEARCH

- (a) The Board of Advanced Studies and Research shall consists of-
 - (i) the Vice-Chancellor (Chairman);
 - (ii) all the Deans;
 - (iii) one University Professor from each faculty, other than Dean, to be appointed by the Board of Governors;
 - (iv) one University professor from each faculty, having experience of research in the relevant field to be appointed by the Academic Council;
 - (v) one member to be nominated by the Vice-Chancellor;
 - (vi) three members from the relevant field from Research Organizations and Government Departments to be nominated by the Board of Governors;
 - (vii) the Registrar will act as a Secretary, and in his absence any other senior officer of the University appointed by the Vice-Chancellor, will act as Secretary;
- (b) The term of office of the members of the board of advanced studies and research, other than ex-officio members, shall be three years; and
- (c) The quorum for a meeting of the Board of advanced studies and research shall be one half of the total number of members, a fraction being counted as one.

8. FUNCTIONS OF BOARD OF ADVANCED STUDIES AND RESEARCH

The functions of the Board of Advance Studies and Research shall be to-

- (i) promotion of advanced studies, research and publications in the University
- (ii) consider and report to Authorities on the institutions of research degrees in the University;
- (iii) propose Regulations regarding the award of research degrees;
- (iv) appoint supervisors for postgraduate research student and to approve title and synopsis of their theses / dissertations;

- (v) recommend panel of examiners for evaluation of their theses and other research examinations; and
- (vi) perform such other duties as may be prescribed by Statutes or assigned by Authorities.

9. SELECTION BOARD

- (a) The Selection Board shall consist of-
 - (i) the Vice-Chancellor;
 - (ii) the Dean of the concerned faculty;
 - (iii) the Head of the concerned Academic Department;
 - (iv) two members of the Board of Governor to be nominated by the President; and
 - (v) two eminent scholars to be nominated by the Board of Directors.
- (b) The Registrar shall be the secretary of the Selection Board;
- (c) The members other than ex-officio members shall hold the office for three years;
- (d) The quorum for a meeting of the Selection Board shall be four members;
- (e) No member who is a candidate for a post to which appointment is to be made shall take part in the proceedings of the Selection Board;
- (f) 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 (revised from time to time) for each subject approved by the Board of Governors on the recommendations of the Selection Board; and
- (g) In case of officers other than teachers the Selection Board shall consist only of members at sub-clause (ii), (iv) and (v), and the quorum will be three members.

10. FUNCTIONS OF THE SELECTION BOARD

- (a) The Selection Board for teaching and non-teaching staff (BPS-17 and above or equivalent except Vice Chancellor, Vice President, Registrar, Controller of Examination & Director Finance) shall consider the applications and recommend

- to the Board of Governors the names of suitable candidates for appointment to teaching and other posts;
- (b) The Selection Board may recommend suitable salary for the person concerned and may also recommend the grant of a higher initial salary in a suitable case for reasons to be recorded based on qualifications, teaching experience, research contribution and national/international standings in case of promotion of officers (other than teachers) of the University and recommend names of the suitable candidates for such promotion to the Board of Governors;
 - (c) The Selection Board may consider all cases of promotion of officers (other than teachers) of the University and recommend names of the suitable candidates for such promotion to the Board of Governors;
 - (d) The Selection Board will consider and may recommend to the Board of Governors the names of an eminent scholar for appointment as visiting Professor on terms and conditions other than those prescribed;
 - (e) In the event of the unresolved difference of opinion between the Selection Board and the Board of Governors, the decision of the President shall be final;
 - (f) All appointments shall require the approval of the President; and
 - (g) The President shall have the power to directly appoint a person of merit on an academic position or for a specified position on terms and conditions as he may please.

11. FINANCE AND PLANNING COMMITTEE

- (a) The Finance and Planning Committee shall consist of-
 - (i) the Vice –Chancellor;
 - (ii) two of the Deans (nominated by the President);
 - (iii) one member of the Board of Governors to be nominated by the Board of Directors;
 - (iv) one member of the Academic Council to be nominated by the Academic Council;
 - (v) Director Finance, who shall also be the secretary of the committee Member/Secretary;
- (b) The term of office of the nominated members shall be three years;

- (c) The quorum for a meeting of the Finance and Planning Committee shall be of three members;

12. FUNCTION OF THE FINANCE AND PLANNING COMMITTEE

The functions of the Finance and Planning Committee shall be-

- (i) to propose annual budget estimates, prepare annual statement of accounts, and advise the Board of Governors thereon;
- (ii) to review periodically the financial position of the University;
- (iii) to prepare long term and short term development plans; and
- (iv) to perform such other functions as may be prescribed by the Statutes.