

**¹[KHYBER PAKHTUNKHWA] UNIVERSITY OF SCIENCE AND
INFORMATION TECHNOLOGY (PESHAWAR) ORDINANCE 2001.**

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

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**³[KHYBER PAKHTUNKHWA] UNIVERSITY OF SCIENCE AND
INFORMATION TECHNOLOGY (PESHAWAR) ORDINANCE 2001.**

⁴[KHYBER PAKHTUNKHWA] ORDINANCE NO. XXIV OF 2001.

[30th August, 2001.]

**AN
ORDINANCE**

*to provide for the establishment of a University in the name of
⁵[Khyber Pakhtunkhwa] University of Science and Information Technology, Peshawar.*

WHEREAS it is expedient to provide for the establishment of the ⁶[Khyber Pakhtunkhwa] University of Science and Information Technology at Peshawar, in the Private Sector, and for matters ancillary thereto;

AND WHEREAS the Governor of the ⁷[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 ⁸[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 ⁹[Khyber Pakhtunkhwa] University of Science and Information Technology (Peshawar) 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-

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Authority” means any of the Authorities of the University;
- (c) “Board of Governors” means the Board of Governors of the University;

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁸Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (d) “Board of Trustees” means Board of the Trustees of Al-Beruni Trust for Educational Development;
- (e) “Chairman” means the Chairman of the Board of Governors;
- (f) “Controller of Examination” means the Controller of Examination of the University;
- (g) “Controller of Finance” means the Controller of Finance of the University;
- (h) “Dean” means the Head of a Faculty of the University;
- (i) “Faculty” means a Faculty of the University;
- (j) “Government” means the Government of the ¹⁰[Khyber Pakhtunkhwa];
- (k) “Head” means Head of a Teaching Department of the University;
- (l) “Patron” means the Patron of the University;
- (m) “President” means the President of the University;
- (n) “Registrar” means the Registrar of the University;
- (o) “Statutes”, “Regulations and Rules” means the Statutes, the Regulations and the Rules, respectively, made or deemed to have been made under this Ordinance;
- (p) “Teaching Department” means a Teaching Department established and maintained by the University;
- (q) “University” means the ¹¹[Khyber Pakhtunkhwa] University of Science and Information Technology, Peshawar, established under this Ordinance;
- (r) “University Teacher” means Professor, Associate Professor, Assistant Professor, Lecturer and Research Staff engaged whole time by the University for teaching undergraduate or post-graduate classes, and such other persons as may be declared as “Teachers” by Regulations;
- (s) “UGC” means the University Grants Commission, Pakistan;
- (t) “Vice Chancellor” means the Vice Chancellor of the University; and
- (u) “Vice President” means the Vice President of the University.

¹⁰Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

CHAPTER – II
INCORPORATION AND ESTABLISHMENT
OF UNIVERSITY

3. Establishment and incorporation of the University.---(1)There shall be established a University to be called the ¹²[Khyber Pakhtunkhwa] University of Science and Information Technology, Peshawar.

(2) The University shall consist of-

- (a) the President, the Vice President, the Vice Chancellor, members of the Board of Trustees and Board of Governors, the Controller of Finance, the Deans, the Heads, the Registrar, and the Controller of Examinations;
- (b) the members of such Committees and other bodies as the respective Boards may establish;
- (c) the teachers and students of the University and its constituent units; and
- (d) such other officers and members of the staff as may, from time to time, be specified by the respective Board.

(3) The University shall be a body corporate by the name of the ¹³[Khyber Pakhtunkhwa] University of Science and Information Technology, Peshawar, having perpetual succession and a common seal, with power, among others, to acquire, purchase, hold and dispose any property or investments and shall by the said name sue and be sued.

(4) The University shall receive and abide by the directives issued by the President from time to time in furtherance of the objectives of the Trust.

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

- (a) to provide for instruction and training in such branches of learning as it may deem fit, and to make provision for research, demonstrations and other services, and for the advancement and dissemination of knowledge;
- (b) to admit and examine students;
- (c) to hold examinations and confer or award degrees, diplomas, certificates and other academic distinctions on and to persons who have passed its examinations under prescribed conditions;
- (d) to confer honorary degrees;

¹²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

¹³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (e) to prescribe courses of studies in any branch of learning as the University may determine;
- (f) to pursue research;
- (g) to establish and support other facilities for education, training and research;
- (h) to affiliate, or associate itself with other institutions and establish faculties in Pakistan or abroad for better discharge of its functions and responsibilities;
- (i) to establish camp offices and campuses in Pakistan or abroad;
- (j) to enter into agreement, contracts and arrangements with universities, organizations, institutions, bodies, government and individuals for the purpose of carrying out its functions and activities within the country and abroad;
- (k) to decide teaching methods and strategies in order to ensure the most effective educational and training programmes;
- (l) to provide for the teaching of specified courses and training for persons not being the students of the University and grant certificates and diplomas to such persons;
- (m) to recognise the examinations passed or the period of study spent at other universities or places of learning as equivalent to examinations or periods of study in the University, or to withdraw such recognition;
- (n) to affiliate/disaffiliate educational institutions in accordance with the procedure approved by the Board of Governors and subject to prior approval of the Government; and
- (o) to do all such other acts and things as may be required to further its objectives.

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

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.

7. Authorities of the University.---The Authorities of the University shall consist of:

- (a) Academic Council;
- (b) Advanced Studies and Research Board;
- (c) Board of Governors;
- (d) Finance and Planning Committee;
- (e) Selection Board; and
- (f) any other Authority constituted under the Ordinance.

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

- (a) The Patron;
- (b) The President;
- (c) The Vice President;
- (d) The Vice Chancellor;
- (e) The Deans;
- (f) The Controller of Finance;
- (g) The Heads of Teaching Departments;
- (h) The Registrar;
- (i) The Controller of Examinations; and
- (j) Such other persons as may be specified by Statutes to be the officers.

9. Patron.---(1) The Governor of the ¹⁴[Khyber Pakhtunkhwa] shall be the Patron of the University.

(2) When present, the Patron shall preside at the convocations of the University. In his absence, the President of the University shall preside at the convocations.

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

10. The President.---The President shall be appointed by the Board of Trustees of the Al-Beruni Trust for Educational Development; provided that Mr. Muhammad Riaz Karim shall be the life-time President of the University, on such terms and conditions as the Board of Trustees may determine.

11. Powers and functions of the President.---(1)The President shall be the Chief Executive Officer of the University.

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

(3) The President shall appoint the Vice President, the Vice Chancellor, and the Controller of Finance.

¹⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

(4) 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, or the Rules, he may, after calling upon such Authority or officer to show cause why such proceedings should not be annulled, by order in writing, annul such proceedings or orders.

(5) 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 members of such Authority; or
- (c) has been convicted by a court of law for an offence involving moral turpitude or has been found indulging in any activity against the interest of the University.

(6) Should the President be incapacitated from acting as such due to absence or any other cause, a nominee of the President or Trust shall work in his place.

(7) The President may cause an inspection or inquiry to be made on his own motion or on the request of 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 building, laboratories, libraries, and other facilities;
- (b) any institution, department or hostel maintained by the University;
- (c) the adequacy of financial and human resources;
- (d) the teaching, research, curriculum, examination; and
- (e) such other matters as may be specified by him.

(8) The President shall communicate to the respective Authorities 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 by it.

(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 all such directions.

12. The Vice President.---(1) The Vice President shall be a person of eminence, known for his contributions in the field of knowledge or services to society, and appreciated for his high moral and intellectual calibre.

(2) The Vice President shall be appointed by the President on such terms and conditions as the President may determine; provided that Brigadier (Retd.) Javed Tipu shall be the life-time Vice President of the University.

(3) The Vice President shall perform such duties as may be assigned to him by the President.

13. The Vice Chancellor.---(1) The Vice Chancellor, who shall be an eminent scholar and an educationist of distinction, shall be appointed by the President on such terms and conditions as the President may determine and shall hold office during the pleasure of the President.

(2) At any time when the office of the 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 chief academic and administrative officer of the University. He shall be responsible for the implementation of the decisions and for the execution of the programmes of the University in accordance with the guidelines and policies formulated by the Board of Trustees and Board of Governors.

(4) The Vice Chancellor shall also have powers-

- (a) to regulate the activities connected with the execution of programmes for instructions, training, research, and similar services;
- (b) to authorise expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure, in consultation with the Controller of Finance, and report it to the Board of Governors in the next meeting;
- (c) to sanction and re-appropriate an amount not exceeding one hundred thousand rupees (Rs. 100,000/-) for an unforeseen item not provided for in the budget, and report it to the Board of Governors in the next meeting;
- (d) to appoint, with the approval of the Board of Governors, teachers, officers and members of the staff of the University and such other persons as may be necessary in accordance with policies and procedures approved by the Board of Governors;
- (e) to submit to the Board of Governors, in accordance with the rules of procedure, reports on the activities of the University and the execution of the plans of work;

- (f) to create and fill temporary posts for a period not exceeding six months; and
- (g) to exercise and perform such other powers and functions as may be prescribed.

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

- (a) manage the property, the 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 them to the Finance and Planning Committee and the Board of Governors;
- (e) be responsible to arrange transfer of funds from the Al-Beruni Trust for Educational Development to the University, should the latter face financial difficulties. Similarly, with the approval of the President, he may transfer surplus funds from the University to the Trust for achieving its objectives; and
- (f) perform such other duties as may be prescribed.

15. Registrar.---(1) The Registrar shall be a whole-time officer of the University and shall be appointed by the Board of Governors on such terms and conditions as it 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 duties as may be prescribed.

16. Controller of Examinations.---(1) The Controller of Examinations shall be a whole-time officer of the University and shall be appointed by the Board of Governors on such terms and conditions as it 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. Board of Trustees.---The Board of Trustees means the Al-Beruni Trust for Educational Development, registered under the relevant law for the time being in force.

18. Powers and functions of the Board of Trustees.---(1) The Board of Trustees shall-

- (a) own, hold, control and administer the property, funds and resources of the University and raise funds for the purposes of the University upon such security as may be required under Regulations;
- (b) undertake responsibility for the financial viability of the University including responsibility for ensuring effectiveness of its operations, and their continuity; and
- (c) consider and pass the resolution of the annual report, plan of work, statement of accounts and the annual budget estimates as recommended by the Board of Governors.

(2) The Board of Trustees shall appoint members of the Boards and other Authorities in accordance with the provisions of this Ordinance.

(3) The Board of Trustees shall approve arrangements through which other institutions may become affiliated or associated with the University, on the recommendations of the Board of Governors.

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

- (a) The Vice Chancellor, who shall be the Chairman of the Board of Governors;
- (b) one person of eminence as nominee of the Patron;
- (c) one nominee of the President;
- (d) Secretary to Government, Education Department or his nominee not below the rank of Deputy Secretary;
- (e) Chairman or a member nominated by the Chairman of the University Grants Commission;
- (f) one Dean to be nominated by the Vice Chancellor;
- (g) two nominees of the Board of Trustees;

- (h) an eminent educationist to be nominated by the Board of Governors;
- (i) one scientist of repute to be nominated by the of Board of Governors;
- (j) one member from Commercial / Industrial Sector to be nominated by the President;
- (k) a serving or a retired Judge to be nominated by the Chief Justice of the Peshawar High Court, Peshawar;
- (l) one Vice Chancellor of a Public Sector University to be nominated by the Chairman; and
- (m) the Registrar, who shall also be Secretary of the Board.

(2) Members of Board of Governors, other than ex-officio members, shall hold office for three years.

(3) No act, decision or proceedings of the Board shall be invalid by reasons only of the existence of a vacancy in or any defect in the constitution of the Board.

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

- (a) to formulate or improve the principles, policies and plans governing the activities and operations of the University so as to facilitate research, teaching and other academic work;
- (b) to propose Statutes;
- (c) to prepare and revise from time to time Rules and Regulations for the efficient and effective operation of the University;
- (d) to create a component of the University such as faculties, departments and institutes under its jurisdiction, and to constitute such standing committees, counsels and other administrative or academic advisory bodies as it deems necessary, and review their work;
- (e) to consider plans of work and annual budget of the University for information of the Board of Trustees;
- (f) to call for and consider reports relating to the activities of the University and the execution of the plans of work and to ask the Vice Chancellor to furnish information relating to any matter specified by the Board of Governors;

- (g) to create or abolish academic or administrative posts as it may deem necessary, and to approve appointments to such posts or terminations as it may specify;
- (h) to take all such initiatives as it may consider necessary or desirable for the efficient and effective management and functioning of the University; and
- (i) to appoint teachers and other employees equivalent to BPS 17 and above on the recommendation of the Selection Board.

(2) The Board of Governors may delegate any of its powers to the Vice Chancellor or any Officer or a Committee subject to such conditions as it may deem fit.

21. Meetings of the Board of Governors.---(1) The Board shall meet preferably twice a year on dates to be fixed by the Vice Chancellor. A special meeting may be called at any time by the Vice Chancellor, or on a request by a simple majority of the Board, to consider a matter of urgent nature.

(2) In the case of a special meeting, not less than ten clear day's 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 the Board shall be one half of its members, a fraction being counted as one.

(4) The decision of the Board of Governors shall be expressed in terms of the views of the majority and voting of the members present. If the members are equally divided, the Chairman of the Board shall have the power to exercise a second or 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 standards of competence, integrity and efficiency.

23. Statutes.---(1) Subject to the provisions 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, constitution of pension, insurance, gratuity, provident fund, benevolent fund and other fringe benefits;
- (b) terms and conditions of contractual appointments of teachers, researchers and officers;
- (c) establishment of Faculties, Teaching Departments and other academic units and divisions;

- (d) powers and duties of officers and teachers;
- (e) conditions under which the University may enter into arrangements with other public or private organisations for purposes of instruction, research and other scholarly activities;
- (f) conditions of appointment of Professors Emeritus and award of honorary degrees;
- (g) efficiency and discipline of the employees of the University;
- (h) acquisition and administration of properties and investments of the University; and
- (i) all other matters which under this Ordinance are required to be or may be prescribed or regulated by Statutes.

(2) The draft of the Statutes shall be proposed by the Board of Governors for approval by the President.

(3) The President shall have the powers to assent to the Statutes submitted to him for approval, or refer them back to the Board of Governors for reconsideration.

(4) No Statute shall be valid until it has been approved by the President.

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

- (a) schemes of studies and research, including the duration of courses, number of subjects or papers for examination;
- (b) syllabi and courses of study and research programmes leading to degrees, diplomas or certificates;
- (c) conduct and supervision of examinations, appointment of examiners, scrutiny, tabulation and declaration of results;
- (d) determination of fees and other charges for admission to various courses, examinations and hostels;
- (e) maintenance of discipline among students and schemes for their welfare, with the specific conditions that the Academic staff, the Administrative staff and the students of the University shall not be allowed to indulge in politics or to form any union;

- (f) institution of fellowships, scholar-ships, prizes, medals, honoraria and other financial assistance for students and research scholars;
- (g) conduct of convocation and form of academic costumes;
- (h) conditions of residence of students;
- (i) use of library; and
- (j) all other academic matters which by this Ordinance or Statutes are to be or may be prescribed by Regulations.

(2) The Board of Governors shall have power to approve the Regulations submitted to it or refer them back to the Academic Council for reconsideration.

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

25. Rules.---(1) The Authorities and other bodies of the University may make Rules consistent with this Ordinance, the Statutes and the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.

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

26. 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 sources.

(2) The accounts of the University shall be maintained in such form and in such manner as may be prescribed by the Rules.

(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 Board of Governors.

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

(5) 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 Accountants of Pakistan. A copy of the Audit Report shall be submitted to Government.

(6) The University shall transfer ten per cent (10%) of its annual gross income to the Al-Beruni Trust for Educational Development to achieve its objectives.

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

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

- (a) the Vice Chancellor (Chairman);
- (b) all the Deans;
- (c) all Heads of Departments / Institutes.
- (d) all Professors and Associate Professors of the University.
- (e) nominee of the Education Secretary not below the rank of Deputy Secretary.
- (f) two Assistant Professors and two Lecturers to be nominated by the Board of Governors.
- (g) three eminent persons, one each from the fields of arts, sciences and the professions, to be nominated by the Board of Governors;
- (h) two professors from Public Sector Universities;
- (i) Advisor (Academics) UGC; and
- (j) the Registrar, who shall also be Secretary of the Academic Council.

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

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

28. Powers and duties of the academic council.---(1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Ordinance and the Statutes, have the powers to lay down proper standards of instructions, research, publication, 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 provision 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, publication and examinations;

- (c) to regulate the admission of students to the courses of studies and examinations in the University;
- (d) to regulate the conduct and discipline of the students of the University;
- (e) to propose to the Board of Governors scheme for the constitution and organization of Faculties and Teaching Departments;
- (f) to consider or formulate proposals for the planning and development of teaching and research in the University;
- (g) to make Regulations prescribing the course of studies; the syllabi and the outlines of tests for all University examinations, subject to the approval of the Board of Governors;
- (h) to regulate the award of fellowships, scholarships, stipends, exhibitions, medals and prizes;
- (i) to frame Regulations for submission to the Board of Governors;
- (j) to appoint/nominate members to the various Authorities in accordance with the provisions of this Ordinance; and
- (k) to perform such other functions as may be prescribed by Statutes.

29. Constitution, functions and powers of other Authorities.---The constitution, functions and the powers of the Authorities for which no specific provision has been made in this Ordinance shall be such as may be prescribed by Statutes.

30. Appointment of committees by certain Authorities.---The Board of Governors, 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 nominate such persons on these committees who are not members of the Authorities appointing the committees.

31. General provision.---(1)The University shall work within the provisions of the National Education Policy and other laws or policies framed or amended by Government, including Federal 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 be commensurate with his/her qualifications, experience, and publications.

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

33. Bar of jurisdiction.---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 Ordinance.

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

35. Discipline.---The University shall have power to supervise and control the discipline of the students of the University and Institutes in the prescribed manner.

36. Removal of difficulties.---(1) If any question arises as to the interpretation of any of the provisions of this Ordinance, it shall be placed before the President through the legal advisor 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 this Ordinance, as may appear to him 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,
29th August, 2001.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
Governor of the ¹⁵[Khyber Pakhtunkhwa]

¹⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

THE SCHEDULE

THE FIRST STATUTES (See Section 23)

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 Information Technology and Computer Sciences;
- (ii) Faculty of Engineering;
- (iii) Faculty of Management Sciences;
- (iv) Faculty of Arts, Social Sciences, and Education;
- (v) Faculty of Sciences;
- (vi) Faculty of Distance / Virtual Education; and
- (vii) such other faculties as may be determined by Statutes.

2. BOARD OF FACULTY

(a) There shall be a Board of each Faculty which shall consist of-

- (i) the Dean of the Faculty;
- (ii) the Professors and the Head 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;
- (iv) two teachers to be nominated by the Academic Council by reason of their specialised 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;
- (v) two experts in the field from outside the University to be appointed by the Board of Governors; and
- (vi) one member to be nominated by the Vice Chancellor.

(b) The members other than Ex-officio members shall hold office for three years.

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

3. FUNCTIONS OF THE BOARD OF FACULTY

The Board of each Faculty shall, subject to the general control of the Academic Council and the Board of Governors, have the powers to-

- (i) co-ordinate the teaching, and research work in the subjects assigned to the Faculty;
- (ii) scrutinise the recommendations of the Boards of Studies comprising the Faculty with regard to the appointment of paper-setters and examiners for undergraduate and post-graduate examinations and to forward the panels of suitable paper setters 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 assigned under the 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 on the recommendation of the Vice Chancellor. He/ she shall hold office for a period upto two 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.
- (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. TEACHING DEPARTMENT AND HEAD OF THE DEPARTMENT

- (a) There shall be a Teaching Department for each subject or a group of subjects, as may be prescribed by Regulations, and each Teaching Department shall be headed by a Head of 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, organise and supervise the work of the department and shall be responsible to the Dean for the work of his/her Department.
- (d) The Head of the 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/ her.
- (e) The Head of the Department shall prepare a comprehensive annual report on the performance of the department at the undergraduate and post-graduate levels, and faculty research and development, and submit it to the Dean of the Faculty for his/her evaluation and submission to relevant Authorities.

6. BOARD OF ADVANCED STUDIES AND RESEARCH

- (a) The Board of Advanced Studies and Research shall consist of:
 - (i) the Vice Chancellor (Chairman);
 - (ii) all the Deans;
 - (iii) one University Professor from each faculty, having experience in research, to be appointed by the Academic Council;
 - (iv) one University Professors from each faculty other than Dean to be appointed by the Board of Governors;
 - (v) one member to be nominated by the Vice Chancellor;
 - (vi) two members from Research and Development Organisations to be nominated by the Board of Governors; and
 - (vii) the Registrar, who shall also be the Secretary of the Board.
- (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.
- (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.

7. FUNCTIONS OF THE BOARD OF ADVANCED STUDIES AND RESEARCH

Functions of the Board of Advanced Studies and Research shall be to-

- (i) advise the authorities on all matters connected with the promotion of advanced studies, research and publications in the University;

- (ii) consider and report to the Authorities on the institution of research degrees in the University;
- (iii) propose Regulations regarding the award of research degrees;
- (iv) appoint supervisors for post graduate research students and to approve titles and synopses of their theses/dissertations;
- (v) recommend panels of names of examiners for evaluation of their theses and other research examinations; and
- (vi) perform such other functions as may be assigned to it by Statutes.

8. THE SELECTION BOARD

- (a) The Selection Board shall consist of-
 - (i) the Vice Chancellor (Chairman);
 - (ii) the Dean of the concerned Faculty;
 - (iii) the Head of the concerned Teaching Department;
 - (iv) one member of the Board of Governors to be nominated by the Board;
 - (v) one eminent scholar, other than members of the Board of Governors, to be nominated by it; and
 - (vi) two members of the Board of Trustees.
- (b) The Registrar shall be the Secretary of the Selection Board.
- (c) The members other than ex-officio members shall hold office for three years.
- (d) The quorum for a meeting of the Selection Board shall be four.
- (e) No member who is a candidate for the post to which appointment is to be made shall take part in such proceedings of the 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.

9. FUNCTIONS OF THE SELECTION BOARD

The functions of the Selection Board shall be to-

- (i) consider the applications and recommend to the Board of Governors the names of suitable candidates for appointment and may recommend suitable salary for the person concerned;
- (ii) consider all cases of promotion or selection of officers of the University and recommend the names of suitable candidates for such promotion or selection to the Board of Governors.
- (iii) In the event of an unresolved difference of opinion between the Selection Board and the Board of Governors, the decision of the President shall prevail.
- (iv) The President shall have the power to directly appoint a person of exceptional merit on an academic position for a specified period on terms and conditions as he may determine.

10. THE FINANCE AND PLANNING COMMITTEE

- (a) The Finance and Planning Committee shall consist of-
 - (i) the Vice Chancellor (Chairman);
 - (ii) one Dean, to be nominated by the President;
 - (iii) one financial expert as a nominee of the Board of Trustees;
 - (iv) one member of the Board of Governors to be nominated by the Board of Governors;
 - (v) one member of the Academic Council to be nominated by the Academic Council;
 - (vi) Controller of Finance, who shall also be Secretary of the Committee.
- (b) The term of office of the nominated members shall be two years.
- (c) The quorum for a meeting of the Finance and Planning Committee shall be four members.

11. FUNCTIONS 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 assigned to it by the Statutes.