

limited to Deans, Chairpersons, Principals, Provost and Librarian of the University shall be such as may be prescribed by Statutes.]

¹[17A. All administrative positions in universities shall be filled by the Administrative Officers of the University on regular basis and in no case teachers and officials other than the Administrative Officers shall be posted on these positions. In case suitable candidate is not available from amongst the Administrative Officers, the University shall ensure immediate appointment on such posts in the prescribed manner.]

CHAPTER -IV **AUTHORITIES OF THE UNIVERSITY**

18. Authorities.---(1) The following shall be the Authorities of the University-

- (a) Authorities established by this Act,-
 - (i) The Senate;
 - (ii) The Syndicate;
 - (iii) The Academic Council; and
- (b) Authorities to be established by the Statutes-
 - (i) Boards of Faculties;
 - (ii) Boards of Studies;
 - (iii) Selection Board;
 - (iv) Advance Studies and Research Board;
 - (v) Finance and Planning Committee;
 - (vi) Affiliation Committee;
 - (vii) Discipline Committee for Students; and
 - (viii) such other authorities as may be prescribed ² [by Statutes].

³[19. **Senate.**---(1) The Senate shall consist of the following:

- (a) the Chancellor who shall be the Chairperson of the Senate;
- (b) the Pro-Chancellor;
- (c) the Vice-Chancellor;

⁴[Deleted]

¹Inserted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Added vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2015

⁴Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

- (e) one member of the Provincial Assembly of the Khyber Pakhtunkhwa to be nominated by the Speaker of the said Assembly;
- ¹[(f) a retired judge to be nominated by Chief Justice of Peshawar High Court;]
- (g) Secretary of the relevant Administrative Department of Government or his nominee not below the rank of an Additional Secretary;
- (h) the Secretary to Government, Higher Education Department, or his nominee not below the rank of an Additional Secretary;
- (i) the Secretary to Government, Finance Department, or his nominee not below the rank of an Additional Secretary;
- (j) the Secretary to Government, Establishment Department, or his nominee not below the rank of an Additional Secretary;
- (k) the Chairman, Higher Education Commission or his nominee not below the rank of Director General;
- (l) ²[one] eminent or distinguished graduates of the University who are not its employees to be nominated by the Chancellor;
- (m) ³[two] persons from the academic community of the Province of the Khyber Pakhtunkhwa or the country, other than an employee of the University, at the level of professor or Principal, to be appointed by the Chancellor;
- (n) four University Teachers, including one Professor, one Associate Professor, one Assistant Professor and one Lecturer to be elected by teachers of their respective cadres from amongst themselves; ⁴[and]
- (o) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, industry, agriculture, science, technology and engineering with a view to create diversity and balance across the various fields, to be nominated by the Chancellor ⁵[.]

¹Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Inserted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Replaced vide Khyber Pakhtunkhwa Act No. XI of 2016

¹[Deleted]

²[Deleted]

³[Deleted]

⁴[Deleted]

⁵[(t) one University Administrative Officer to be elected from amongst all the Administrative Officers in the prescribed manner.]

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

(3) The Senate shall meet at least twice in a calendar year.

(4) In the absence of the Chancellor, meetings of the Senate shall be presided over by such member of the Senate other than employee of University, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Senate.

(5) Unless otherwise described by this Act, all decisions of the Senate shall be taken on the basis of the opinion of majority of the members present. In the event of the members being evenly divided on any matter, the person presiding over the meeting shall have a casting vote.

⁶[(6) The quorum for a meeting of the Senate shall be two-third of its total members a fraction being counted as one excluding the non-existent categories, wherever applicable.]]

⁷[(7) At least three members for the Senate shall be female.]

20. Powers and functions of the Senate.---(1) The Senate shall have the power of general supervision over the University and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the University. The Senate shall have all powers of the University not expressly vested in an Authority or Officer by this Act and all other powers not expressly mentioned in this Act that are necessary for the performance of its functions.

¹Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁶Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁷Added vide Khyber Pakhtunkhwa Act No. XI of 2016

(2) Without prejudice to the generality of the foregoing powers, the Senate shall have the powers to-

¹[Deleted]

²[Deleted]

- (c) institute schemes, directions and guidelines for the terms and conditions of appointment of all Officers, Teachers and other employees of the University;
- (d) to make appointments of members of the Syndicate, Academic Council, other than ex-officio members, in accordance with the provision of this Act;
- ³[(e) approve the proposed annual plan of work, including key performance indicators to be set up by the University, the annual and revised budgets, the annual report and the annual statement of account;]
- (f) ⁴ [review] the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
- (g) approve strategic plans;
- (h) approve financial resource development plans of the University;
- (i) consider the drafts of Statutes proposed by the Syndicate and deal with them in the manner as provided for in section 28;

Provided that the Senate may frame a Statutes or Regulations on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council, as the case may be;

- (j) recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of this Act;

¹Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

- (k) appoint Emeritus Professors and Meritorious Professors on such terms and conditions as may be prescribed; ¹[Deleted]
- (l) to recommend to the Chancellor removal of any person, except the Vice-Chancellor, from the membership of any Authority, if such person-
 - (i) has become of unsound mind; or
 - (ii) has become incapacitated to function as member of such Authority; or
 - (iii) has been convicted by a court of law for an offence involving moral turpitude; and
 - (iv) has been proven guilty of misconduct under the Statutes made for ensuring efficiency and discipline in the University; ²[Deleted]
- (m) annul by order in writing the proceedings of any Authority or officer, if the Senate is satisfied that such proceedings are not in accordance with the provisions of this Act, Statutes or Regulations, after calling upon such Authority or officer to show cause why such proceedings should not be annulled ³[;]
- ⁴[(n) suspend, punish and remove from service Deans and teachers of the University in BPS-22 in a manner as may be prescribed by Statutes; and
- (o) to determine the form, provide for the custody and regulate the use of the common seal of the University.]

(3) The Senate may, subject to the provisions of this Act, delegate all or any of its powers and functions, to any Authority, committee, Officer at its additional campus, if any, for the purpose of exercising such powers and performing such functions in relation to such peripheral campuses, and for this purpose the Senate may create new posts or positions at the peripheral campuses.

21. Visitations.---(1) The Senate may, in accordance with the terms and procedures ⁵[as determined by it], cause an inspection to be made in respect of any matter connected with the University.

¹Deleted vide Khyber Pakhtunkhwa Act No. XXII of 2015

²Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Replaced vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Added vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

(2) The Chancellor may also cause an inspection or inquiry to be made in respect of any matter directly or indirectly concerned with the University and, from time to time, appoint such expert or experts ¹[as deem appropriate], for purposes of carrying out the inspection of various matters connected with the University.

(3) The Chancellor shall communicate the Senate his views with regards to the results of such inspection or inquiry and shall, after ascertaining the views thereon of the Senate, advise the Senate on action to be taken.

(4) The Senate shall communicate to the Chancellor such action, if any, as has been taken or may propose action to be taken upon the results of the inspection or inquiry.

22. Syndicate.---(1) The Syndicate shall consist of,-

- (a) the Vice-Chancellor, who shall be its Chairperson;
- ²[(b) a retired judge to be nominated by Chief Justice of Peshawar High Court;]
- ³[(c) all the Deans of the faculties of the University;]
- ⁴[(d) Secretary of the relevant administrative Department or his nominee not below the rank of an Additional Secretary;]
- ⁵[(e) the Secretary to Government, Higher Education Department, or his nominee not below the rank of a Deputy Secretary;]
- (f) the Secretary to Government, Establishment Department, or his nominee not below the rank of Additional Secretary;
- (g) the Secretary to Government, Finance Department, or his nominee not below the rank of Additional Secretary;
- ⁶[(h) two Principals (preferably one male and one female) of affiliated colleges to be nominated by the Academic Council;]
- ¹[(i) one Professor, one Associate Professor, one Assistant Professor and one Lecturer of the University to be elected by

¹Substituted vide Khyber Pakhtunkhwa Act No. XXII of 2015

²Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁶Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

teachers of their respective cadres in the manner as may be prescribed by Statutes;]

- ²[(j) One Principal or Chairman or Director of the Teaching Department or Institute or Centre to be elected from amongst themselves in accordance with the prescribed Statutes;]
- ³[(k) one administrative officer to be elected from amongst themselves in a manner as may be prescribed by Statutes;]
- ⁴[(l) Registrar;]
- ⁵[(m) Treasurer;]
- ⁶[(n) one nominee of the Commission not below the rank of an advisor or member;]
- ⁷[(o) one person of eminence to be nominated by the Chancellor;] and
- (p) two University Administrative Officers to be elected from amongst all the Administrative Officers in the prescribed manner.

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

⁸[(3) The quorum for a meeting of the Syndicate shall be two-third of its total members a fraction being counted as one excluding the vacant categories, wherever applicable.]

⁹[(3A) At least three members of the Syndicate shall be female.]

(4) The Syndicate shall meet at least once in each quarter of the year.

23. Powers and functions of the Syndicate.---(1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Act and the Statutes, exercise general supervision over the affairs and management of the University.

¹Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁶Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁷Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁸Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁹Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

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

- ¹[(a) consider the annual report, the annual plan of work including key performance indicators to be set up by the University, the statements of Accounts, the annual and revised budget estimates and to submit these to the Senate;]
- ²[(a-i) hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of movable and immovable property;]
- ³[(b) transfer and accept transfer of movable and immovable property on behalf of the University;]
- (c) enter into, vary, carry out and cancel contracts on behalf of the University;
- (d) cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (e) invest any money belonging to the University including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882 (*Act II of 1882*), or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
- (f) receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
- (g) administer any funds placed at the disposal of the University for specified purposes;
- (h) provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the affairs of the University;

¹Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Inserted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

- (i) establish and maintain halls of residence and hostels, as ¹[far] as possible;
- (j) affiliate or disaffiliate educational institutions;
- (k) arrange for the inspection of colleges, institutions and the Teaching Departments;
- (l) institute Professorships, Associate Professorships, Assistant Professorships, Lecturer ships, and other teaching posts or to suspend or abolish such posts;
- ²[(m) subject to this Act, appoint Teachers, officers and other employees on the recommendation of the Selection Board in BPS-17 and above in accordance with the prescribed Statutes;]
- ³[(m-i) suspend, punish, remove and dismiss from service, the Officers and Teachers of the University in Basic Pay Scale 17 to 21 in accordance with the prescribed Statutes;]
- ⁴[(m-ii)promote the officers of the administrative cadre to the next higher scale on such terms and conditions in accordance with the prescribed statutes;]
- (n) create, suspend or abolish such administrative or other posts as may be necessary;
- ⁵[(o) prescribe powers and duties of officers, teachers and other employees of the university;]
- (p) report to the Senate on matters with respect to which it has been asked to report;
- (q) propose drafts of Statutes for submission to the Senate;
- (r) regulate the conduct and discipline of the students of the University;
- (s) take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;

¹Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

- (t) delegate any of its powers to any Authority or Officer or a committee; ¹[Deleted]
- ²[(t-i) prescribe conditions under which the University may enter into agreements with other institutions for with public bodies for purposes of research and advisory services; and]
- (u) perform such other functions as have been assigned to it by the provisions of this Act or the Statutes made thereunder.

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

- (a) the Vice-Chancellor who shall be its Chairperson;
- ³[(b) the Chairpersons of Teaching Departments or Directors of academic institutes/units;]
- (c) the Deans;
- ⁴[(d) all Professors including Emeritus and Meritorious Professors;]
- ⁵[(e) six university teachers including two Associate Professors, two Assistant Professors and two lecturers to be elected from amongst themselves in the manner prescribed by Statutes;]
- ⁶[(f) two Principals, preferably one female, of affiliated colleges, one each from public and private sector, to be nominated by the relevant administrative Secretary of the Government department;]
- ⁷[Deleted]
- (h) one Principal of the constituent college, to be nominated by the Senate;
- (i) the Director Admissions;
- (j) the Controller of Examinations; and

¹Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

²Inserted vide Khyber Pakhtunkhwa Act No. XI of 2016

³Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁴Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁵Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁶Substituted vide Khyber Pakhtunkhwa Act No. XI of 2016

⁷Deleted vide Khyber Pakhtunkhwa Act No. XI of 2016

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

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

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

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

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

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

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

Provided that if the recommendations of the Board of a Faculties or Board of Studies or Advanced Studies and

Research Board are not received by the prescribed date, the Academic Council may, subject to the approval of the Syndicate, permit the existing Regulations to continue for the following year;

- (h) prepare an annual report on the academic performance of the University;
- (i) appoint member to various authorities in accordance with the provisions of this Act; and
- (j) perform such other functions as may be prescribed by Regulations.

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

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

CHAPTER -V **STATUTES, REGULATIONS AND RULES**

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

- (a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor before the Senate shall be prepared;
- (b) the University fees and other charges;
- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
- (d) the scales of pay and other terms and conditions of service of officers, Teachers and other employees of University;

¹[(d-i) the terms and conditions of contract employees;]

¹Inserted vide Khyber Pakhtunkhwa Act No. XI of 2016