



THE DAR-UL-MADINA INTERNATIONAL UNIVERSITY ISLAMABAD ACT, 2013



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THE PAKISTAN CODE

THE DAR-UL-MADINA INTERNATIONAL UNIVERSITY ISLAMABAD ACT, 2013

ACT NO. V OF 2013

[1st March, 2013]

An Act to provide for the establishment of Dar-ul-Madina International University

WHEREAS it is expedient to provide for the establishment of Dar-ul-Madina International University and for matters ancillary thereto;

It is hereby enacted as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the Dar-ul-Madina International University Islamabad Act, 2013.

(2) It shall come into force at once.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (i) “Academic Council” means the Academic Council of the University;
- (ii) “Affiliated institution” means educational institution authorized by Board to conduct academic programs, research and development projects and approved by the University;
- (iii) “Authority” means any of the authorities of the University set up under Section 18;
- (iv) “Board” means the Board of executives of the University;
- (v) “Board of trustees” means the Board of trustees of the University;
- (vi) “Chancellor” means the Chancellor of the University;
- (vii) “College” means a constituent college;
- (viii) “Commission” means the Higher Education Commission of Pakistan;
- (ix) “Constituent college” means an educational institution, by whatever manner described, maintained and administered by the University;
- (x) “Controller” means the head of examination department of the University;

- (xi) "Dean" means the head of a faculty of the University;
- (xii) "Department" means a teaching department of the University;
- (xiii) "Director" means the head of an institute established as a constituent institute by the University;
- (xiv) "Executive Committee" means the Executive Committee of the University;
- (xv) "Faculty" means an administrative and academic unit of the University consisting of one or more departments;
- (xvi) "Government" means the Federal Government;
- (xvii) "Institute" means an institute maintained and administered by the University;
- (xviii) "Officer" means any officer of the University;
- (xix) "Patron" means the Patron of the University;
- (xx) "prescribed" means prescribed by the statutes, regulations or rules;
- (xxi) "Professor emeritus" means a retired Professor appointed by the Chancellor on honorary basis;
- (xxii) "Principal" means the head of a college;
- (xxiii) "Registrar" means the Registrar of the University;
- (xxiv) "Selection committee" means the selection committee set up by the Board;
- (xxv) "Shariah Advisory Committee" means the Shariah Advisory Committee of the University;
- (xxvi) "Statutes", "regulations" and "rules" means respectively the statutes, regulations and rules made under this Act;
- (xxvii) "Trust" means the Dawat-e-Islami Trust;
- (xxviii) "teacher" means and includes any Professor, Associate Professor, Assistant Professor and or Lecturer engaged whole-time by the University, or by a constituent college;
- (xxix) "University" means the Dar-ul-Madina International University;
- (xxx) "University Teacher" means a whole-time Professor, Associate Professor, Assistant Professor or Lecturer teacher appointed whole-time and paid by the University; and
- (xxxi) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II THE UNIVERSITY

3. Establishment and incorporation of the University.—(1) There shall be established a University to be called the Dar-ul-Madina International University consisting of the following, namely:—

- (a) the Patron, the Chancellor, the Vice-Chancellor, the members of the Board and the Board of Trustees;
- (b) the members of Executive Committee, Deans, the chairmen of the teaching departments and members of the Academic Council of the University;
- (c) the members of the Executive or governors Boards, committees and other bodies as the board may establish;
- (d) the members of faculties and students of the University and its constituent units in accordance with the terms prescribed from time to time, and all other; and
- (e) such other officers and members of the staff as the Board may, from time to time, specify.

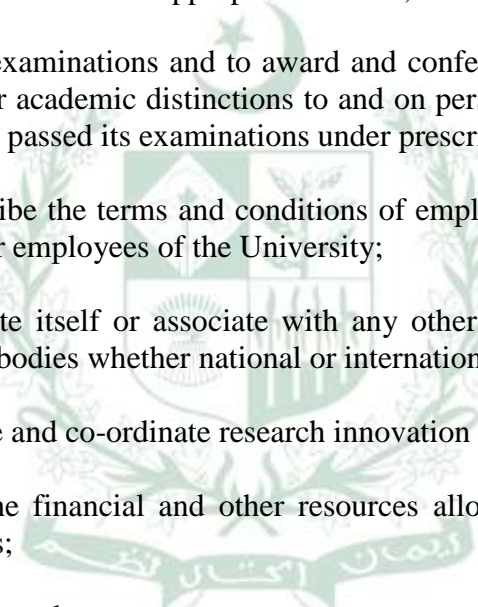
(2) The University shall be a body corporate by the name of Dar-ul-Madina International University having perpetual succession and a common seal, with powers, among others, to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.

(3) The principal seat of the University shall be at Islamabad and it may set up his campuses, colleges, institutes, offices, research or study centers and other facilities at such places in Pakistan as well as abroad as the Board of trustees may determine. The additional campuses shall be set up in other parts of the country, and in other parts of the world.

(4) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the powers to employ officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act.

(5) In particular and without prejudice to the authority granted to the Commission by the law, the Government or any authority or auditor shall have no power to question the policy underlying the acquisition and allocation of resources approved by the Board in the annual budget of the University.

4. Powers and purposes of the University.—The University shall have the following powers, namely:—

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- (i) to promote and disseminate of knowledge and technology and to provide education, training, research demonstration and scholarship in such branches of knowledge as it may determine;
- (ii) to make provisions for research, service to society and for the application, advancement and dissemination of knowledge* by employing information technology including satellite, television, internet, radio etc., or through conventional and innovative methods in all field of knowledge as it may determine by the Board of trustees;
- (iii) to determine courses for study at the under graduate level in its constituent units as well as in its affiliated institutions, centers and colleges;
- (iv) to prescribe courses of studies to be conducted by it and its affiliated constituent units and appropriate bodies ;
- (v) to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;
- (vi) to prescribe the terms and conditions of employment of the officers, teachers and other employees of the University;
- (vii) to affiliate itself or associate with any other institutions or universities and relevant bodies whether national or international;
- (viii) to pursue and co-ordinate research innovation and development;
- (ix) to use the financial and other resources allocated to it for execution of its functions;
- (x) to engage, where necessary, persons on contract of specified duration and to specify the terms of each engagement;
- (xi) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (xii) to provide for such instruction for persons not being students of the University as it may prescribe and to grant certificates and diplomas to such persons;
- (xiii) to institute programs for the academic collaboration and exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan;
- (xiv) to provide career counseling and job search services to the students and alumni as it may deem fit;
- (xv) to maintain linkages with alumni and the industry;
- (xvi) to develop and implement fund-raising plans;

- (xvii) to provide and support the academic development of the faculty of the University;
- (xviii) to confer degrees on persons who have carried on independent research under prescribed conditions;
- (xix) to accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;
- (xx) to co-operate with other universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it, may prescribe;
- (xxi) to institute professorships, associate professorships, assistant professorships and lectureships and any other posts and to appoint persons thereto;
- (xxii) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xxiii) to recognize selected members of teaching staff of colleges or educational institutions admitted to the privileges of the University or such other persons, as it may deem fit, as University teachers;
- (xxiv) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xxv) to establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xxvi) to affiliate and disaffiliate educational institutions or relevant organizations under prescribed conditions;
- (xxvii) to inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (xxviii) to maintain order, discipline and security on campuses of the University and the colleges;
- (xxix) to promote extra-curricular and recreational activities of the students and to make arrangements for promoting their health and general welfare;
- (xxx) to demand and receive such fees and other charges as it may determine from time to time;
- (xxxi) to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or

private bodies, commercial and industrial enterprises under prescribed conditions;

(xxxii) to enter into, carry out, vary or cancel contracts;

(xxxiii) to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;

(xxxiv) to provide for the printing and publication of research and other works;

(xxxv) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the University as a place of education, learning and research; and

(xxxvi) to decide virtual, distance learning or online teaching methods and strategies in order to ensure the conduct of most effective educational and training programs in the light of policy on the subject made by the Commission.

5. University open to all classes, creeds, etc.—(1) The University shall be open to all persons of either gender and of whatever religion, race, creed, class, color or domicile who qualify for the admission as set forth in the rules and regulations and the criteria and the policy maintained by the body.

(2) An increase in any fee or charge that is in excess of ten percent per annum on an annualized basis from the last such increase may not be made except in special circumstances and only with approval of the Board of trustees.

(3) The University shall institute financial aid and support programs for students in need, to the extent considered feasible by the Board given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay.

6. Teaching at the University.—(1) All recognized teaching in various courses shall be conducted by the University or the colleges in the prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other organizations.

(2) The authority responsible for organizing recognized teaching shall be such as may be prescribed.

CHAPTER III OFFICERS OF THE UNIVERSITY

7. Officers of the University.—The following shall be the officers of the University, namely:—

(a) Patron;

- (b) Chancellor;
- (c) Vice-Chancellor;
- (d) Deans;
- (e) Principals of the constituent colleges;
- (f) Head of the teaching departments;
- (g) Registrar;
- (h) Treasurer;
- (i) Controller of examinations; and
- (j) such other persons as may be prescribed by the statutes or regulations.

8. Patron.—(1) The Patron will be appointed by Trust in the manner as may be determined by the Trust.

(2) The Patron shall, when present, preside at the convocation of the University. In the absence of the Patron, the Board may request a person of eminence or the Chancellor to preside over the convocation of the University.

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

9. Visitation.—(1) The Patron may, in accordance with the terms and procedures as may be prescribed, cause an inspection or inquiry to be made on his own motion or at the request of the Commission in respect of any matter connected with 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 other matters of the University; and
- (e) such other matters as the Patron may specify.

(2) The Patron shall communicate to the Board of trustees his views with regard to the result of visitation and shall, after ascertaining the views of the Board, advise the Chancellor on the action to be taken by it.

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

(4) Where the Board as per Chancellor's does not, within the time specified, take action to the satisfaction of the Patron, the Patron may issue such directions as he deems fit and the Board shall comply with all such directions.

(5) The patron shall be appointed by the prescribed term from the Board of trustees and he may be removed by the Board of trustees.

10. Chancellor.—(1) The Chancellor of the University shall be appointed by the Board of trustees to hold the office at the pleasure of, and for a term determined by the Board of trustees.

(2) The Chancellor shall also act as the chairperson of the Board.

(3) The members of the Board except the Vice-Chancellor shall be appointed by the Chancellor as in the manner prescribed in accordance with this Act and the statutes.

(4) Where the Chancellor is satisfied that serious irregularity or mismanagement with respect to affairs of the University has occurred, he may,—

- (a) as regards proceedings of the Board, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued; and
- (b) as regards proceedings of any authority or with respect to matters within the competence of any authority other than the Board, direct the Board to exercise powers under Section 19.

(5) If the Chancellor will be incapacitated from acting as such due to absence or any other cause, the Vice-Chancellor or a nominee of the Chancellor himself, or a nominee of the Board of trustees shall act for him.

11. Removal from the Board.—(1) The Chancellor may remove any person from membership of the Board on the ground that such person after satisfaction of Board of trustees—

- (a) has become of unsound mind; or
- (b) has become incapacitated to function as member of the Board; or
- (c) has been convicted by a court of law for an offence involving moral turpitude; or
- (d) has absented himself from two consecutive meetings without just cause; or
- (e) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions.

(2) The Chancellor shall remove any person from membership of the Board if he deems fit.

12. Vice-Chancellor.—(1) There shall be a Vice-Chancellor of the University who shall hold office at the pleasure of the Board of trustees. He will be an eminent academician or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic, functions of the University and for ensuring that the provisions of this Act, statutes, regulations and rules are faithfully observed.

(3) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires an immediate action ordinarily not in competence of the Vice-Chancellor, take such action and report to the Board.

(5) The Vice-Chancellor shall also have the following powers, namely:--

- (a) to direct teachers, officers and other employees of the University to take up such assignments in connection with examination, administration and such other activities in the University as he may consider necessary for purposes of the University;
- (b) to sanction by re-appropriation an amount, not exceeding an amount prescribed by the Board, for an unforeseen item not provided for in the budget;
- (c) to make appointment of such categories of employees of the University and in such manner as may be prescribed by statutes;
- (d) to suspend, punish and remove from service, in accordance with prescribed procedure, officers, teachers and other employees of the University except those appointed by or with approval of the Board;
- (e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the University; and
- (f) to exercise and perform such other powers and functions as may be prescribed.

13. Appointment and removal of Vice-Chancellor.—(1) The Vice-Chancellor shall be appointed by the Board of trustees on recommendations made by the selection committee.

(2) A selection committee for recommendation of person suitable for appointment as Vice-Chancellor shall be constituted by the Board of trustees on the date and in the manner prescribed by statutes.

(3) The person proposed by the selection committee for appointment as Vice-Chancellor shall be considered by the Board and shall be recommended by the Board to the Chancellor.

(4) The Vice-Chancellor shall be appointed for a renewable tenure as determined by the Board of trustees on terms and conditions prescribed by statutes. The tenure of an incumbent Vice-Chancellor shall be renewed by the Chancellor on receipt of a resolution of the Board in support of such renewal:

Provided that the Chancellor may call upon the Board to reconsider such resolution once.

(5) The Board may, pursuant to a resolution in this behalf recommend to the Chancellor the removal of the Vice-Chancellor on the ground of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind.

(6) The Chancellor may make a reference to the Board stating about inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that has come to his notice. After consideration of the reference, the Board may, pursuant to a resolution in this behalf recommend to the Chancellor the removal of the Vice-Chancellor:

Provided that prior to a resolution for removal of the Vice-Chancellor being voted upon, the Vice-Chancellor shall be given an opportunity of being heard.

(7) A resolution recommending removal of the Vice-Chancellor shall be submitted to the Chancellor forthwith. The Chancellor may accept the recommendation and order removal of the Vice-Chancellor or return the recommendation to the Board.

(8) At any time when office of the Vice-Chancellor is vacant or the Vice-Chancellor is absent or is unable to perform functions of his office due to illness or some other cause, the Board of trustees shall make such arrangements for performance of the duties of the Vice-Chancellor as it may deem fit.

14. Dean.—(1) There shall be a Dean of each faculty to be appointed by the Chancellor on recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The Dean shall be in charge of the faculty and shall assist the Vice-Chancellor on matters relating to teaching, research, academic program and extension of other development projects.

(3) Subject to overall supervision of the Vice-Chancellor, the Dean shall formulate and recommend to the Academic Council, rules and regulations relating to academic and research matters of the faculty.

(4) The Dean shall also have the following powers, namely:—

- (a) to collaborate with universities, industry and other research organizations;
- (b) to formulate recommendations to the Academic Council on the courses of study to be taught in different departments of the faculty;
- (c) to co-ordinate the award of fellowships, stipends, medals and prizes;

- (d) to co-ordinate the teaching and research work of the faculty;
- (e) to perform such other functions and exercise such other powers as may be entrusted or delegated to him by the Board or the Vice-Chancellor; and
- (f) to delegate any of his powers to appropriate levels of management, subject to such conditions as may be prescribed.

15. Registrar.—(1) There shall be a Registrar of the University to be appointed by the Chancellor on recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The experience as well as professional and academic qualifications necessary for appointment to the post of the Registrar shall be as may be prescribed.

(3) The Registrar shall be a full-time officer of the University and shall,—

- (a) be the administrative head of the secretariat of the University and be responsible for the provision of secretariat support to the authorities of the University;
- (b) be the custodian of the common seal and the academic record of the University;
- (c) maintain a register of registered graduates in the prescribed manner;
- (d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and
- (e) perform such other duties as may be prescribed.

(4) The term of office of the Registrar shall be a renewable period of three years:

Provided that the Board may, on advice of the Vice-Chancellor, terminate appointment of the Registrar on grounds of inefficiency or misconduct in accordance with prescribed procedure.

16. Treasurer.—(1) There shall be a Treasurer of the University to be appointed by the Chancellor on recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

(2) The experience as well as professional and academic qualifications necessary for appointment to the post of the Treasurer shall be as may be prescribed.

(3) The Treasurer shall be the chief financial officer of the University and shall:—

- (a) manage the assets, liabilities, receipts, expenditures, funds and investments of the University;

- (b) prepare annual and revised budget estimates of the University and present them to the Executive Committee or a committee thereof for approval and incorporation in the budget to be presented to the Board;
 - (c) ensure that funds of the University are expended on the purposes for which they are provided;
 - (d) have accounts of the University audited annually; and
 - (e) perform such other duties as may be prescribed.
- (4) The term of office of the Treasurer shall be for a renewable period of three years:

Provided that the Board may, on advice of the Vice-Chancellor, terminate the appointment of the Treasurer on grounds of inefficiency or misconduct in accordance with prescribed procedure.

17. Controller of examinations.—(1) There shall be a Controller of examinations to be appointed by the Board on recommendation of the Vice-Chancellor on such terms and conditions as may be prescribed.

(2) The minimum qualifications necessary for appointment to the post of the Controller of examinations shall be as may be prescribed.

(3) The Controller of examinations shall be a full-time officer of the University and shall be responsible for all matters connected with the conduct of examinations and shall perform such other duties as may be prescribed.

(4) The Controller of examinations shall be appointed for a renewable term of three years:

Provided that the Chancellor may, on advice of the Vice-Chancellor, terminate appointment of the Controller of examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

THE PAKISTAN CODE

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

18. Authorities.—The following shall be the authorities of the University, namely:—

- (a) authorities established by the Act;
 - (i) Board of trustees;
 - (ii) Board;
 - (iii) Executive Committee; and
 - (iv) Academic Council; and
- (b) authorities to be established by the statutes:--

- (i) Board of advanced studies and research;
- (ii) Board of studies;
- (iii) Selection Board;
- (iv) finance and planning committee;
- (v) selection committee for the appointment of the Vice-Chancellor;
- (vi) representation committees for appointment to the Board, Executive Committee and the Academic Council;
- (vii) quality assurance committee;
- (viii) discipline committee; and
- (ix) such other authorities as may be prescribed by the Board.

19. Board of trustees.—The Board of trustees will be the apex authority of the University and authorized to make or change statutes, rules and regulations as it may deem fit. All the members of the Board of trustees shall be appointed by the Trust. All the decisions of the Board shall be referred to the Board of trustees for final approval. The decision of the Board of trustees shall be considered as final and cannot be challenged in any court of law.

20. Board.—(1) The body responsible for the functioning of the University shall be described as the Board and shall consist of the following, namely:—

- (a) the Chancellor who shall be chairperson of the Board;
- (b) the Vice-Chancellor;
- (c) one member of the Government not below the rank of Additional Secretary from any Ministry of Federal Government of Pakistan;
- (d) four persons from society at large being persons of distinction in the fields of administration, management, education, academics, Islamic jurisprudence, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering, such that the appointment of these persons reflects a balance across the various fields:

Provided that special focus or affiliation of the University, to be declared in the manner prescribed, may be reflected in the number of persons of distinction in an area of expertise relevant to the University who are appointed to the Board;

- (e) one person from amongst the alumni of the University;
- (f) two persons from the academic community of the country, other than an employee of the University, at the level of professor or principal of a college;

- (g) four University teachers; and
- (h) one person nominated by the Commission.

(2) The number of members of the Board described under clauses (e) to (h) of sub-section (1) may be increased by the Board through statutes subject to the condition that total membership of the Board does not exceed twenty-one, with a maximum of five University teachers and the increase is balanced, to the extent possible, across different categories specified in sub-section (1).

(3) All appointments to the Board shall be made by the Chancellor. Appointment of persons described under clauses (e) and (f) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the representation committee set up in terms of Section 25 and in accordance with procedure as may be prescribed.

(4) Members of the Board, other than *ex officio* members, shall hold office for three years. One-third of the members, other than *ex officio* members, of the first restructured Board, to be determined by lot, shall retire from office on expiration of one year from the date of appointment by the Chancellor. One-half of the remaining members, other than *ex officio* members, of the first restructured Board, to be determined by lot, shall retire from office on expiration of two years from the date of appointment and the remaining one-half, other than *ex officio* members, shall retire from office on expiration of the third year.

(5) The Board shall meet at least twice in a calendar year.

(6) Service on the Board shall be on honorary basis:

Provided that actual expenses may be reimbursed as may be prescribed.

(7) The Registrar shall be Secretary of the Board.

(8) In absence of the Chancellor, meetings of the Board shall be presided over by such member, not being an employee of the University or the Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be convener of the Board.

(9) Unless otherwise prescribed by this Act, all decisions of the Board shall be taken on the basis of opinion of a 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.

(10) The quorum for a meeting of the Board shall be two thirds of its membership, a fraction being counted as one.

21. Powers and functions of the Board.—(1) The Board shall have power of general supervision over the University and shall hold the Vice-Chancellor and the authorities accountable for all functions of the University. The Board shall have all powers of the University not expressly vested in an authority or officer by this Act and all other powers not expressly provided by this Act that are necessary for performance of its functions but which are not inconsistent with the provisions of this Act or the statutes, regulations and rules made thereunder.

(2) Without prejudice to the generality of the foregoing powers, the Board shall have the following powers, namely:—

- (a) to approve proposed annual plan of work, annual and revised budgets, annual report and annual statement of accounts;
- (b) to hold, control and lay down policy for administration of the property, funds and investments of the University, including approval of the sale and purchase or acquisition of immovable property;
- (c) to oversee quality and relevance of the University's academic programs and to review academic affairs of the University in general;
- (d) to approve appointment of Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;
- (e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;
- (f) to approve the strategic plans of the University;
- (g) to approve financial resource development plans of the University;
- (h) to consider drafts of statutes and regulations proposed by the Executive Committee and the Academic Council and deal with them in the manner as provided for in sections 27 and 28, as the case may be:

Provided that the Board may make a statute or regulation on its own initiative and approve it after calling for advice of the Executive Committee or the Academic Council, as the case may be;

- (i) to annul by order in writing the proceedings of any authority or officer if the Board 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;
- (j) to recommend to the Chancellor removal of any member of the Board in accordance with the provisions of this Act;
- (k) to make appointment of members of the Executive Committee, other than *ex officio* members, in accordance with the provisions of this Act;
- (l) to make appointment of members of the Academic Council, other than *ex officio* members, in accordance with the provisions of this Act;
- (m) to appoint Professors emeritus on such terms and conditions as may be prescribed;
- (n) to remove any person from membership of any authority if such person has—
 - (i) become of unsound mind; or
 - (ii) become incapacitated to function as member of such authority; or

- (iii) been convicted by a court of law for an offence involving moral turpitude; and
- (o) to determine the form, provide for the custody and regulate the use of the common seal of the University.

(3) The Board may, subject to the provisions of this Act delegate all or any of the powers and functions of any authority, officer or employee of the University at its main campus, to any authority, committee, officer or employee at its additional campus for the purpose of exercising such powers and performing such functions in relation to such additional campus and for this purpose the Board may create new posts or positions at the additional campus.

22. Executive Committee.—(1) There shall be an Executive Committee of the University consisting of the following, namely:—

- (a) Vice-Chancellor who shall be its chairperson;
- (b) Deans of faculties of the University;
- (c) three Professors from different departments, who are not members of the Board, to be elected by the University teachers in accordance with procedure to be prescribed by the Board;
- (d) Principals of the constituent colleges;
- (e) Registrar;
- (f) Treasurer;
- (g) Controller of examinations; and
- (h) a member of the Shariah advisory committee.

(2) Members of the Executive Committee, other than *ex officio* members, shall hold office for three years.

(3) As regards the three Professors described in clause (c) of sub-section (1), the Board may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the representation committee set up in terms of Section 25. Appointment of persons proposed by the representation committee may be made by the Board on recommendation of the Vice-Chancellor.

(4) The quorum for a meeting of the Executive Committee shall be one-half of the total number of members, a fraction being counted as one.

(5) The Executive Committee shall meet at least once in each quarter of the year.

23. Powers and duties of the Executive Committee.—(1) The Executive Committee shall be the executive body of the University and shall, subject to the provisions of this Act and the statutes, exercise general supervision over affairs and management of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to the provisions of this Act, the statutes and directions of the Board, the Executive Committee shall have the following powers to—

- (a) consider annual report, annual and revised budget estimates and to submit these to the Board;
- (b) transfer, and accept transfer, of movable 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 accounts 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 work of the University;
- (i) establish and maintain halls of residence and hostels or approve or license hostels or lodgings for residence of students;
- (j) recommend to the Board admission of educational institutions to the privileges of the University and withdraw such privileges;
- (k) arrange for the inspection of colleges and the departments;
- (l) institute professorships, associate professorships, assistant professorships, lectureships and other teaching posts or to suspend or to abolish such posts;
- (m) create, suspend or abolish such administrative or other posts as may be necessary;
- (n) prescribe the duties of officers, teachers and other employees of the University;
- (o) report to the Board on matters with respect to which it has been asked to report;
- (p) appoint members to various authorities in accordance with the provisions of this Act;

- (q) propose drafts of statutes for submission to the Board;
- (r) regulate conduct and discipline of students of the University;
- (s) take actions necessary for good administration of the University in general and to this end exercise such powers as are necessary;
- (t) delegate any of its powers to any authority or officer or a committee; and
- (u) perform such other functions as have been assigned to it by provisions of this Act or may be assigned to it by statutes.

24. Academic Council.—(1) There shall be an Academic Council of the University consisting of the following, namely:—

- (a) Vice-Chancellor who shall be its chairperson;
- (b) Deans of faculties and such heads of departments as may be prescribed;
- (c) five members representing the departments, institutes and the constituent colleges to be elected in the manner prescribed by the Board;
- (d) five Professors including Professors emeritus;
- (e) Registrar;
- (f) Controller of examinations;
- (g) Librarian; and
- (h) a member of the Shariah advisory committee.

(2) The Board shall appoint members of the Academic Council, other than *ex officio* and elected members, on recommendation of the Vice-Chancellor:

Provided that as regards the five Professors and the members representing the departments, institutes and the constituent colleges, the Board may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the representation committee set up in terms of Section 25. Appointment of persons proposed by the representation committee may be made by the Board on recommendation of the Vice-Chancellor.

(3) Members of the Academic Council shall hold office for three years.

(4) The Academic Council shall meet at least once in each quarter.

(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 functions 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 power to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University and the colleges.

(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 power to—

- (a) approve the policies and procedures pertaining to the quality of academic programs;
- (b) approve academic programs;
- (c) approve the policies and procedures pertaining to student-related functions including admissions, expulsions, punishments, examinations and certification;
- (d) approve the policies and procedures assuring quality of teaching and research;
- (e) propose to the Executive Committee schemes for the constitution and organization of faculties, teaching departments and Board of studies;
- (f) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;
- (g) institute programs for the continued professional development of University teachers at all levels;
- (h) recognize examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;
- (i) regulate award of studentships, scholarships, exhibitions, medals and prizes;
- (j) make regulations for submission to the Board;
- (k) prepare an annual report on academic performance of the University; and
- (l) perform such functions as may be prescribed by regulations.

26. Representation committees.—(1) There shall be a representation committee constituted by the Board through statutes for recommendation of persons for appointment to the Board in accordance with the provisions of Section 19.

(2) There shall also be a representation committee constituted by the Board of trustees through statutes for recommendation of persons for appointment to the Executive Committee and the Academic Council in accordance with the provisions of sections 22 and 24.

(3) Members of the representation committee for appointment to the shall consist of the following, namely:—

- (a) three members of the Board who are not University teachers;

- (b) two persons nominated from amongst the University teachers;
- (c) one person from the academic community, not employed by the University, at the level of professor or college principal to be nominated by the University teachers in the manner prescribed;
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy; and
- (e) a member of the Shariah advisory committee.

(4) The representation committee for appointments to the Executive Committee and the Academic Council shall consist of the following, namely:—

- (a) two members of the Board who are not University teachers; and
- (b) three persons nominated from amongst the University teachers.

(5) The tenure of the representation committees shall be determined by the Board of trustees.

(6) The procedures of the representation committees shall be as may be prescribed.

(7) There may also be such other representation committees set up by any of the other authorities of the University as are considered appropriate for recommending persons for appointment to the various authorities and other bodies of the University.

27. Appointment of committees by certain authorities.—The Board of trustees, Board, the Executive Committee, 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.

28. Shariah advisory committee.—The Chancellor will appoint three members of this committee headed by a competent Mufti or scholar in Islamic jurisprudence. The Shariah advisory committee will give its recommendations in the light of Islamic Shariah on any matter referred to it by any of the committees mentioned herein above in this Act for consideration and taking decision on a compliant with regard to Islamic jurisprudence.

CHAPTER V

STATUTES, REGULATIONS AND RULES

29. Statutes.—(1) Subject to the provisions of this Act, statutes, to be published in the official Gazette, 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 Board shall be prepared;
- (b) the University fees and other charges;

- (c) scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (d) maintenance of the register of registered graduates;
- (e) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
- (f) establishment of faculties, departments, institutes, colleges, study centers and other academic divisions;
- (g) powers and duties of officers and teachers;
- (h) conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
- (i) conditions for appointment of emeritus Professors and award of honorary degrees;
- (j) efficiency and discipline of University employees;
- (k) constitution and procedure to be followed by the representation committees in carrying out functions in terms of this Act;
- (l) constitution and procedure to be followed by the search committee for appointment of the Vice-Chancellor;
- (m) constitution, functions and powers of the authorities of the University; and
- (n) all other matters which by this Act are to be or may be prescribed or regulated by statutes.

(2) The draft of statutes shall be proposed by the Executive Committee to the Board which may approve or pass with such modifications as the Board may think fit or may refer back to the Executive Committee, as the case may be, for reconsideration of the proposed draft:

Provided that statutes concerning any of the matters mentioned in clauses (a) and (I) of subsection (1) shall be initiated and approved by the Board, after seeking views of the Executive Committee:

Provided further that the Board of trustees may initiate a statute with respect to any matter in its power or with respect to which a statute may be made in terms of this Act and approve such statute after seeking views of the Board and the Executive Committee.

30. Regulations.—(1) Subject to the provisions of this Act and the statutes, the Academic Council may make regulations, to be published in the official Gazette, for all or any of the following matters, namely:—

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

- (b) manner in which the teaching referred to in sub-section (1) of Section 6 shall be organized and conducted;
- (c) admission and expulsion of students to and from the University;
- (d) conditions under which students shall be admitted to the courses and examinations of the University and shall become eligible for award of degrees, diplomas and certificates;
- (e) conduct of examinations;
- (f) conditions under which a person may carry on independent research to entitle him to a degree;
- (g) institution of fellowships, scholarships, exhibitions, medals and prizes;
- (h) use of the library;
- (i) formation of faculties, departments and Board of studies; and
- (j) all other matters which by this Act or the statutes are to be or may be prescribed by regulations.

(2) Regulations shall be proposed by the Academic Council and shall be submitted to the Board which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. A regulation proposed by the Academic Council shall not be effective unless it receives approval of the Board.

(3) Regulations regarding or incidental to matters contained in clauses (g) and (i) of sub-section (1) shall not be submitted to the Board without prior approval of the Executive Committee.

31. Amendment and repeal of statutes and regulations.—The procedure for adding to, amending or repealing the statutes and the regulations shall be the same as that prescribed respectively for framing or making Statutes and Regulations.

32. Rules.—(1) The authorities and other bodies of the University may make rules, to be published in the official Gazette, consistent with this Act, statutes and the regulations, to regulate any matter relating to affairs of the University which has not been provided for under this Act or that is not required to be regulated by statutes and regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

(2) Rules shall become effective upon approval by the Executive Committee and the Shariah advisory committee.

CHAPTER VI

UNIVERSITY FUND

33. University fund.—(1) The University shall have a fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, grants, contributions and all other sources.

(2) Capital recurrent expenditure of the University shall be met from contributions made by the Board and any other source, including other foundations, universities and individuals and from the income derived from such sources.

(3) No contribution, donation or grant which may directly or indirectly involve any immediate or subsequent financial liability for the University, shall be accepted without prior approval of the Board.

34. Audit and accounts.—(1) The accounts of the University shall be maintained in such form and manner as may be determined by the Board and shall work under the Finance and Planning committee. The committee shall consist of Vice-Chancellor, all the Deans, one member of the Board nominated by the Board, one nominee of the Academic Council and one member of the independent auditor. The quorum of the meeting shall be five and term of nominated members will be three years. The Director finance shall be the Secretary of the Finance and Planning Committee.

(2) Function of committee shall be to prepare the annual statement of accounts, propose and annual budget estimates and advice to the Board thereon, review periodically the financial position of the university and advice the Board on all matters related to finance, investment and accounts of the university and perform such other functions as may be prescribed by the statutes.

CHAPTER VII

GENERAL PROVISIONS

35. Commencement of term of members of authorities.—(1) When a member of an authority is elected, appointed or nominated, his term of office, as fixed under this Act shall commence from such date as may be prescribed.

(2) Where a member who has accepted any other assignment or for any other similar reason remained absent from the University for a period of not less than six months, he shall be deemed to have resigned and vacated his seat.

36. Disputes about membership of authorities.—(1) Notwithstanding anything contained in this Act, a person nominated or appointed to any authority shall cease to be member of such authority as soon as he ceases to hold the position by virtue of which he was nominated or appointed.

(2) If a question arises whether any person is entitled to be a member of any authority, the matter shall be referred to a committee consisting of the Chancellor, two nominees of the Board and a nominee of the Vice-Chancellor and decision of the committee thereon shall be final and binding.

37. Proceedings of authorities not invalidated by vacancies.—No act, resolution or decision of any authority shall be invalid by reason of any vacancy on the authority doing, passing or making it or by reason of any want of qualification or appointment or nomination of any *de facto* member or the authority, whether present or absent.

38. Removal of difficulties.—If any difficulty arises as to the first constitution or reconstitution of any authority upon coming into force of this Act or otherwise in giving effect to any provision of this Act, the Patron may give appropriate directions to remove such difficulty.

39. Indemnity.—No suit or legal proceedings shall lie against the Government, the University or any authority or employee of the University or any person, in respect of anything which is done or purported to have been done in good faith under this Act.

