

THE PRESTON UNIVERSITY ORDINANCE, 2002.

¹[KHYBER PAKHTUNKHWA] ORDINANCE NO. LII OF 2002.

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THE PRESTON UNIVERSITY ORDINANCE, 2002.
¹[KHYBER PAKHTUNKHWA] ORDINANCE NO. LII OF 2002.

[23rd November, 2002.]

AN
ORDINANCE

*to provide for the establishment of a University at Kohat
in the name of Preston University.*

WHEREAS it is expedient to provide for the establishment of a University at Kohat, in the private sector, and for matters ancillary thereto;

AND WHEREAS the Governor of the ²[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 ³[Khyber Pakhtunkhwa] is pleased to make and promulgate the following Ordinance:

CHAPTER-1
PRELIMINARY

1. Short title and commencement.---(1) This Ordinance may be called the Preston University Ordinance, 2002.

(2) It shall come into force at once.

2. Definitions.---In this Ordinance, unless there is any thing repugnant in the subject or context-

- (a) “Academic Council” means the Academic Council of the University;
- (b) “Affiliated College” means an educational institution affiliated to the University but not maintained or administered by the University;
- (c) “Authority” means any of the Authorities of the University as specified in section 7;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (d) “Board of Faculty” means the Board of Faculty of a specific Faculty of the University;
- (e) “Board of Governors” means the Board of Governors of the University;
- (f) “Board of Directors” means the Board of Directors of the Preston Education Peshawar (PVT) Ltd;
- (g) “Chairman” means the Chairman of the Board of Governors;
- (h) “Chairman of the Department” means head of a Department;
- (i) “Chancellor” means the Chancellor of the University;
- (j) “College” means an affiliated College;
- (k) “Constituent College” means a college maintained and administered by the University;
- (l) “Constituent Institute” means an Institute maintained and administered by the University;
- (m) “Dean” means Dean of a Faculty;
- (n) “Director” means the head of a Teaching Division or an Institute established as a Constituent Institute of the University;
- (o) “Director Finance” means the Chief Financial Officer of the University;
- (p) “Faculty” means a Faculty of the University;
- (q) “Government” means the Government of the ¹[Khyber Pakhtunkhwa];
- (r) “HEC” means the Higher Education Commission established under the Higher Education Commission Ordinance, 2002;
- (s) “Head” means the Head of a Teaching Department of the University;
- (t) “Patron” means the Patron of the University;
- (u) “prescribed” means prescribed by Statutes, Rules or Regulations;
- (v) “President” means the President of the Preston Education Peshawar (Pvt) Ltd;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (w) “Vice Chancellor” means the Vice Chancellor of the University;
- (x) “Registrar” means the Registrar of the University;
- (y) “Regulations, Rules and Statutes” shall respectively mean the Regulation, Rules and the Statutes made under this Ordinance;
- (z) “Research Officer” means a person engaged whole time by the University for research, being equivalent in rank to a teacher;
- (aa) “Teachers” means Professors, Associate Professors, Assistant Professors, Lecturers, and Instructors engaged whole-time by the University for teaching graduate or postgraduate classes, and such other persons as may be declared to be teachers by Regulations;
- (bb) “Teaching Department” means a Teaching Department established and maintained by the University;
- (cc) “PEP” means the Preston Education Peshawar (Pvt) Ltd., a company registered under the Companies Ordinance, 1984, vide Registration No. P-02109 of 2002-2003 (GCN 03024), dated 18th October, 2002.
- (dd) “University” means Preston University at Kohat; and
- (ee) “Executive Vice President” means the Executive Vice President of the University.

CHAPTER -II INCORPORATION

3. Establishment and incorporation of the University.---(1) There shall be established at Kohat a University to be called the “Preston University”.

(2) The University shall consist of

- (a) the Chancellor, the Executive Vice President, the Vice Chancellor, members of the Board of Directors and Board of Governors, the Director of Finance, the Deans, the Heads, the Registrar and the Controller of Examination;

- (b) the members of such councils, committees and other bodies as the respective Board may establish;
- (c) such other officers and members of the staff as may, from time to time, be specified by the respective Board, and
- (d) the teachers and the students of the University and its Constituent College or Constituent Institute.

(3) The University shall be a body corporate by the name of “Preston University” having perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of 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 Chancellor from time to time in promoting and regulating the objectives of the University.

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

- (a) 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) admit and examine students;
- (c) 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) confer honorary degrees;
- (e) prescribe courses of studies in any branch of learning as the University may determine;
- (f) pursue research;
- (g) establish and support other facilities for education, training and research;
- (h) associate with other institutions and establish faculties/ institutes in Pakistan and /or abroad, for better discharge of its functions and responsibilities;
- (i) establish camp offices/campuses, faculties in Pakistan and abroad;

- (k) 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;
- (l) establish, administer and maintain halls of residence and approve any place as hostel or lodging for students;
- (m) recognize 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) enter into agreements, contracts and arrangements with universities, organizations, institutions, bodies, governments, and individuals for the purpose of carrying out its functions and activities within the county and abroad;
- (o) affiliate/disaffiliate educational institutions in accordance with the procedure approved by the Board of Governors, and the prevalent policy of the Government; provided that for the first ten years the University shall not grant affiliation to any institution; and
- (p) 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, class, 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 of sex, religion, race, creed, class, colour or domicile.

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

(2) The University shall associate internal or external examiners for the conduct of examinations.

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

- (a) Board of Governors;
- (b) Academic Council;
- (c) the Board of Faculty;
- (d) the Board of Studies;
- (e) the Advanced Studies and Research Board;
- (f) finance and planning Committee;
- (g) selection Board; and
- (h) any other Authority constituted by the Board of Governors.

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

- (a) Patron;
- (b) Chancellor;
- (c) Executive Vice President;
- (d) Vice Chancellor;
- (e) Director Finance;
- (f) Registrar;
- (g) the Deans and Directors;
- (h) the Heads of Teaching and Administrative Departments; and
- (i) such other persons as may be specified by rules to be the officers of the University.

9. Patron.---(1) The Governor of the ¹[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 Chancellor shall preside at the convocations.

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

10. Chancellor.---The Chancellor shall be elected by the Board of Directors for a term of six years. Dr. Abdul Basit has been elected as the first Chancellor of the University by the Board of Directors.

11. Powers and functions of the Chancellor.---The Chancellor shall be the Chief Executive Officer of the University.

(2) The Chancellor shall be the Chairman of the Board of Governors.

(3) The Chancellor shall approve the draft Statutes proposed by the Board of Governors.

(4) The Chancellor shall appoint the Executive Vice President, the Vice Chancellor and the Director of Finance on the recommendations of the Board of Directors.

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

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

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (a) has become of unsound mind; or
- (b) has been incapacitated to function as member of such Authority; or
- (c) has been convicted by a court of law for an offence involving moral turpitude; or
- (d) has been found indulging in any activity against the interest of the University; or
- (e) has violated or not fulfilled his terms of appointment.

(7) Should the Chancellor be incapacitated from acting as such due to absence or any other cause, the Executive Vice President shall work in his place.

(8) The Chancellor 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.

(9) The Chancellor shall communicate to 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.

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

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

12. Executive Vice President.---(1) The Executive 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 caliber.

(2) The Executive Vice President shall be appointed for a term of three years and on such terms and conditions as the Chancellor may, with the approval of the Board of Directors, determine.

(3) Mr. Abdul Hamid has been appointed as the first Executive Vice President of the University on the recommendations of the Board of Directors on the terms and conditions as may be specified separately by the Chancellor.

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

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

(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 Chancellor shall take necessary steps for smooth functioning of the University.

(3) The Vice Chancellor shall be the chief academic officer of the University and shall, subject to control and supervision of the Chancellor, act as the administrative officer in relation to the matters concerning academic activities 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 Governors.

(4) The Vice Chancellor shall also have powers to-

- (a) regulate the activities connected with the execution of programmes for instructions, training, research and similar services;
- (b) authorize expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure, in consultation with the Director Finance, and report it to the Board of Governors in the next meeting;
- (c) sanction and re-appropriate an amount not exceeding one hundred thousand rupees for an unforeseen item not provided for in the budget, and report it to the Board of Governors in the next meeting;
- (d) appoint, with the approval of the Board of Governors, teachers, officers and members of the staff of the University and such persons

as may be necessary in accordance with policies and procedures approved by the Board of Governors;

- (e) submit to the Board of Governors, in accordance the rules of procedure, reports on the activities of the University and the execution of the plans of work;
- (f) submit plans of work and budget estimates of the University for the consideration of the Board of Governors;
- (g) create and fill temporary posts for a period not exceeding six months; and
- (h) exercise and perform such other powers and functions as may be prescribed.

14. Director Finance.---The Director Finance shall be appointed for a term of three years on such terms and conditions as the Chancellor may determine and shall hold office during the pleasure of the Chancellor. He 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 purposes 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 PEP to the University, should the latter face financial difficulties. Similarly, with the approval of the Chancellor, he may transfer surplus funds from the University to the PEP; and
- (f) perform such other duties as may be prescribed by the Chancellor;

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

- (2) The Registrar shall-

- (a) be the custodian of the common seal and academic records of the University;
- (b) maintain a Register of Registered Graduates in the prescribed manner;
- (c) be responsible for all matters connected with the admissions in the prescribed manner; and
- (d) be responsible for all matters connected with the conduct of examinations and perform such other duties as may be prescribed.

16. Powers and functions of the Board of Directors.---(1) The Board of Directors shall-

- (a) own, hold, control and administer the property, funds, and resources of the University and raise funds for the purpose of the University upon such security as may be required under Regulations;
- (b) undertake responsibility for the financial viability of the University, including responsibility for ensuring effectiveness of its operations and their continuity;
- (c) appoint auditors to audit the accounts of the University; and
- (d) 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 Directors shall appoint members on various Boards of the University and other Authorities in accordance with the provisions of this Ordinance.

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

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

- (a) the Chancellor (Chairman);
- (b) the Executive Vice President;
- (c) the Vice Chancellor;
- (d) one nominee of the Patron;
- (e) four nominees of the Board of Directors;
- (f) one nominee of the Chairman of HEC;

- (g) Secretary to Government, Higher Education Department, or his nominee, not below the rank of an Additional Secretary;
- (h) a serving /retired Judge to be nominated by the Chief Justice of the Peshawar High Court, Peshawar;
- (i) a Vice Chancellor of a University in the Province, other than a private University to be nominated by the patron;
- (j) one eminent scientist of international repute to be nominated by the Chancellor;
- (k) two persons of eminence from public to be nominated by the Board of Directors; and
- (l) the Registrar, who shall also be the secretary of the Board.

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

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

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

- (a) 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) make statutes;
- (c) prepare and revise, from time to time, rules and regulations for the efficient and effective operations of the University;
- (d) create components of University such as faculties, departments, colleges, institutes, etc., and to constitute such standing committees, councils, and other administrative academic advisory bodies as it deems necessary, and review their work;
- (e) consider plans of work and annual budget of the University for the approval of Board of Directors.
- (f) call for and consider reports relating to the activities of the University and the execution of the plans of work and to direct the Vice

Chancellor to furnish information relating to any matter specified by the Board of Governors;

- (g) create such academic or administrative posts as it may deem necessary;
- (h) abolish such academic or administrative posts as created by the Board of Governors;
- (i) appoint teachers and the employees on the recommendations of the Selection Board;
- (j) suspend, punish and remove from service such officers, teachers and other employees appointed by the Board of Governors who are found to be guilty of misconduct;
- (k) constitute committees or sub-committees as it may deem necessary; and
- (l) take all such initiatives as it may consider necessary or desirable for the efficient and effective management and functioning of the University as per policy and guidelines.

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

19. Meetings of the Board of Governors.---(1) The Board of Governors shall meet preferably twice a year on dates to be fixed by the Chancellor; provided that a special meeting may be called at any time by the Chancellor, or on a request by a simple majority of the Board of Governors, to consider any 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 of Governors 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 of Governors shall be one half of its members, a fraction being counted as one.

(4) The decisions 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 shall have the power to exercise a casting vote.

20. 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.

21. 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, Institutes, Centers of Excellence, 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 organizations for purposes of instructions, research and other scholarly activities;
- (f) conditions of appointment of Professors Emeritus;
- (g) award of honorary degrees;
- (h) efficiency and discipline of the employees of the University;
- (i) acquisition and administration of properties and investments of the University; and
- (j) 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 Chancellor.

(3) The Chancellor 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 statutes shall be valid until it has been approved by the Chancellor.

22. 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 examination, appointment of examiners, scrutiny, tabulation and declaration of results;
- (d) determinations of fees and other charges for admission to various courses, examination 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, scholarships, assistantships, prizes, medals, honoraria and other assistance for students and research scholars;
- (g) conduct of convocation and form of academic costumes;
- (h) conditions of residence 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 the powers 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.

23. Rules.---(1) The Authorities and other bodies of the University may make rules consistent with this Ordinance, the Statutes and the Regulations to regulate any matter relating to the affairs of the University which under this Ordinance are not specifically required to be provided by the Statutes and the Regulations.

(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 by the Statutes or the Regulations.

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

25. University fund, audit and accounts.---(1) The University shall have a fund to which shall be credited income from fees, donations, trust, bequests, endowments, grants, contribution 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 rules.

(3) The accounts of the University shall be audited yearly within four months of the closing of the financial year of the University by a Chartered Accountant appointed by the Board of Directors.

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

(5) The auditor's report shall certify that the auditor has compiled with the standards of audit and certification laid down by the Institute of Chartered Accountants of Pakistan.

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

(7) The University has been established solely for educational and research purposed and it will be run as a not-for-profit organization. In case, after meeting essential recurring and development expenditures, the surplus funds, if there be any, in any year, may be transferred to PEP.

(8) 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.

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

- (a) the Vice Chancellor (Chairman);
- (b) two nominees of the Board of Trustees;
- (c) all the Deans and Directors;
- (d) all the Heads of Departments /Institutes;
- (e) all Professors and Associate Professors of the University;
- (f) nominee of the Secretary to Government, Higher Education Department, not below the rank of Deputy Secretary;

- (g) two Assistant Professors and two Lecturers to be nominated by the Board of Governors;
 - (h) three eminent persons, one each from the fields of arts, sciences and the professions, to be nominated by the Board of Governors; and
 - (i) the Registrar, who shall also be the Secretary of Council.
- (2) Members appointed by nomination shall hold office for two 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.

27. 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 provisions of this Ordinance and the Statutes, the Academic Council shall have the powers to:

- (a) advise the Board of Governors on academic matters;
- (b) regulate the conduct of teaching, research, publication and examinations;
- (c) regulate the admission of students to the course of studies and examinations in the University;
- (d) regulate the conduct and discipline of the students of the University;
- (e) propose to the Board of Governors schemes for the constitution and organization of Faculties and Teaching Departments;
- (f) consider or formulate proposals for the planning and development of teaching and research in the University;
- (g) make regulations prescribing the courses of studies and the syllabi subject to the approval of the Board of Governors;
- (h) regulate the award of fellowships, studentships, assistantships, scholarships, bursaries, exhibitions, medals and prizes;
- (i) frame regulations and rules for submissions to the Board of Governors;

- (j) recognize 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;
- (k) appoint/nominate members to the various Authorities in accordance with provisions of this Ordinance; and
- (l) perform such other functions as may be prescribed by Statutes.

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

29. 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.

30. 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.

31. 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 21 and shall remain in force until they are amended or replaced by new Statutes.

32. 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.

33. 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.

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

35. 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 Chancellor whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Chancellor 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 Chancellor may direct.

SCHEDULE
THE FIRST STATUTES

1. Faculties:

There shall be 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 Engineering;
- (ii) Faculty of Management Sciences;
- (iii) Faculty of Information Technology;
- (iv) Faculty of Social Sciences;
- (v) Faculty of Natural Sciences;
- (vi) Faculty of Health Informatics; and
- (vii) such other Faculties as may be determined by the 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) one nominee of the Board of Directors;
- (iii) the Professors and the Heads of the Academic Departments in the Faculty;
- (iv) one member, other than Professors and Head of each Academic Department, to be nominated by the respective Heads;
- (v) two teachers to be nominated by the Academic Council by reason of their specialized knowledge of the subjects which, though not assigned to the Faculty, have in the opinion of the Academic Council, important bearing on the subjects assigned to the Faculty;
- (vi) two experts in the field from outside the University to be appointed by the Board of Governors;
- (vii) 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, subject to the general control of the Academic Council and the Board of Governors, will have the powers to-

- (i) co-ordinate the teaching and research work in the subjects assigned to the Faculty;

- (ii) scrutinize the recommendations of the Departments comprising the Faculty with regard to the appointment of paper setters and examiners for graduate and post graduate examinations and to forward the panel of suitable paper setters and examiners for each examination to the Vice Chancellor for approval;
- (iii) consider any other academic matter relating to the Faculty and report thereon to the Academic Council;
- (iv) prepare a comprehensive annual report regarding the performance of each department, comprising the faculty for presentation to the Academic Council; and
- (v) perform such other functions as may be prescribed by Statutes.

4. Dean of Faculty:

- (a) There shall be a Dean of each Faculty who shall be the Chairperson and Convener of the Board of Faculty.
- (b) The Dean shall be appointed by the Board of Governors on the recommendation of the Vice Chancellor and shall hold office for a period upto three years and shall be eligible for re-appointment.
- (c) The Dean shall present candidates for admission to Degree (except honorary Degrees) in the courses falling within the purview of the Faculty.
- (d) The Dean shall have such powers and perform such duties as may be prescribed by the Board of Governors.

5. Academic Departments and Head of Department:

- (a) There shall be an Academic Department for each subject or a group of subjects, as may be prescribed by regulations and each Academic Department shall be headed by a Head of Department.
- (b) The Head of an Academic Department shall be appointed by the Board of Governors on the recommendations of the Vice Chancellor for a period of three years and shall be eligible for re-appointment.
- (c) The Head of the Department shall plan, organize and supervise the work of the Department and shall be responsible to the Dean for the work of his Department.
- (d) The Head of 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 and powers as may be assigned or delegated to him.

- (e) The Head of the Department shall prepare a comprehensive annual report on the performance of the Department at graduate and post graduate levels, and on faculty research and development and submit it to the Dean of the Faculty for evaluation.

6. Selection Board:

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

7. Functions of the Selection Board:

- (1) The functions of the Selection Board shall be-
 - (a) to consider the applications received from persons interested for appointment as Teachers/Officers and recommend to the Board of Governors the names of suitable candidates for such appointment and also to recommend suitable salary for the person concerned; and
 - (b) to 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.

(2) In the event of an unresolved difference of opinion between the Selection Board and the Board of Governors, the decision of the Chancellor shall be final.

(3) The Chancellor shall have the power to directly appoint person of exceptional merit on an academic position for a specified period, not exceeding six months, on terms and conditions as he may determine.

8. Finance and Planning Committee:

(1) The Finance and Planning Committee shall consist of-

- (i) the Vice Chancellor (Chairman);
- (ii) one Dean to be nominated by the Chancellor;
- (iii) two nominees of the Board of Directors;
- (iv) one nominee of the Board of Governors;
- (v) Director Finance, who shall also be the Secretary of the Committee.

(2) The Term of office of the nominated members shall be three years.

(3) The quorum for a meeting of the Finance and Planning Committee shall be four members.

9. Functions of the Finance and Planning Committee:

The functions of the Finance and planning Committee shall be:

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

Peshawar,
Dated the 22nd Nov., 2002.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
Governor of the ¹[Khyber Pakhtunkhwa]

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011