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PROVINCIAL ASSEMBLY SECRETARIAT, KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 11th January, 2012.

No.PA/Khyber Pakhtunkhwa/Bills/2012/1307.—The University of Peshawar Bill, 2011 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 30th December, 2011 and assented to by the Governor of the Khyber Pakhtunkhwa on 9th January, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE UNIVERSITY OF PESHAWAR ACT, 2011 (KHYBER PAKHTUNKHWA ACT NO. I OF 2012)

(first published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa (Extraordinary), dated the 11th January, 2012)

AN

to reconstitute and reorganize the University of Peshawar.

WHEREAS it is expedient to reconstitute and reorganize the University of Peshawar for the purpose of enhancing its necessary autonomy and further raising its standards of teaching, training and research;

AND WHEREAS it is necessary to further improve its governance and management by ensuring accountability, transparency and giving due representation to all stakeholders in decision making;

It is hereby enacted as follows:

CHAPTER -I PRELIMINARY

- 1. Short title and commencement.—(1) This Act may be called the University of Peshawar Act, 2011.
 - (2) It shall come into force at once.
- 2. <u>Definitions.</u>—In this Act, unless the context otherwise requires, the following expression, shall have the meanings hereby respectively assigned to them, that is to say,
 - (i) "Academic Council" means the Academic Council of the University;
 - (ii) "affiliated college" or "affiliated institution" means a college or institution affiliated to the University but not maintained or administered by it;
 - (iii) "Authority" means any of the Authorities of the University specified in section 18;
 - (iv) "Chairperson" means head of a Department;
 - (v) "Chancellor" means the Chancellor of the University;
 - (vi) "college" means a constituent college or an affiliated college;
 - (vii) "Commission" means the Higher Education Commission set up under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
 - (viii) "constituent college" or "constituent institution" means a college or institution maintained and administered by the University;
 - (ix) "Dean" means the Dean of a Faculty;
 - (x) "Department" means a teaching department maintained and administered, or recognized by the University in the manner prescribed;
 - (xi) "Director" means the head of section or institute established as constituent institutions by the University under Statutes or Regulations in terms of the powers delegated through this Act;
 - (xii) "Faculty" means an administrative and academic unit of the University consisting of more than one department, as prescribed;

- (xiii) "Government" means the Government of Khyber Pakhtunkhwa;
- (xiv) "institution" means a constituent institution or an affiliated institution;
- (xv) "officer" means an officer of the University specified in this Act;
- (xvi) "prescribed" means prescribed by Statutes, Regulations or Rules made under this Act:
- (xvii) "Principal" means the head of a college:
- (xviii) "Pro-Chancellor" means Pro-Chancellor of the University;
- (xix) "Professor Emeritus" and "Honorary Professor" means a retired Professor working in a Faculty in the capacity of an Emeritus or Honorary Professor;
- (xx) "Province" means the Province of the Khyber Pakhtunkhwa;
- (xxi) "Regulations", "Rules" mean respectively the Regulations or Rules made under this Act;
- (xxii) "Schedule" means a Schedule to this Act;
- (xxiii) "Search Committee" means the Search Committee set up by the Chancellor under sub-section (2) of section 12;
- (xxiv) "section" means a section of this Act;
- (xxv) "Senate" means the Senate of the University;
- (xxvi) "Syndicate" means the Syndicate of the University;
- (xxvii) "teachers" include Professors, Associate Professors, Assistant Professors, Lecturers and Research staff engaged whole time by the University for teaching degree, honours or post-graduate classes, and such other persons as may be declared to be teachers by the Statutes;
- (xxviii) "University" means University of Peshawar established at Peshawar under this Act; and
- (xxix) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER -II THE UNIVERSITY

- 3. <u>Establishment and Incorporation of the University.</u>—(1) The University of Peshawar shall be reconstituted in accordance with the provisions of this Act and shall be known with the said name.
 - (2) The University shall consist of,-
 - (a) the Chancellor, the Pro-Chancellor, the Vice Chancellor, the members of the Senate, the Deans, the Principals of the constituent colleges, the Directors of Institutes, the Chairperson of the Departments, the Registrar, the Controller of Examination, the Treasure, the Teachers and students of the University, the Librarian, the Auditor and such other officers as may be prescribed; and
 - (b) the members of the Syndicate, the Academic Council, the Board of Faculties, constituent colleges, constituent institutions of the University and other Authorities of the University.
- (3) The University shall be a body corporate by the name of the University of Peshawar having perpetual succession and a common seal and may, by the said name, sue and be sued.
- (4) The University shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it.
- (5) 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 teachers, officers and other employees on such terms as may be prescribed by this Act or the Statutes made hereunder.
- 4. <u>Jurisdiction of the University.</u>—(1) The University shall exercise the powers conferred on it by or under this Act with respect to the Institutions or colleges within the territorial limits of District Peshawar, District Charsadda and Tribal Areas adjoining Peshawar District:

Provided that the Government may, in consultation with the University, by general or special order, modify the scope of aforesaid powers of the University with regards to the territorial limits.

(2) The University may admit to its privileges, under prescribed conditions, colleges or postgraduate institutions, within the territorial limits of other university, whether inside or outside Pakistan:

Provided that the No Objection Certificate of such other university is first obtained.

Provided further that the University shall have the power to establish its campuses throughout the Province.

- 5. University open to all.—The University shall be open to persons of either sex of whatever religion, race, creed, colour or domicile who are academically qualified for admission to the courses of study offered by the University, and no such person shall be denied the privileges of the University on the ground of sex, religion, creed, caste, race, dass, colour or domicile.
- 8. Powers of the University.—The University shall have the following powers to-
 - (i) provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine:
 - (ii) prescribe courses of studies to be conducted by it and the colleges;
 - (iii) 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;
 - (iv) prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to governments servants in general;
 - (v) engage, where necessary, persons on contract of specified duration and to specify the terms of each engagement;
 - (vi) confer honorary degrees or other distinctions on approved persons in the prescribed manner;
 - (vii) 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;
 - (viii) institute programmes for the exchange of students and teachers between the University and other universities, educational institutions and research organizations, inside as well as outside Pakistan:

- (ix) provide career counseling and job search services to students and alumni;
- (x) maintain linkages with alumni;
- (xi) develop and implement fund-raising plans;
- (xii) provide and support the academic development of the faculty of the University:
- (xiii) confer degrees on persons who have carried an independent research under prescribed conditions;
- (xiv) affiliate and disaffiliate educational institutions under prescribed conditions;
- (xv) inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (xvi) 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;
- (xvii) 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;
- (xviii) institute Professorships; Associate Professorships, Assistant Professorships and Lecturerships and any other posts and to appoint persons thereto;
- (xix) create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xx) recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;
- (xxi) institute and award financial assistance to students in need fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;

- (xxii) 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;
- (xxiii) provide for the residence of the students of the University and the colleges, to institute and maintain halfs of residence and to approve or license hostels and lodging;
- (xxiv) maintain order, discipline and security on the campuses of the University and the colleges;
- (xxv) promote the extra curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
- (xxyi) demand and receive such fees and other charges as it may determine:
- (xxvii) 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;
- (xxviii) enter into, carry out, vary or cancel contracts:
- (xxix) receive and manage property transferred and grants, contributions made to the University and to invest any fond representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxx) provide for the printing and publication of research and other works; and
- (xxxi) 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 objects of the University as a place of education, learning, and research.
- 7. Teaching and Examinations.—(1) All recognized teaching in various courses in the University, affiliated colleges and affiliated institutions shall be conducted in the prescribed manner, and it may include lectures, tutorials, discussions, seminars, demonstrations as well as practical work in laboratories and workshops and other methods of instructions including, but not limited to, voices, graphics, text, dynamic, content, and data structures of all types whether they are in electronic, visual, auditory, optical or any other form.

- (2) The teaching in any prescribed course in the University, colleges and institutions shall be organized by such Authority as may be prescribed.
- (3) The courses and the curricula for teaching in the University, colleges and institutions shall be such as may be prescribed.
- (4) A discipline to be called "Islamic and Pakistan Studies" shall be offered, as a compulsory subject at the Bachelor's level, in the University, colleges and institutions; provided that non-Muslim students may opt for "Ethics and Pakistan Studies".
- (5) The University may associate and engage external examiners not employed by the University for conduct of examinations or evaluation of candidates as and when necessary.
- (6) The degree, diploma or certificate at the University shall only be granted to a student after he has fulfilled the prescribed requirements for the said degree, diploma or certificate.

CHAPTER -III OFFICERS OF THE UNIVERSITY

- 8. <u>Officers of the University.</u>—The following shall be the officers of the University, namely:
 - (a) the Chancellor;
 - (b) the Pro-Chancellor;
 - (c) the Vice-Chancellor;
 - (d) the Deans:
 - (e) the Principals of the constituent colleges:
 - (f) the Chairpersons of the Departments;
 - (g) the Registrar;
 - (h) the Directors;
 - (i) the Controller of Examinations:
 - (i) the Treasurer;
 - (k) the Provost;
 - (1) the Librarian; and
 - (m) such other persons as may be prescribed to be officers of the University.
- 9. <u>Chancellor and Pro-Chancellor.</u>—(1) The Governor of the Khyber Pakhtunkhwa shall be the Chancellor of the University and the Chairperson of the Senate.
- (2) The Chancellor shall, when present, preside at the meetings of the Senate and Convocation of the University.

- (3) The Minister for Higher Education Department, Government of the Khyber Pakhtunkhwa, shall be the Pro-Chancellor of the University and shall aid and advise the Chancellor in such manner as may be required by the Chancellor. The Pro-Chancellor shall, in the absence of the Chancellor, preside at the Convocation of the University.
- (4) Every proposal to confer an honorary degree shall be subject to confirmation by the Chancellor.
- (5) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may-
 - (a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

Provided that if the Chancellor is satisfied that either no reconsideration has been carried out or that the reconsideration has failed to address the concern expressed, he may, after calling upon such authority to show cause why such proceeding should not be annulled by order in writing, annul the proceedings;

- (b) as regards proceedings of any Authority or officer with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercises powers under section 20.
- (6) The Chancellor shall have the powers to assent to such Statutes as are required by this Act to be submitted to him by the Senate or refer them back for reconsideration; provided that if upon reconsideration the Senate passes the same Statutes by a majority of three-fourth of its total members, the Chancellor shall be deemed to have assented to such Statutes.
- (7) In the performance of his functions under this Act, the Chancellor shall act in the same manner as the Governor of the Khyber Pakhtunkhwa acts under Article 105 of the Constitution of the Islamic Republic of Pakistan.
- 10. Removal from the Senate.—(1) The Chancellor may, upon the recommendations of the Senate, remove any person from the membership of the Senate.
- (2) The Chancellor shall remove any person, except the Vice-Chancellor, from the membership of the Senate on a resolution calling for the removal of such person supported by at least three-fourths of the membership of the Senate:

Provided that before passing such resolution the Senate shall provide the member concerned a fair hearing.

- 11. <u>Vice-Chancellor.</u>—(1) There shall be a Vice-Chancellor of the University who shall be an eminent academic 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 in order to promote the general efficiency and good order of the University. The Vice-Chancellor shall have all powers prescribed for this purpose, including administrative control over the officers, teachers and other employees of the University.
- (3) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action, ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seven days, a report of the action taken to the members of Emergency Committee of the Senate, to be set up by the Statutes. The Emergency Committee may direct such further action as is considered appropriate.

Provided that such action of the Vice-Chancellor shall be subject to the final approval of the relevant authority in its next meeting.

Provided further that the Vice-Chancellor shall not perform any legislative act of making Statutes, Regulation and Rules by exercising his emergency powers under this section.

- (4) The Vice-Chancellor shall, if present, be entitled to attend any meeting of any Authority or body of the University.
 - (5) The Vice-Chancellor shall also have the following powers to-
 - (a) direct officers, teachers and other employees of the University to take up such assignments in connection with examination, administration and such other activities in or for the University as he may consider necessary for the purposes of the University;
 - (b) sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen item not provided for us the budget and report it to the Senate in the next meeting;
 - (c) create, re-designate and fill contract, temporary posts for a period not exceeding one year;
 - (d) make appointments of employees of the University in BPS-01 to 16 in such manner as may be prescribed by the Statutes. All such appointments should be reported to Syndicate during its next meeting;

- (e) suspend from service, in accordance with the prescribed procedure, officers and teachers of the University in BPS-17 and above for a maximum period of 90 days and report the matter to the Syndicate within one month thereafter:
- (f) inflict minor and major penalty upon the employees working in BPS-01 to BPS-16 in a manner to be prescribed through Statutes;
- (g) delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer of the University;
- (h) appoint examiners and paper setters for all examinations of the University on the recommendations of the relevant Boards of Studies of Department and constituent institutions;
- (i) appoint foreign and local referees for evaluation of research articles of candidates for faculty positions from the panel of names recommended by the Syndicate; and
- (j) to exercise and perform such other powers and functions as may be prescribed.
- (6) The Vice-Chancellor shall preside at the Convocation of the University in the absence of the Chancellor and the Pro-Chancellor.
- (7) The Vice-Chancellor shall present an annual report before the Senate within three months of the closure of the academic year. The annual report shall present such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to the following namely-
 - (a) academics:
 - (b) research;
 - (c) administration; and
 - (d) finances.
- (8) The Vice-Chancellor's annual report shall be made available, prior to its presentation before the Senate, to all officers and University teachers and shall be published in such numbers as are required to ensure its wide circulation.
- 12. <u>Appointment and Removal of the Vice-Chancellor</u>.—(1) The Vice-Chancellor shall be appointed by the Chancellor from a panel of three candidates proposed by the Search Committee.
- (2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by Chancellor from the names on the advice of Chief Executive of the Province and shall consist of-

- (a) the Chief Secretary, Government of Khyber Pakhtunkhwa, who shall be Convener of the Search Committee;
- (b) three eminent members of the society, with experience in education, administration or social work:
- (c) two members of the Senate, who are nominee of the Chancellor but not employees of the University; and
 - (d) the Secretary to Government, Higher Education Department, Khyber Pakhtunkhwa.
- (3) The members mentioned in clauses (b) and (c) of sub-section (2) shall be nominated by the Chancellor on the advice of Chief Executive while the members mentioned in clauses (a) and (d) shall be members of the Search Committee by virtue of their offices.
- (4) The Search Committee shall remain in existence till such time as a new Vice-Chancelior is appointed by the Chancelior.
- (5) The Vice-Chancellor shall be appointed for a renewable tenure of four years on terms and conditions prescribed by Statutes. The tenure of an incumbent Vice-Chancellor may be renewed by the Chancellor on the basis of his performance and on receipt of a resolution of the Senate in support of such renewal:

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

(6) Where the Chancellor is of the view that the Vice-Chancellor should be removed, he may make a reference to the Senate stating the instances of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct on the part of the Vice-Chancellor that have come to his notice. After consideration of the reference the Senate may, pursuant to a resolution in this behalf passed by two-third of its membership, recommend to the Chancellor the removal of the Vice-Chancellor:

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

- (7) At any time when the office of the Vice-Chancellor is vacant, or the Vice-Chancellor is absent or is unable to perform the functions of his office due to illness or some other cause, the Chancellor may appoint one of the Deans of the University to officiate as Vice-Chancellor.
- 13. <u>Registrar.</u>—(1) There shall be a Registrar of the University who shall be the Principal Administrative Officer of the University.

- (2) The Registrar shall be appointed by the Syndicate, from amongst the Officers or Teachers in BPS-19 or above, on such terms and conditions as may be prescribed.
 - (3) Responsibilities of the Registrar shall include:
 - (a) to act as Secretary of the Senate, Syndicate, Academic Council, Selection Board and such other authorities, bodies and committees as prescribed by or under this Act;
 - (b) subject to the decision of authorities, he shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University;
 - (c) to be the custodian of records, the common seal and such other property of the University as the Syndicate may, commit to his charge;
 - (d) to conduct elections to various authorities in a manner prescribed by statutes;
 - (e) to prepare and update the Handbook of Statutes, Regulations and Rules approved by authorities, bodies or committees from time to time, and make them available to public, all respective members of the authorities and officers of the university;
 - (f) to exercise such other powers and perform such other duties as prescribed by or under this Act or assigned to him, from time to time, by the Vice-Chancellor;
- (3) The term of office of the Registrar shall be three years and may be renewed from time to time:

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

- 14. <u>Treasurer.</u>—(1) There shall be a Treasurer of the University and shall be appointed by the Syndicate, from amongst the Officers or Teachers in BPS-19 or above, on such terms and conditions as may be prescribed:
- (2) 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 the annual and revise budget estimates of the University and present them to the Syndicate or a committee thereof for approval and incorporation in the budget to be presented to the Senate;
- (c) ensure that the funds of the University are expended on the purposes for which they are provided;
- (d) have the account of the University audited annually so as to be available for submission to the Senate within six months of the close of the financial year; and
- (e) perform such other duties as may be prescribed.
- (3) The term of office of the Treasurer shall be three years and may be renewed from time to time:

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

- 15. <u>Controller of Examinations.</u>—(1) There shall be a Controller of Examinations and shall be appointed by the Syndicate, from amongst the Officers or Teachers in BPS-19 or above, 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 such 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 perform such other duties as may be prescribed.
- (4) The term of office of the Controller of Examinations shall be three years and may be renewed form time to time;

Provided that the Syndicate may, on advice of the Vice-Chancellor, terminate the appointment of the Controller of Examinations, on grounds of inefficiency or misconduct, in accordance with the prescribed procedure, before completion of his tenure.

- 16. <u>Auditor.</u>—(1) There shall be an internal Auditor of the University to be appointed by the Syndicate, on such terms and conditions, as may be determined by it.
- (2) The internal Auditor shall be responsible for pre-auditing of all bills and documents for all payments to be made by the University.

17. Other Officers.—Subject to the provisions of this Act, the terms and conditions of service, powers and duties of other officers of the University shall be such as may be prescribed.

<u>CHAPTER -IV</u> AUTHORITIES OF THE UNIVERSITY

- 18. Authorities .-- (1) The following shall be the Authorities of the University,-
 - (a) Authorities established by this Act,-
 - (i) The Senate:
 - (ii) The Syndicate; and
 - (iii) The Academic Council.
 - (b) Authorities to be established by the Statutes-
 - (i) Boards of Faculties;
 - (ii) Boards of Studies;
 - (iii) Selection Board;
 - (iv) Advance Studies and Research Board;
 - (v) Finance and Planning Committee;
 - (vi) Affiliation Committee;
 - (vii) Discipline Committee for Students;
 - (viii) Such other authorities as may be prescribed.
- 19. Senate.--(1) The Senate shall consist of the following,-
 - (a) the Chancellor who shall be the Chairperson of the Senate;
 - (b) the Pro-Chancellor;
 - (c) the Vice-Chancellor:
 - (d) Chief Justice Peshawar High Court or his nominee, a High Court Judge;
 - (e) two Deans of Faculties to be nominated by the Chancellor;
 - (f) two members of the Provincial Assembly of Khyber Pakhtunkhwa, to be nominated by the Speaker of the Assembly;
 - (g) the Secretary to Government, Higher Education Department, or his nominee not below the rank of Additional Secretary;

- (h) the Secretary to Government, Finance Department, or his nominee not below the rank of Additional Secretary;
- (i) the Secretary to Government, Establishment Department, or his nominee not below the rank of Additional Secretary;
- (j) members of Syndicate as referred to in clause (i) of sub-section (1) of section 22;
- (k) one Professor from each Faculty, other than Deans, to be elected by the Professors of their respective Faculties;
- (l) one registered graduate of the University, other than an employee of the University, to be elected from amongst themselves;
- (m) three persons from the academic community of the Province or the country, other than an employee of the University, at the level of professor or Principal of a college, to be appointed by the Chancellor; provided that one of such person must be a female;
- (n) six University Teachers, including two Associate Professors, two Assistant Professors and two Lecturers to be elected by teachers of their respective cadres from amongst themselves;
- (o) the Chairman, Higher Education Commission or his nominee not below the rank of Director General; and
- (p) three persons from society at large being persons of distinction in the fields of administration, management, education, academics, law, accountancy, medicine, fine arts, architecture, agriculture, science, technology and engineering with a view to reflecting a balance across the various fields, to be nominated by the Chancellor; provided that one of such person must be a female.
- (2) Members of the Senate, other then ex-officio members shall hold office for three years.
 - (3) The Senate shall meet at least twice in a calendar year.
- (4) In the absence of the Chancellor, meetings of the Senate shall be presided over by such member of the Senate, not being employee of the University or Government, as the Chancellor may, from time to time, nominate. The member so nominated shall be the convener of the Senate.
- (5) Unless otherwise described by this Act, all decisions of the Senate shall be taken on the basis of the opinion of majority of the members present. In the event of the members being evenly divided on any matter, the person presiding over the meeting shall have a casting vote.

- (6) The quorum for a meeting of the Senate shall be two-third of its members, a fraction being counted as one.
- 20. <u>Powers and functions of the Senate</u>.—(1) The Senate shall have the power of general supervision over the University and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the University. The Senate shall have all powers of the University not expressly vested in an Authority or officer by this Act and all other powers not expressly mentioned in this Act that are necessary for the performance of its functions.
- (2) Without prejudice to the generality of the foregoing powers, the Senate shall have the powers to-
 - (a) approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
 - (b) oversee the quality and relevance of the University's academic programmes and to review the academic affairs of the University in general;
 - (c) approve strategic plans;
 - (d) approve financial resource development plans of the University;
 - (e) consider the drafts of Statutes and Regulations proposed by the Syndicate and the Academic Council and deal with them in the manner as provided for in sections 28 and 29, as the case may be:

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

- (f) annul by order in writing the proceedings of any Authority or officer if the Senate is satisfied that such proceedings are not in accordance with the provisions of this Ordinance, Statutes or Regulations after calling upon such Authority or officer show cause why such proceedings should not be annulled;
- (g) recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of this Act;
- (h) appoint Emeritus Professors and Meritorious Professors on such terms and conditions as may be prescribed; and
- (i) to recommend to the Chancellor removal of any person from the membership of any Authority, if such person-

- (i) has become of unsound mind; or
- (ii) has become incapacitated to function as a member of such Authority; or
- (iii) has been convicted by a court of law for an offence involving moral turpitude; and
 - (iv) has been proven guilty of misconduct under the statutes made for ensuring efficiency and discipline in the University.
- (3) The Senate may, subject to the provisions of this Act, delegate all or any of its powers and functions, to any Authority, committee and officer at its additional campus, if any, for the purpose of exercising such powers and performing such functions in relation to such peripheral campuses, and for this purpose the Senate may create new posts or positions at the peripheral campuses.
- 21. <u>Visitations.</u>—(1) The Senate may, in accordance with the terms and procedures as may be prescribed, cause an inspection to be made in respect of any matter connected with the University.
- (2) The Chancellor may also cause an inspection or inquiry to be made in respect of any matter directly or indirectly concerned with the University, and, from time to time, appoint such expert or experts in the manner prescribed, for purposes of carrying out the inspection of various matters connected with the University.
- (3) The Chancellor shall communicate the Senate his views with regards to the results of such inspection or inquiry and shall, after ascertaining the views thereon of the Senate, advise the Senate on action to be taken.
- (4) The Senate shall communicate to the Chancellor such action, if any, as has been taken or may propose action to be taken upon the results of the inspection or inquiry.
- 22. Syndicate. -- (1) The Syndicate shall consist of,-
 - (a) the Vice-Chancellor, who shall be its Chairman;
 - (b) one member of the Provincial Assembly of the Khyber Pakhtunkhwa, to be nominated by the Speaker of the Assembly;
 - (c) Chief Justice Peshawar High Court or his nominee, a High Court Judge;
 - (d) one Dean to be appointed by the Vice-Chancellor on the recommendations of a committee consisting of all the Deans;

- (e) the Secretary to Government, Higher Education Department, or his nominee not below the rank of Additional Secretary;
- (f) the Secretary to Government, Establishment Department, or his nominee not below the rank of Additional Secretary;
- (g) the Secretary to Government, Finance Department, or his nominee not below the rank of Additional Secretary:
- (h) two principals *(one male and one female)* of affiliated public sector colleges to be nominated by the Chancellor from a panel recommended by the Higher Education Department;
- (i) one Professer, One Associate Professor, One Assistant Professor and One Lecturer of the University to be elected by the Professors, Associate Professors, Assistant Professors and Lecturers of the University, as the case my be, from amongst themselves in the prescribed manner;
- (j) one principal of the constituent colleges to be elected from amongst themselves in the prescribed manner;
- (k) one Chairperson/Director to be elected from amongst themselves in the prescribed manner;
 - (l) three persons of eminence to be nominated by the Chancellor;
 - (m) nominee of Commission not below the rank of Director General;
 - (n) two members of the Senate to be elected by the Senate; and
 - (o) the Registrar who shall be the Secretary of the Syndicate;
- (2) The members of the Syndicate, other than ex-officio members, shall hold office for a period of three years.
- (3) The quorum for a meeting of the Syndicate shall be two-third of the total number of its members, a fraction being counted as one.
 - (4) The Syndicate shall meet at least once in each quarter of the year.
- 23. <u>Powers and duties of the Syndicate</u>.—(1) The Syndicate shall be the executive body of the University and shall, subject to the provisions of this Act and the Statutes, exercise general supervision over the affairs and management of the University.
- (2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act, the Statutes, the Syndicate shall have the following powers:-

- (a) consider the annual report, the statements of Accounts, the annual and revised budget estimates and to submit these to the Senate;
- (b) transfer and accept transfer of movable and immovable property on behalf of the University;
- (c) hold, control according to the laid down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of movable and immovable property;
- (d) enter into, vary, carry out and cancel contracts on behalf of the University:
- (e) institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other employees of the University;
- (f) cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
- (g) 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;
- (h) receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
- (i) administer any funds placed at the disposal of the University for specified purposes;
- (j) provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the affairs of the University;
- (k) establish and maintain halls of residence and hostels or approve or license hostels lodgings or lodgings for the residence of students:
- (l) affiliate or disaffiliate colleges/institutions;
- (m) arrange for the inspection of colleges and the Departments;

- (n) institute Professorships, Associate Professorships, Assistant Professorships, Lecturer ships, and other teaching posts or to suspend or abolish such posts;
- (o) appoint teachers and other officers on the recommendation of the Selection Board in BPS-17 and above.
- (p) promote the officers of the Administrative Cadre to the next higher scale of pay, after taking into consideration their eligibility, efficiency and performance on the previously held posts length of service and availability of vacancy in the manner as may be prescribed;
- (q) inflict minor and major penalty upon University Teachers and officers in the manner as may be prescribed;
- (r) create, suspend or abolish such administrative or other posts as may be necessary;
- (s) prescribe the duties of officers, teachers and other employees of the University;
- (t) report to the Senate on matters with respect to which it has been asked to report;
- (u) appoint members to various Authorities in accordance with the provisions of this Act;
- (v) propose drafts of statutes for submission to the Senate;
- (w) regulate the conduct and discipline of the students of the University:
- (x) take actions necessary for the good administration of the University in general and to this end exercise such powers as are necessary;
- (y) delegate any of its powers to any Authority or officer or a committee; and
- (z) perform such other functions as have been assigned to it by the provisions of this Act or the Statutes made thereunder.
- 24. Academic Council.--(1) The Academic Council shall consist of:-
 - (a) the Vice-Chancellor who shall be its Chairman;
 - (b) all the Professors, including Emeritus Professors;

- (c) six University Teachers, including two Associate Professors, two Assistant Professors and two Lecturers to be elected by teachers of their respective cadres from amongst themselves;
- (d) four Principals of affiliated colleges, two each from public and private sector, to be nominated by the Secretary to Government of Khyber Pakhtunkhwa, High Education Department:

Provided that two of such principals shall be females;

- (e) the Director Admissions;
- (f) the Controller of Examinations; and
- (g) the Registrar, who shall be its member/Secretary.
- (2) Members of the Academic Council, other than ex-officio, shall hold office for a period of three years.
 - (3) The Academic Council shall meet at least once in six months.
- (4) 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. <u>Powers and duties of the Academic Council.</u>—(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act and the Statutes, have the powers to lay down proper standards of instruction, research and examinations and to regulate and promote the academic life of the University 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 powers to-
 - (a) advise the Syndicate on academic matters;
 - (b) to regulate and lay down standards for the conduct of teaching, research, examinations and students discipline;
 - (c) propose to the Syndicate schemes for the constitution are organization of Faculties, Departments and Boards of Studies;
 - (d) institute programmes for the continued professional development of University Teachers at all levels;

- (e) recognize the examinations of other universities or examining bodies as equivalent to the corresponding examinations of the University;
- (f) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
- (g) make Regulations on the recommendations of the Board of Faculties and the Board of Studies, prescribing the schemes of studies, the syllabi and mode of examinations:

Provided that if the recommendations of the Board of a Faculty or Board of Studies are not received by the prescribed date, the Academic Council may, subject to the approval of the Syndicate, permit the existing Regulations to continue for the following year;

- (h) prepare an annual report on the academic performance of the University;
- (i) appoint member to various authorities in accordance with the provisions of this Act; and
- (j) perform such other functions as may be prescribed by Regulations.
- 26. <u>Constitution, function and powers of other Authorities.</u>—The constitution, functions and powers of other Authorities for which no specific provisions, or insufficient provisions, have been made in this Act shall be such as may be prescribed by the Statutes.
- 27. Appointment of Committees by certain Authorities.—The Senate, the Syndicate, the Academic Council and other Authorities may, from time to time, appoint such standing, special or advisory committees, as they may deem fit, and may place on such committee persons who are not members of the Authorities appointing the committees.

CHAPTER -V STATUTES, REGULATIONS AND RULES

- 28. <u>Statutes.</u>—(1) Subject to the provisions of this Act, Statutes, may be made, to regulate or prescribe all or any of the following matters, namely,-
 - (a) the contents of and the manner in which the annual report to be presented by the Vice-Chancellor before the Senate shall be prepared;
 - (b) the University fees and other charges;

- (c) the constitution of any pension, insurance, gratuity, provident fund and benevolent fund for University employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (e) the maintenance of the register of registered graduates:
- (f) affiliation and disaffiliation of educational institutions and related matters;
- (g) the conduct of elections for membership of the authorities of the University and related matters;
- (h) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
- (i) the establishment of Faculties, Departments, institutes, colleges and other academic divisions:
- (i) the powers and duties of officers and teachers;
- (k) conditions under which the University may enter into agreements with other institutions or with public bodies for purposes of research and advisory services;
- (l) conditions for appointment of Emeritus Professors and Meritorious Professors, award of honorary degrees;
- (m) efficiency and discipline of University employees;
- (n) constitution, functions and powers of the Authorities of the University; and
- (o) 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 Syndicate to the Senate which may approve or pass it with such modifications as the Senate may think fit or may refer back to the Syndicate, as the case may be, for reconsideration of the proposed draft:

Provided that Statutes concerning any of the matters mentioned in clauses (a) and (l) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

Provided further that the Senate may initiate a Statute with respect to any matter in its power or with respect to which a Statute may be framed in terms of this Act and approve such Statute after seeking the views of the Syndicate.

- 29. <u>Regulations.</u>—(1) Subject to the provisions of this Act and the Statues, the Academic Council may make Regulations, for all or any of the following matters:
 - (a) the courses of study for degrees, diplomas and certificates of the University;
 - (b) the manner in which the Teaching referred to in sub-section (1) of section 7 shall be organized and conducted;
 - (c) the admission, registration and expulsion of students to and from the University;
 - (d) the consideration under which students shall be admitted to the courses and the examinations of the University and shall become eligible for the award of degrees, diplomas and certificates;
 - (e) the conduct of examinations;

their parents or grainfloys, and their supprished and physical and

- (f) conditions under which a person may carry on independent research to entitle him to a degree;
 - (g) the institution of fellowships, scholarships, exhibitions, medals and prizes;
 - (h) the use of the Library:
- (i) the formation of Faculties, Departments and Board of Studies; and
 - (j) all other matters which by this Act or the Statutes made there under are to be or may be prescribed by Regulations.

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- (2) Regulations shall be proposed by the Academic Council and shall be submitted to the Syndicate which may approve them or withhold approval or refer them back to the Academic Council for reconsideration. Regulations proposed by the Academic Council shall not be effective unless these are approved by the Syndicate.
- 30. <u>Amendment and repeal of Statutes and Regulations</u>.—The procedure for adding to, amending or repealing the Statutes and Regulations shall be the same as prescribed respectively for framing or making Statutes and Regulations.

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- 31. <u>Rules.</u>—(1) The Authorities and other bodies of the University may make Rules, consistent with this Act, the Statutes or the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.
- 32. <u>Affiliation of educational institution.</u>—(1) An educational institution seeking affiliation to the University shall satisfy that the-
 - (a) educational institution is under the management of Government or a regularly constituted governing body;
 - (b) financial resources of the educational institution are sufficient to ensure its continued maintenance and efficient working:
 - (c) strength and qualifications and the terms and conditions of service of the teaching and other staff of the educational institution are satisfactory for the purpose of teaching the prescribed courses;
 - (d) educational institution has framed proper rules governing the conduct and discipline of its employees;
 - (e) building of the educational institution is suitable and commodious for its requirements;
 - (f) educational institution has or can make a provision in the prescribed manner for the residence of students not residing with their parents or guardians, and their supervision and physical and general welfare;
 - (g) educational institution has a provision for a library and adequate library services;
 - (h) educational institution has properly equipped laboratories, museums and other places of practical work required for courses of studies taught therein; and
 - (i) educational institution has or can make provisions for residence of its Heads and other members of the teaching staff.
- (2) The application for affiliation shall further contain an undertaking by educational institution that after it is affiliated, any changes in management or teaching staff shall forthwith be reported to the University and that the teaching staff shall possess such qualification as are, or may be, prescribed.
- (3) The Syndicate shall after considering the recommendations of the Affiliation Committee, dispose of the application for affiliation in accordance with such procedure as may be prescribed and may grant or refuse affiliation; provided that affiliation shall not be refused, unless the educational institution has been given an opportunity of making a representation against the proposed decision.

- 33. <u>Extension of Affiliation</u>.—When an affiliated institution desires to alter or expand the courses of studies, number of seats and fee structure in respect of which it is granted affiliation, the procedure prescribed for affiliation of college shall, as far as possible, be followed.
- 34. <u>Inspection and Reports.</u>—(1) Every affiliated educational institution shall furnish such reports, returns and other information as the University may require to enable it to judge the efficiency of the educational institution.
- (2) The University may call upon any affiliated educational institution to take, within a specified period, such action in respect of any matter mentioned in sub-section (1) as the University may deem fit.
- 35. <u>Disaffiliation.</u>—(1) If an educational institution affiliated to the University has failed to fulfill any requirement of this Act or has failed to observe any of the conditions of affiliation or its affairs are conducted in a manner prejudicial to the interest of education, the Syndicate may, in the prescribed manner, and after considering any representation that the educational institution may wish to make, modify or withdraw all or any of the privileges conferred on the educational institution by the affiliation.
- (2) Where any educational institution has been refused affiliation or all or any of the privileges conferred on any educational institution by affiliation have been modified or withdrawn under sub-section (1), it may, within the prescribed period, apply for review to the Syndicate against such refusal and the application shall be disposed of in such manner as may be prescribed.

CHAPTER -VI UNIVERSITY FUND

- 36. <u>University Fund.</u>—There shall be a Fund of the University to be called the University Fund to which shall be credited all money received by it from fees, donations, trusts, bequests, endowments, contributions, grants and other sources.
- 37. <u>Recovery of University Dues.</u>—All dues of the University shall be recoverable as arrears of land revenue.
- 38. Audits and accounts.—(1) The Accounts of the University shall be maintained and audited in such from and in such manner as may be prescribed.
- (2) The Departments and all other bodies designated as such by the Syndicate in terms of Statutes shall be independent cost centers of the University with authority vested in the head of each cost centre to sanction expenditure out of the budget allocated to it:

Provided that re-appropriation from one head of expenditure to another may be made by the head of a cost centre in accordance with and to the extent prescribed by the Statutes.

(3) All funds generated by a Department, constituent colleges or other unit of the University through consultancy, research or other provision of service shall be credited to the University fund:

Provided that the Department, constituent college or other unit concerned may be allowed enhanced budget allocation equivalent to a part of the funds generated in accordance with prescribed terms and procedure.

- (4) No expenditure shall be made from the funds of the University, unless a bill for its payments has been issued by the head of the cost centre concerned in accordance with the Statutes and the Treasurer has verified that the payment is provided for in the approved budget of the cost centre, subject to the authority to re-appropriate the fund available to the head of the cost centre.
- (5) Provision shall be made for an internal audit of the finances of the University.
- (6) Without prejudice to the requirement of audit by an auditor appointed by Government in accordance with the provisions of any other law in force, the annual audited statement of accounts of the University shall be prepared in conformity with the Generally Accepted Accounting Principals (GAAP) by a reputed firm of Chartered Accountants and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Pakistan for his observations.
- (7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

CHAPTER -VII GENERAL PROVISIONS

- 39. Opportunity to show cause.—Except otherwise provided by law, no officer, teacher or other employee of the University, holding a permanent post, shall be reduced in rank, or removed or compulsorily retired from service for cause arising out of any act or omission on the part of the person concerned, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken.
- 40. <u>Appeal.</u>—Where an order is passed punishing any officer (other than the Vice-Chancellor), teacher or other employee of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by the Vice Chancellor or any other officer or teacher of the University, have the right to appeal to the Syndicate against the order, and where the order is passed by the Syndicate, have the right to appeal to the Chancellor.

Provided that such appeal shall be submitted to the Vice Chancellor, who shall place it before the next meeting of the Syndicate or the Chancellor, as the case may be, with his views.

Provided further that no order shall be passed on the said appeal unless the person concerned is given an opportunity of being heard.

41. <u>Service of the University.</u>—(1) All persons employed by the University in accordance with the terms and conditions of service prescribed by Statutes shall be persons in the service of Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan:

Provided that any provision as regards the terms and conditions of employment of persons in the service of Pakistan in general or in comparable employment notwithstanding the service of persons employed by the University shall be entirely governed by the terms and conditions prescribed by the relevant Statutes.

- (2) An officer, teacher or other employee of the University shall retire from service on the attainment of such age or tenure of service as may be prescribed.
- 42. <u>Benefits and Insurance</u>.—(1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.
- (2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such funds as if it were the Government Provident Fund.
- 43. <u>Commencement of term and termination of Membership of Authority</u>.—(1) When a member of a newly constituted Authority is elected, appointed or nominated, his term of office, as fixed under this Act, shall commence from the date of notification.
- (2) Where a member who has accepted any other assignment which necessitate his absence from the University for a period of six months or more, or absents himself from two consecutive meetings without the leave of such Authority, he shall be deemed to have resigned and vacated his seat.
- 44. <u>Filling of casual vacancies in Authorities.</u>—Any casual vacancy among the members of any Authority shall be filled, as soon as conveniently may be, in the same manner and by the same person or Authority that had appointed the member whose place has become vacant and the person appointed to the vacancy shall be a member of such Authority for the residue of the term for which the person whose place he fills would have been a member.
- 45. Flaws in the constitution of Authorities.—Where there is a flaw in the constitution of an Authority, as constituted by this Act or the Statutes or the Regulations on account of

the abolition of a specified office under Government or because an organization, institution or other body outside the University has been dissolved or has ceased to function, or because of some other similar reason, such flaw shall be removed in such manner as the Senate may direct.

- 46. <u>Proceedings of Authorities not invalidated by the vacancies.</u>—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 invalidity in the election, appointment or nomination of any de-facto member of the Authority, whether present or absent.
- 47. Removal of Difficulties.—(1) If any question arises as to the interpretation of any of the provisions of this Act or giving effect to the same, it shall be placed before a committee constituted by the Chancellor.
- (2) Where this Act makes any provision for anything to be done but no provision or insufficient provision has been made as respects the authority by whom, or the time at which, or the manner in which, it shall be done, by such authority, at such time, or in such manner as may be prescribed by the Statutes.
- 48. <u>Bar of Jurisdictions.</u>—No Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to any thing done in good faith or purported to have been done or intended to be done under this Act.
- 49. <u>Indemnity.</u>—No suit or legal proceedings shall lie against the University or any Authority, officer or employee of the University or any person in respect of any thing which is done in good faith or purported to have been done or intended to be, or has been, done under this Act.
- 50. Tripartite Mobility.—(1) Notwithstanding anything contained in this Act,-
 - (a) the Senate may, after consultation with the Syndicate and in the public interest, direct that any officer, University teacher or other employee of the University shall serve in any post under Government or any other university or an educational or research institution and such direction shall be binding on the officer, teacher or other employee concerned; and
 - (b) the Senate may, on the advice of the Syndicate, direct any post in the University to be filled by appointing an employee of Government or any other university or an educational or research institution.
- (2) Where any appointment or transfer has been made under this section, the terms and conditions of service of the appointee or transferee shall not be less favorable than those admissible to him immediately before such appointment or transfer and he shall be entitled to all benefits of his post of service.

- 51. <u>Repeal and Savings.</u>—(1) Subject to the provisions of this Act, the University of Peshawar Act, 1974 (N.-W.F.P. Act NO. II of 1974), is hereby repealed.
- (2) Except as otherwise provided in this Act, the repeal of the University of Peshawar Act, 1974 (II of 1974), under sub-section (1), hereinafter referred to as the said Act, shall not,-
 - (a) revive anything not in force or existing at the time of commencement of the Act:
 - (b) affect the previous operation of the said Act or anything duly done under the said Act:
 - (e) affect anything, privilege, obligation or liability accrued, accrued or incurred under the said Act:
 - (d) affect any penalty, forfeiture or punishment incurred in respect of any offences committed under the said Act; or
 - (e) affect any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any penalty, forfeiture or punishment may be imposed as of the said Act had not be repealed.

- (3) All existing statutes, regulations, rules, procedures, notifications and order, in effect or in operation, shall continue to be in force if they are not in inconsistent with any provision of this Act and shall continue to be in force until rescinded, altered, revised or amended by the Competent Authority under the provisions of this Act or rules made thereunder.
- (4) All existing contracts, agreements and commitments made by the University of Peshawar for the purpose of the said Act or statutes, regulations or rules made or notification issued thereunder or by any person under its authority, in effect, on the commencement of this Act, shall continue to be in force till amended or modified or rescinded by the Competent Authority.
- (5) The members appointed, nominated or elected to the authorities under the said Act, immediately before the coming into effect of this Act, shall be deemed to have been appointed, nominated or elected to such authorities under this Act as far as applicable and consistent with this Act and shall continue to hold their office till the expiry of their tenure, commencing from the date they were initially appointed, nominated or elected to such authorities:

Provided that the term of office of the members under this Act and not provided for by the said Act shall commence from the date of first meeting of the authority after their appointed, nominated or elected.

BY ORDER OF MR. SPEAKER PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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