

No. LD/Legis./203-13/2023

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
Law, Justice, Parliamentary Affairs and Human Rights Department

'MUZAFFARABAD'

Dated: 15.12.2023

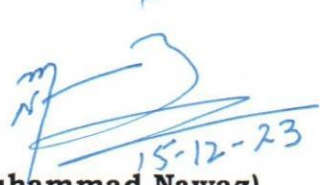
To

The Controller,
Government Printing Press,
Muzaffarabad.

Subject: THE AZAD JAMMU AND KASHMIR UNIVERSITY OF
BHIMBER ACT, 2023


Sir,

Undersigned is directed to enclose herewith a copy of Azad Jammu and Kashmir University of Bhimber Act, 2023 (Act VIII of 2023), for publication in the extraordinary issue of the Official Gazette on "Top Priority" basis under intimation to this office.


15-12-23
(Ch. Muhammad Nawaz)
Deputy Secretary (Legislation)

Copy to the:-

1. Secretary to the President, Azad Jammu and Kashmir.
2. Principal Secretary to the Prime Minister, Azad Govt. of the State of Jammu and Kashmir.
3. Chief Secretary, Azad Govt. of the State of Jammu and Kashmir.
4. Secretary, Azad Jammu and Kashmir Legislative Assembly.
5. Secretary Higher Education Department Azad Govt. of the State of Jammu and Kashmir.
6. Registrar Supreme Court/High Court, Azad Jammu and Kashmir.
7. Director Information, Azad Govt. of the State of Jammu and Kashmir for publication in media.
8. P.L.D Publishers, Nabha Road, Lahore for publication in P.L.D.
9. Incharge of Supreme Court Recorder for publication in SCR.
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11. Master File.


Deputy Secretary (Legislation)

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
Law, Justice, Parliamentary Affairs and Human Rights Department

'Muzaffarabad'
Dated: 15.12.2023

No. LD/Legis.-Act/203-13/2023. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 30th day of November, 2023 and received the assent of the President on the 13th day of December, 2023, is hereby published for general information.

[Act VIII of 2023]

An

Act

to provide for establishment of the University of Bhimber

Whereas, it is expedient to establish the University of Bhimber and to make provision for matters connected therewith and ancillary thereto, in the manner hereinafter appearing;

It is hereby enacted as follows:-

CHAPTER I
Preliminary

1. **Short title, Extent and Commencement.**-(1) This Act may be called the Azad Jammu and Kashmir University of Bhimber Act, 2023.
- (2) It shall extend to the whole of Azad Jammu and Kashmir.
- (3) It shall come into force at once.
2. **Definitions.**-In this Act unless there is anything repugnant in the subject or context,-
- (a) "Academic Council" means the Academic Council of the University;
- (b) "Affiliated Colleges" means an educational institution affiliated to the University but not maintained or administered by it;
- (c) "Authority" means any of the Authorities of the University specified or set up in terms of Section 18;

- (d) "Chancellor" means the Chancellor of the University;
- (e) "College" means a Constituent College or an Affiliated College;
- (f) "Commission" means the Higher Education Commission established under the Higher Education Commission Ordinance, 2002 of Pakistan;
- (g) "Constituent College" means an educational institution, by whatever name described, maintained and administered by the University;
- (h) "Chairperson" means the head of a Teaching Department of the University;
- (i) "Dean" means the head of a Faculty or the head of an academic body granted the status of a Faculty under this Act or by the Statutes or Regulations;
- (j) "Department or Institute" means a teaching Department or Institute maintained and administered, or recognized by the University in the manner prescribed;
- (k) "Director" means the head of an Institute of the University established as a constituent institution by the University;
- (l) "Employees" means whole time Teachers, Officers and Staff appointed or inducted and paid by the University;
- (m) "Faculty" means an administrative and academic unit of the University consisting of one or more Departments or Institutes as prescribed;
- (n) "Government" means the Azad Government of the State of Jammu and Kashmir;
- (o) "Institute" means an Institute established, maintained and administered by the University;
- (p) "MUST Bhimber" means faculties and departments established by the Mirpur University of Science and Technology at Bhimber;

- (q) "Officer" means person appointed in BPS-17 and above on whole-time basis and paid by the University, or recognized by the University as such;
- (r) "Act" means the Azad Jammu and Kashmir University of Bhimber Act, 2023;
- (s) "Prescribed" means prescribed by Statutes, Regulations or Rules made under this Act;
- (t) "Principal" means the head of an Affiliated College;
- (u) "Representation Committees" means the Representation Committees constituted under this Act;
- (v) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of Section 8;
- (w) "Schedule" means the Schedule to this Act;
- (x) "Search Committee" means the Search Committee set up by the Senate under sub-section (2) of Section 11;
- (y) "Senate" means the Senate of the University;
- (z) "Staff" means person appointed in BPS-1 to BPS-16 on a whole-time basis and paid by the University, or recognized by the University as such;
- (aa) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made under this Act and for the time being in force;
- (bb) "Syndicate" means the Syndicate of the University;
- (cc) "Teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a Constituent College and such other persons as may be declared to be Teachers by Regulations;
- (dd) "University" means the Azad Jammu and Kashmir University of Bhimber;

- (ee) "University Teacher" means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and
- (ff) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER II **The University**

3. **Incorporation.**- (1) There shall be a University to be called the University of Bhimber with its principal seat at Bhimber.
- (2) The University shall stand constituted in accordance with the provision and from the commencement of this Act.
- (3) The University shall consist of the following, namely:-
- (a) the Chancellor and the members of the Senate;
 - (b) the Vice-Chancellor;
 - (c) the members of the authorities of the University established under Section 18 of this Act;
 - (d) all University Teachers and persons recognized as students of the University in accordance with terms Prescribed from time to time; and
 - (e) all other full-time Officers and members of the Staff of the University.
- (4) The University shall be a body corporate by the name of University of Bhimber and shall have perpetual succession and a common seal and may sue and be sued by the said name.
- (5) The University shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any movable and immovable property which may have become vested in or been acquired by it.
- (6) Notwithstanding anything contained in any other law for the time being in force, all existing Employees in the service of MUST Bhimber or Government, who immediately before the commencement

of this Act, were serving on regular basis shall stand transferred to the University forthwith on the same terms and conditions, which are applicable to them immediately before the establishment of the University:

Provided that all existing Employees may opt for an irreversible option within six months of the aforesaid commencement to be absorbed in the University or retained themselves in existing Institutes or Organizations.

(7) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ Officers, Teachers and other Employees on such terms as may be prescribed, subject to this Act, and instructions issued from the Commission, and its subsequent amendments. In particular, and without prejudice to the Authority granted to the Commission by the law, the Government or an Authority or auditor appointed by the Government shall have no power to question the policy underlying the allocation of resources approved by the Senate in the Annual Budget of the University.

(8) The University shall consist of the existing Faculties, Departments, Institutes and Colleges established and administered by the Mirpur University of Science and Technology (MUST), Mirpur in District Bhimber including Government Postgraduate College for Boys Bhimber, excluding segregated land and building for Intermediate academic operations, Government Postgraduate College for Women Bhimber, excluding segregated land and building for Intermediate academic operations, and Departments or Institutes and Faculties as may be determined by Statutes.

(9) On the commencement of this Act, all moveable and immoveable properties and assets, moneys or funds, all savings, and also such liabilities of MUST Bhimber which were incurred under any law, including buildings and land of Government Postgraduate College for Boys Bhimber, excluding segregated land and building for Intermediate academic operations, and Government Postgraduate


College for Women Bhimber, excluding segregated land and building for Intermediate academic operations, shall stand transferred forthwith to the University established under this Act and Building and land of Technical Education and Vocational Training Authority (TEVTA) Bhimber, rights and interests of whatever kind, possessed, owned or vested in or held by and for the TEVTA Bhimber except its liabilities, shall stand transferred to the University established under this Act.


10. The University shall be liable to provide facilities to the representatives of the Higher Education Commission (HEC), or such similar relevant organizations for visitation to enable them to verify that the University is maintaining appropriate academic standards.

11. The University shall be required to strictly comply with the constitutional provisions, ideology of Pakistan, law and abide by the social, religious, ethical, and cultural ethos, values, and respect cultural and religious sensitivities.

4. **Powers and Purposes of the University.**-The University shall have the following powers, namely:-

- (i) to 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) to prescribe courses of studies to be conducted by it and the Colleges;
- (iii) to develop active and continued relationships with industrial and service sectors for curriculum design and implementation;
- (iv) to hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under Prescribed conditions;

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- (v) to prescribe the terms and conditions of employment of the Officers, Teachers and Staff of the University and to lay down terms and conditions that may be different from those applicable to Government servants in general;
 - (vi) to engage, where necessary, persons on contracts of specified duration and to specify the terms of each engagement;
 - (vii) to confer honorary degrees or other distinctions on approved persons in the manner Prescribed;
 - (viii) to provide for such instruction for persons not being students of the University as it may prescribe, and to grant certificates and diplomas to such persons;
 - (ix) to institute programmes for the exchange of students and Teachers between the University and other universities, educational institutions and research organizations;
 - (x) to provide career counseling and job search services to students and alumni;
 - (xi) to maintain linkages with alumni;
 - (xii) to develop and implement fund-raising plans;
 - (xiii) to provide and support the academic development of the faculty of the University;
 - (xiv) to confer degrees on persons who have carried an independent research under Prescribed conditions;
 - (xv) to affiliate and disaffiliate educational institutions under Prescribed conditions;
 - (xvi) to inspect Colleges and other educational institutions affiliated or seeking affiliation with it;
 - (xvii) to accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;

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- (xviii) to co-operate with other Universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
 - (xix) to institute Professorships, Associate Professorships, Assistant Professorships and Lectureships and any other posts and to appoint persons thereto;
 - (xx) to create posts for research, extension, administration and other related purposes and to appoint persons thereto;
 - (xxi) to 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;
 - (xxii) to institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under Prescribed conditions;
 - (xxiii) to establish teaching Departments, Schools, Colleges, Faculties, Institutes, Museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
 - (xxiv) to provide for the residence of the students of the University and the Colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
 - (xxv) to maintain order, discipline and security on the campuses of the University and the Colleges;
 - (xxvi) to promote the extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;
 - (xxvii) to demand and receive such fees and other charges as it may determine;

- (xxviii) to make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under Prescribed conditions;
- (xxix) to enter into, carry out, vary or cancel contracts;
- (xxx) to receive and manage property transferred and grants, contributions made to the University and to invest any fund representing such property, grants, bequests, trusts, gifts, donations, endowments or contributions in such manner as it may deem fit;
- (xxxi) to provide for the printing and publication of research and other works; and
- (xxxii) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite or expedient in order to further the objectives of the University as a place of education, learning and research.

5. **University open to all classes, creeds, etc.-** (1) Except where the University has been declared by notification in the official Gazette to be open only to persons of a specified gender, the University shall be open to all persons of either gender and of whatever religion, race, creed, class, colour or domicile and no person shall be denied the privileges of the University on the grounds of sex, religion, race, caste, creed, class or colour or domicile.
- (2) An increase in any fee or charge that is in excess of ten percent per annum on an annual basis from the last such increase may not be made except in special circumstances, and only with the approval of the Chancellor.
- (3) The University shall institute financial aid programmes for students in need, to the extent considered feasible by the Senate given the resources available, so as to enable admission and access to the University and the various opportunities provided by it to be based on merit rather than ability to pay:

Provided that the University may institute self-finance schemes not covering more than ten percent of the total number of candidates in any campus taught course or research-based programme of study.

6. **Teaching at the University.**- (1) All recognized teaching in various courses shall be conducted by the University or the Colleges in the Prescribed manner and may include lectures, tutorials, discussions, seminars, demonstrations, distance learning and other methods of instruction as well as practical work in the laboratories, hospitals, workshops and other governmental or private organizations.
- (2) The teaching in any prescribed course and conduct of research/project work for completion of degree requirements in the University or the colleges shall be organized by such Authority as may be prescribed.
- (3) The courses and the curricula for teaching and conduct of research/project work in the University and colleges shall be as such as may be prescribed.
- (4) The degree, diploma or certificate at the University shall only be granted to a student after fulfilling the prescribed requirements for the said degree, diploma or certificate.
- (5) A continuous evaluation shall be built into the system or scheme of studies for improving quality of teaching, learning, assessment, research, thesis and project work.

CHAPTER III **Officers of the University**

7. **Principal Officers.**- The following shall be the Principal Officers of the University, namely:-
- (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deans;
 - (d) the Directors of Institutes;
 - (e) the Principals of Constituent Colleges;

- (f) the Chairpersons of the teaching Departments;
- (g) the Registrar;
- (h) the Treasurer;
- (i) the Controller of Examinations;
- (j) the Librarian;
- (k) the Director (QEC); and
- (l) such other Officers as may be prescribed by the Statutes or Regulations of the University.

8. **Chancellor.-** (1) The President of Azad Jammu and Kashmir shall be the Chancellor of the University and the Chairperson of the Senate.

(2) The Chancellor shall, when present, preside over the meetings of the Senate and the Convocation of the University. In the absence of the Chancellor, the Vice-Chancellor shall preside over the meeting of the Senate and the Convocation of the University.

(3) The members of the Senate as well as the Vice-Chancellor shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose or the Search Committee established in accordance with the Act and the Statutes, as the case may be, alongwith those elected.

(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 be 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 the Senate to show cause in writing, appoint a five member Review Panel to examine and report to the Chancellor on the functioning of the Senate. The report of the Review Panel shall be submitted within such time as may be prescribed by the Chancellor. The Review Panel shall be drawn from persons of eminence in academics and in the fields of law, accountancy and administration; and

- (b) as regards proceedings of any Authority or with respect to matters within the competence of any Authority other than the Senate, direct the Senate to exercise powers under Section 20.

9. **Removal from the Senate.**- (1) The Chancellor may, upon the recommendations of the Review Panel, remove any person from the membership of the Senate on the ground that such person:-

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

(2) The Chancellor shall remove any person from the membership of the Senate on a resolution calling for the removal of such person supported by at least three-fourth of the membership of the Senate:

Provided that before passing such resolution the Senate shall provide the member concerned a chance of fair hearing:

Provided further that the provisions of this Section shall not be applicable to the Vice-Chancellor in his capacity as a member of the Senate.

10. Vice-Chancellor.- (1) There shall be a Vice-Chancellor of the University who shall be an eminent academician and scholar of international repute 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 the 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 shall, if present, have a right to attend any meeting of any Authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires immediate action ordinarily not in the competence of the Vice-Chancellor, take such action and forward, within seventy-two hours, a report of the action taken to the members of the Emergency Committee of the Senate, to be set up by Statutes. The Emergency Committee may direct such further action as is considered appropriate.

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

- (a) to direct teachers, officers and other Employees of the University to take up such assignments in connection with examination, administration and such other activities in the University as he may consider necessary for the purposes of the University;

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- (b) to sanction by re-appropriation an amount not exceeding an amount prescribed by the Senate for an unforeseen item not provided for in the budget and report it to the Senate at the next meeting;
 - (c) to make appointments of such categories of Employees of the University and in such manner as may be prescribed by the Statutes;
 - (d) to suspend, punish and remove, in accordance with prescribed procedure, from service, officers, teachers and other Employees of the University except those appointed by or with the approval of the Senate;
 - (e) to delegate, subject to such conditions as may be prescribed, any of his powers under this Act to an officer or officers of the University;
 - (f) to sanction all expenditure provided for in the approved budget, and to re-appropriate funds within the same major head of expenditure;
 - (g) to create and fill posts temporarily for a period not exceeding six months; and
 - (h) 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.

(7) The Vice-Chancellor shall present an annual report before the Senate within three months of the close of the academic year. The annual report shall contain such information as regards the academic year under review as may be prescribed, including disclosure of all relevant facts pertaining to,-

- (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.

11. **Appointment and Removal of the Vice-Chancellor.**- (1) The Vice-Chancellor shall be appointed by the Chancellor on the basis of recommendations made by the Senate;

(2) A Search Committee for the recommendation of persons suitable for appointment as Vice-Chancellor shall be constituted by the Senate on the date and in the manner prescribed by the Statutes and shall consist of two eminent members of society nominated by the Chancellor, of whom one shall be appointed the Convener, two members of the Senate, two distinguished University Teachers who are not members of the Senate and one academician of eminence not employed by the University. The two distinguished University Teachers shall be selected by the Senate through a process, to be prescribed by the Statutes that provides for the recommendation of suitable names by the University Teachers in general. The Search Committee shall remain in existence till such time that the appointment of the next Vice-Chancellor has been made by the Chancellor.

(3) The persons proposed by the Search Committee for appointment as Vice-Chancellor shall be considered by the Senate and of these a panel of three, in order of priority, shall be recommended by the Senate to the Chancellor:

Provided that the Chancellor may decline to appoint any of the three persons recommended and seek recommendation of a fresh panel. In the event of a fresh recommendation being sought by the Chancellor the Search Committee shall make a proposal to the Senate in the prescribed manner.

(4) The Vice-Chancellor shall be appointed for a renewable tenure of five years on terms and conditions prescribed by Statutes. The tenure of an incumbent Vice-Chancellor shall be renewed by the

Chancellor on receipt of a resolution of the Senate in support of such renewal:

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

(5) The Senate may, pursuant to a resolution in this behalf passed by three fourth of its membership, recommend to the Chancellor the removal of the Vice-Chancellor on the grounds of inefficiency, moral turpitude or physical or mental incapacity or gross misconduct, including misuse of position for personal advantage of any kind:

Provided that the Chancellor 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 further 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.

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

(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 Senate shall make such arrangements for the performance of the duties of the Vice-Chancellor as it may deem fit.

12. **Registrar.-** (1) There shall be a Registrar of the University to be appointed by the Senate on the recommendations of the Vice-Chancellor, on such terms and conditions as may be prescribed.

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

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

(a) be the Administrative Head of the secretariat of the University and be responsible for the provision of secretarial support to the Authorities of the University;

(b) be the custodian of the common seal and the academic records of the University;

(c) maintain a register of registered graduates in the prescribed manner;

(d) supervise the process of election, appointment or nomination of members to the various authorities and other bodies in the prescribed manner; and

(e) perform such other duties as may be prescribed.

(4) The term of office of the Registrar shall be renewable after every three years:

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

13. Treasurer. (1) There shall be a Treasurer of the University to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions in a prescribed manner.

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

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

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

- (b) prepare the annual and revised 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 accounts 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.
- (4) The term of office of the Treasurer shall be renewable after every three years:

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

14. Controller of Examinations.- (1) There shall be a Controller of Examinations, to be appointed by the Senate on the recommendation of the Vice-Chancellor, on such terms and conditions as may be prescribed.

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

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

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

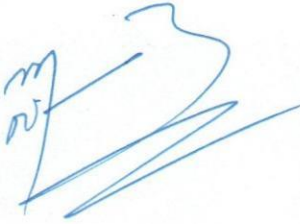
Provided that the Senate may, on the advice of the Vice-Chancellor, terminate the appointment of the Controller of Examinations on grounds of inefficiency or misconduct in accordance with prescribed procedure.

15. Director Planning & Development.- (1) There shall be a Director Planning & Development of the University to be appointed by the Senate on the recommendation of the Syndicate for period of three (03) years (once renewable) on such terms and conditions as may be prescribed.

(2) The minimum experience as well as the professional and academic qualifications necessary for the appointment to the post of Director Planning & Development shall be prescribed.

(3) The Director of Planning & Development shall be responsible for all matters connected with planning and development and perform such other duties as may be prescribed.

(4) The Director Planning & Development shall, -

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- a. Prepare short- and long-term plans and development programs to meet vision, goals and priorities set by the University management/Senate;
 - b. Conduct comprehensive review, assessment, and analysis of development planning process (project identification, appraisal, selection, implementation, and monitoring) and mechanism;
 - c. Develop a strategy for improving development planning processes and mechanisms based on findings of the situation analysis;
 - d. Provide technical support in developing project proposals and PCS-I, for the University;
 - e. Preparation of the PC-I, PC-II, PC-III, PC-IV and PC-V;
 - f. Preparation of cash work and activity plan;
 - g. Preparation of quarterly expenditure statements;
 - h. Preparation of monthly and quarterly progress reports;
 - i. To co-ordinate with works, purchase, store units and accounts; and


j. To communicate/submit reports, plans, and projects to different donors.

(5) The Senate may on the recommendations/advice of Syndicate, terminate the services of Director Planning and Development on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

16. **Director Quality Enhancement Cell (QEC).**- (1) There shall be a Director Quality Enhancement Cell (QEC) of the University to be appointed by the Senate on the recommendation of Syndicate for a renewable period of three (03) years on such terms and conditions as may be prescribed.

(2) The minimum experience as well as the professional and academic qualifications necessary for the appointment to the post of Director Quality Enhancement Cell (QEC) shall be as may be prescribed.

(3) The Director Quality Enhancement Cell (QEC) shall be responsible to,-

- 
- a. Review the quality standards and the quality of teaching and learning in each subject area;
 - b. Review the academic association with other institutions in term of effective management of standards and quality of programs;
 - c. Defining clear and explicit standards as points of reference to the review to be carried out. It should also help the employees to know as to what they could expect from candidates;
 - d. Developing qualifications framework by setting out the attributes and abilities that can be expected from the holder of a qualification, i.e. undergraduate and graduate programs;

- e. Developing program specifications, these are standards set of information clarifying what knowledge, understanding, skills and other attributes a student will have developed on successfully completing a specific program;
- f. Developing quality assurance processes and methods of evaluation to affirm that the quality of provision and the standard of awards are being maintained and to foster curriculum, subject, and staff development together with research and other scholarly activities;
- g. Ensure that the University's quality assurance procedures are designed to fit in with the arrangements in place nationally and internationally for maintaining and improving the quality of Higher Education;
- h. Developing procedures and processes, monitoring and evaluation systems and standards for the following:-
 - a. Approval of new program;
 - b. Annual Monitoring and evaluation including program monitoring; faculty monitoring and student perceptions;
 - c. Departmental review;
 - d. Student feedback;
 - e. Employer feedback;
 - f. Quality assurance of undergraduate, graduate and doctoral programs;
 - g. Institutional assessment and performance evaluation;
 - h. Program specifications; and
 - i. Qualification framework.



- j. Director Quality Enhancement Cell (QEC) shall be the member of all statutory bodies/committees of the Institute.

(4) The Senate may on the recommendations/advice of Syndicate, terminate the services of Director Quality Enhancement Cell (QEC) on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

17. **Director of Office of Research, Innovation and Commercialization**

(ORIC).- (1) There shall be a Director (ORIC) of the University to be appointed by the Senate on the recommendation of Syndicate for a renewable period of three (03) years on such terms and conditions as may be prescribed.

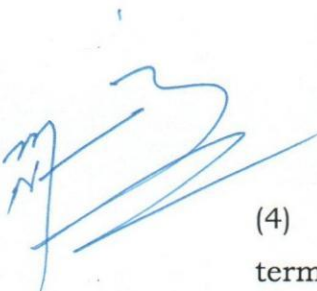
(2) The minimum experience as well as the professional and academic qualifications necessary for the appointment to the post of Director (ORIC) shall be as may be prescribed.

(3) The Director (ORIC) shall:-

- a. Manage and enhance the research activities of the University, develop research policies and priorities, work for fund raising for research, mobilize faculty, business community and industry for research commercialization and serve as an effective advocate for research with the university/Institute and to its broader community of stakeholders and supporters;
- b. To supervise all aspects of the operation of the Office for Research including research administration (budgeting, auditing, accounting, human resources, management & maintenance of facilities and equipment, implementation of research contracts and human resources);
- c. To develop programs and activities that will increase funding for research from all public and private sources, establish and maintain excellent relationships with

donors and private sources, oversee proposals development and submission;

- d. To promote the development of public-private partnerships in support of University research, link the Institute's research community with the needs and priorities of the corporate sector, develop opportunities for applied research and explore opportunities for technology transfer and commercialization of University research (including incubators and research parks);
- e. Be responsible for monetizing royalty streams from licenses;
- f. Collaborate with the principal liaison for technical marking and licensing on the commercialization of the Institute's IP in co-ordination with other relevant department and offices; and
- g. Director (ORIC) will work in close liaison with the office of research and development, planning & development and Institute's technology park.




(4) The Senate may on the recommendations/advice of Syndicate, terminate the services of Director (ORIC) on grounds of inefficiency or misconduct in accordance with the prescribed procedure.

CHAPTER IV **Authorities of the University**

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

- (a) Authorities established by the Act,-
 - (i) the Senate;
 - (ii) the Syndicate; and
 - (iii) the Academic Council;
- (b) Authorities to be established by the Statutes,-
 - (i) the Finance and Planning Committee;

- 
- (ii) the Selection Board;
 - (iii) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level of the Department or Institute or College, the Faculty or the University;
 - (iv) Advanced Studies and Research Board;
 - (v) Search Committee for the appointment of the Vice-Chancellor;
 - (vi) Representation Committees for appointment to the Senate, Syndicate and the Academic Council;
 - (vii) Affiliation Committee;
 - (viii) Faculty Council;
 - (ix) Departmental Council;
 - (x) Disciplinary Committee; and
 - (xi) such other Authorities as may be established by the Statutes.

(2) The Senate, the Syndicate and the Academic Council may set up such other committees or sub-committees, by whatever name described, as are considered desirable through Statutes or Regulations as appropriate. Such committees or sub-committees shall be Authorities of the University for the purpose of this Act.

19. Senate. (1) The body responsible for the governance of the University shall be described as the Senate, and shall consist of the following, namely:-

- (a) The Chancellor who shall be the Chairperson of the Senate;
- (b) the Vice-Chancellor;
- (c) one member of the Government not below the rank of Additional Secretary from the Higher Education Department of the Government;

- (d) four 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 so that the appointment of these persons reflects a balance across the various fields:

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

- (e) one person from amongst the alumni of the University;
- (f) two persons from the academic community, other than an employee of the University, at the level of professor or principal of a College;
- (g) four University Teachers, one from each cadre (i.e. Professor, Associate Professor, Assistant Professor and Lecturer); and
- (h) one person nominated by the Commission.

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

(3) All appointments to the Senate shall be made by the Chancellor. Appointments of persons described in clauses (e) to (f) of sub-section (1) shall be made from amongst a panel of three names for each vacancy recommended by the Representation Committee set up in terms of Section 26 and in accordance with procedure as may be prescribed:

Provided that effort shall be made, without compromising on quality or qualification, to give fair representation to women in the Senate:

Provided further that as regards the University Teachers described in clause (g) of sub-section (1) the Senate shall prescribe a procedure for appointment on the basis of elections that provide for voting by the various categories of University Teachers.

Provided further that the Senate may alternatively prescribe that appointment of University Teachers to the Senate shall also be in the manner provided by this sub-section for the persons described in clauses (e) to (f) of sub-section (1).

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

Provided that no person, other than an ex-officio member, may serve on the Senate for more than two consecutive terms:

Provided further that the University Teachers appointed to the Senate may not serve for two consecutive terms.

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

(6) Service on the Senate shall be on honorary basis but actual expenses incurred may be reimbursed as prescribed.

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

(8) In the absence of the Chancellor meetings of the Senate shall be presided by the Vice-Chancellor or by such member, not being an employee of the University or the Government, as the Chancellor may,


from time to time, nominate. The member so nominated shall be the Convener of the Senate.

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

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


20. Powers and functions of the Senate.- (1) The Senate shall have the power of general supervision over the University and shall hold the Vice-Chancellor and the Authorities accountable for all the functions of the University. The Senate shall have all powers of the University not expressly vested in an Authority or officer by the Act and all other powers not expressly mentioned by 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 following powers:-


- 
- (a) to approve the proposed annual plan of work, the annual and revised budgets, the annual report and the annual statement of account;
 - (b) to hold, control and lay down policy for the administration of the property, funds and investments of the University, including the approval of the sale and purchase or acquisition of immovable property;
 - (c) to oversee the quality and relevance of the University academic programmes and to review the academic affairs of the University in general;
 - (d) to approve the appointment of the Deans, Professors, Associate Professors and such other senior faculty and senior administrators as may be prescribed;

- (e) to institute schemes, directions and guidelines for the terms and conditions of appointment of all officers, teachers and other Employees of the University;
- (f) to approve strategic plans;
- (g) to approve financial resource development plans of the University;
- (h) to 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 Statutes or Regulations on its own initiative and approve it after calling for the advice of the Syndicate or the Academic Council as the case may be;

- 
- (i) to 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 the Act, Statutes or Regulations after calling upon such Authority or officer to show cause why such proceeding should not be annulled;
 - (j) to recommend to the Chancellor removal of any member of the Senate in accordance with the provisions of the Act;
 - (k) to make appointment of members of the Syndicate, other than ex-officio members, in accordance with the provisions of the Act;
 - (l) to make appointment of members of the Academic Council, other than ex-officio members, in accordance with the provisions of the Act;
 - (m) to appoint Emeritus Professors on such terms and conditions as may be prescribed;

- (n) to remove 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 member of such Authority; or
 - (iii) has been convicted by a court of law for an offence involving moral turpitude;
 - (iv) has absented himself from two consecutive meetings without just cause; or
 - (v) has been guilty of misconduct, including use of position for personal advantage of any kind, or gross inefficiency in the performance of functions; and
- (o) to determine the form, provide for the custody and regulate the use of the common seal of the University.



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

21. Visitation.- 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.

22. Syndicate.- (1) There shall be a Syndicate of the University consisting of the following:-

- (a) The Vice-Chancellor who shall be its Chairperson;
- (b) the Deans of the Faculties of the University;

- (c) three professors from different Departments, who are not members of the Senate, to be elected by the University Teachers in accordance with procedure to be prescribed by the Senate;
- (d) Principals of the Constituent Colleges;
- (e) the Registrar;
- (f) the Treasurer;
- (g) the Director (P&D);
- (h) the Director (ORIC);
- (i) the Director (QEC); and
- (j) the Controller of Examinations.

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


(3) As regards the three professors described in clause (c) of subsection (1) the Senate may, as an alternative to elections, prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of Section 26. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.


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

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

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

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

- 
- (a) to consider the annual report, the annual and revised budget estimates and to submit these to the Senate;
 - (b) to transfer and accept transfer of movable property on behalf of the University;
 - (c) to enter into, vary, carry out and cancel contracts on behalf of the University;
 - (d) to cause proper books of account to be kept for all sums of money received and expended by the University and for the assets and liabilities of the University;
 - (e) to invest any money belonging to the University including any unapplied income in any of the securities prescribed in Section 20 of the Trusts Act, 1882 (Act II of 1882) as adopted and enforced in Azad Jammu and Kashmir, or in the purchase of immovable property or in such other manner, as it may prescribe, with the like power of varying such investments;
 - (f) to receive and manage any property transferred, and grants, bequests, trust, gifts, donations, endowments, and other contributions made to the University;
 - (g) to administer any funds placed at the disposal of the University for specified purposes;
 - (h) to provide the buildings, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of the University;
 - (i) to establish and maintain halls of residence and hostels or approve or license hostels or lodgings for the residence of students;
 - (j) to recommend to the Senate affiliation or disaffiliation of Colleges and Institutes;
 - (k) to arrange for the inspection of Colleges and the Departments or Institutes;

- 
- (l) to institute Professorships, Associate Professorships, Assistant Professorships, Lectureships, and other teaching posts or to suspend or to abolish such posts;
 - (m) to create, suspend or abolish such administrative or other posts as may be necessary;
 - (n) to prescribe the duties of Officers, Teachers and other Employees of the University;
 - (o) to report to the Senate on matters with respect to which it has been asked to report;
 - (p) to appoint members to various Authorities in accordance with the provisions of the Act;
 - (q) to propose drafts of Statutes for submission to the Senate;
 - (r) to regulate the conduct and discipline of the students of the University;
 - (s) to take actions necessary for the good administration of the University in general and exercise such powers as are necessary;
 - (t) to delegate any of its powers to any Authority or officer or a committee; and
 - (u) to perform such other functions as have been assigned to it by the provisions of the Act or may be assigned to it by the Statutes.

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

- (a) The Vice-Chancellor who shall be its Chairperson;
- (b) the Deans of Faculties and such Heads of Departments as may be prescribed;
- (c) five members representing the Departments, Institutes and the Constituent Colleges;
- (d) two Principals of Affiliated Colleges or institutes;

- (e) five Professors including Emeritus Professors;
- (f) the Registrar;
- (g) the Controller of Examinations;
- (h) the Director (QEC);
- (i) Nominee of HEC; and
- (j) the Librarian.

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

Provided that as regards the five professors (1)(e) and five members representing the Departments, Institutes and the Constituent Colleges (1)(c), the Senate may prescribe a procedure for proposal of a panel of names by the Representation Committee set up in terms of Section 26. Appointment of persons proposed by the Representation Committee may be made by the Senate on the recommendation of the Vice-Chancellor.

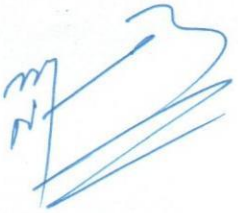
(3) Members of the Academic Council shall hold office for three years.

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

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

25. Powers and Functions of the Academic Council.-(1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of the Act and the Statutes have the power to lay down proper standards of instructions, research and examinations and to regulate and promote the academic life of the University and its Colleges.

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

- 
- (a) approve the policies and procedures pertaining to the quality of academic programmes;
 - (b) approve academic programmes;
 - (c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;
 - (d) approve the policies and procedures assuring quality of teaching and research;
 - (e) recommend the process and procedure for affiliation of other educational institutions;
 - (f) propose to the Syndicate schemes for the constitution and organization of Faculties, teaching Departments, Institutes and boards of studies;
 - (g) appoint paper setters and examiners for all examinations of the University after receiving panels of names from the relevant authorities;
 - (h) institute programmes for the continued professional development of University Teachers at all levels;
 - (i) recognize the examinations of other Universities or examining bodies as equivalent to the corresponding examinations of the University;
 - (j) regulate the award of studentships, scholarships, exhibitions, medals and prizes;
 - (k) frame Regulations for submission to the Senate;
 - (l) prepare an annual report on the academic performance of the University; and
 - (m) perform such other functions as may be prescribed by Regulations.

26. Representation Committees.- (1) There shall be a Representation Committee constituted by the Senate through Statutes for

recommendation of persons for appointment to the Senate in accordance with the provisions of Section 19.

(2) There shall also be a Representation Committee constituted by the Senate through Statutes for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of Sections 22 and 24.

(3) Members of the Representation Committee for appointments to the Senate shall consist of the following:-

- (a) Vice-Chancellor of the University shall be Chairperson of the Representative Committee;
- (b) Three members of the Senate who are not University Teachers;
- (c) two persons nominated by the University Teachers from amongst themselves in the manner prescribed;
- (d) one person from the academic community, not employed by the University, at the level of professor or college principal to be nominated by the Academic Council; and
- (e) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

(4) Member of the Representation Committee for the purpose of sub-section (2) shall consist of,-

- (a) two members of the Senate who are not University Teachers;
- (b) three persons nominated by the University Teachers from amongst themselves in the manner prescribed.

(5) The tenure of the Representation Committees shall be three years but no member shall serve for more than two consecutive terms.

(6) The procedures of the Representation Committees shall be as may be prescribed.

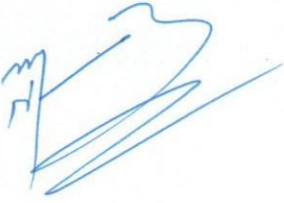
(7) There may also be such other Representation Committees set up by any of the other Authorities of the University as are considered appropriate for recommending persons for appointment to the various Authorities and other bodies of the University.


27. Appointment of Committees by Certain Authorities.- (1) 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.

(2) The constitution, functions and powers of the Authorities for which no specific provision has been made in this Act shall be such as may be prescribed by the Statutes or Regulations.

CHAPTER V **Statutes, Regulations and Rules**

28. Statutes.- (1) Subject to the provisions of the Act, Statutes to be published in the official Gazette, may be made to regulate or prescribe all or any of the following matters,-

- 
- (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 the University Employees;
 - (d) the scales of pay and other terms and conditions of service of officers, teachers and other Employees of the University;
 - (e) the maintenance of the register of registered graduates;
 - (f) Affiliation or disaffiliation of educational institutions and related matters'


- 
- (g) admission of educational institutions to the privileges of the University and the withdrawal of such privileges;
 - (h) the establishment of faculties, Departments, Institutes, Colleges and other academic divisions;
 - (i) the powers and duties of officers and teachers;
 - (j) conditions under which the University may enter into arrangements with other institutions or with public bodies for purposes of research and advisory services;
 - (k) conditions for appointment of Emeritus Professors and award of honorary degrees;
 - (l) efficiency and discipline of University Employees;
 - (m) the constitution and procedure to be followed by Representation Committees in carrying out functions in terms of this Act;
 - (n) the constitution and procedure to be followed by the Search Committee for appointment of the Vice-Chancellor;
 - (o) constitution, functions and powers of the Authorities of the University; and
 - (p) 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 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 (k) 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 Statutes with respect to any matter in its power or with respect to which a Statutes may be framed in terms of the Act and approve such Statutes after seeking the views of the Syndicate.

29. Regulations.- (1) Subject to the provisions of the Act and the Statutes, the Academic Council may make Regulations, to be published in the Official Gazette, for all or any of the following matters:-

- 
- (a) The courses of study for degrees, diplomas and certificates of the University;
 - (b) the manner in which the teaching and research/project work referred to in sub-section (1) of Section 6 shall be organized and conducted;
 - (c) the admission and expulsion of students to and from the University;
 - (d) the conditions 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;
 - (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 Departmental Councils; and
 - (j) all other matters which by the Act or the Statutes are to be or may be prescribed by Regulations.

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

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

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

31. Rules.- (1) The Authorities and the other bodies of the University may make Rules, to be published in the Official Gazette, consistent with the Act, Statutes or the Regulations, to regulate any matter relating to the affairs of the University which has not been provided for by the Act or that is not required to be regulated by Statutes or Regulations, including rules to regulate the conduct of business and the time and place of meetings and related matters.

(2) Rules shall become effective upon approval by the Syndicate.

CHAPTER VI **University Fund**

32. University fund.- The University shall have a fund which shall be credited its income from fees, charges, donations, trusts, bequests, endowments, contributions, grants and all other sources.

33. Audits and Accounts.- (1) The Accounts of the University shall be maintained in such form and in such manner as may be prescribed.

(2) The teaching Departments, Constituent Colleges or Institutes 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 teaching Department, Constituent College or other unit of the University through consultancy, research

or other provision of service shall be made available without prejudice to the budgetary allocation otherwise made, after deduction of overheads in the manner and to the extent prescribed by Statutes, to the teaching Department, Constituent College or other unit for its development. A part of the funds so generated may be shared with the University Teachers or researchers in charge of the consultancy, research or service concerned in the manner and to the extent prescribed by Statutes.

(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 relevant 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 available to the head of the cost centre.

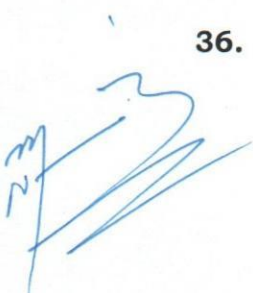
(5) Provision shall be made for an internal audit of the finances of the University.

(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 Principles (GAAP) by a reputed firm of chartered accountants or the University and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Azad Jammu and Kashmir for his observations.

(7) The accounts of the University shall be audited once a year by Government Auditors appointed by the Auditor-General of Azad Jammu and Kashmir.

(8) The observations of the Auditor General of Azad Jammu and Kashmir, 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

34. **Opportunity to Show Cause.**- Except as 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.
35. **Appeal to the Syndicate and the Senate.**- 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 any officer or Teacher of the University, other than the Vice-Chancellor, have the right to appeal to the Syndicate against the order, and where the order is passed by the Vice-Chancellor, have the right to appeal to the Senate
36. **Service of the University.**- (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 Government for the purposes of any court or tribunal set up by law in terms of Article 47 of the Azad Jammu and Kashmir Interim Constitution, 1974:
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Provided that any provision as regards the terms and conditions of employment of persons in the service of Azad Jammu and Kashmir 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.

(3) No adverse change shall be made in the terms and conditions of employment of any Teacher, officer and other Employees in the employment of the University on the date of enforcement of the Act.

- 37. Pension, Insurance, Gratuity, Provident Fund and Benevolent Fund.** (1) The University shall constitute for the benefit of its officers, teachers and Staff in such manner and subject to such conditions as may be prescribed such pension, insurance, gratuity, provident fund and benevolent fund scheme as it may deem fit.
- (2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds and rules made thereunder shall apply to such funds as if it were the Government Provident Fund and the University were the Government.
- 38. Commencement of Term of Office of Members of Authority.**
- (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 such date as may be prescribed.
- (2) Where a member who has accepted any other assignment or for any other similar reason remains absent from the University for a period of not less than six months he shall be deemed to have resigned and vacated his seat.
- 39. Filling of Casual Vacancies in Authorities.**-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.
- 40. Flaws in the Constitution of Authorities.**- Where there is a flaw in the constitution of an Authority, as constituted by this Act, the Statutes or the Regulations on account of the abolition of a specified office under Government or 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.

41. **Proceedings of Authorities not Invalidated by the Vacancies.-**
No act, resolution or decision of any Authority shall be invalid by reason of any vacancy in 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.
42. **First Statutes and Regulations.-**Notwithstanding anything contrary in this Act, the Statutes and Regulation, set out in the Schedule appended to this Act shall be deemed to be the Statutes and Regulations framed under Sections 28 and 29 of this Act and shall continue to remain in force until amended or repealed.
43. **Jurisdiction of the University.-**The jurisdiction of the University shall be the whole Azad Jammu and Kashmir.
44. **Transitory Provisions.-**(1) Notwithstanding anything contained in this Act, as regards a University set up after the promulgation date hereof, the first Vice-Chancellor shall be appointed by the Chancellor on the recommendations of the Prime Minister, for a period of five years.
- (2) Notwithstanding anything contained in this Act, as regards a University set up after the promulgation date hereof, the members of the first Senate, except the University Teachers, shall be appointed by the Chancellor in accordance with the numbers and criteria for membership specified in the Act. The first Senate so constituted shall initiate, as soon as possible, the process for the recruitment of University Teachers and appointment of the members of the Syndicate and the Academic Council in accordance with the terms of this Act. The University Teachers to be appointed to the first Senate shall be appointed as soon as the procedure prescribed for appointment of University Teachers to the Senate has been complied with. The term of tenure provided in sub-section (4) of Section 19 notwithstanding, one-third of the members, other than *ex-officio* members, of the first Senate, to be determined by lot, shall retire from office on the expiration of one year from the date of appointment by the Chancellor.

One-half of the remaining members, other than *ex-officio* members, of the first Senate, to be determined by lot, shall retire from office on the expiration of two years from the date of appointment and the remaining one-half, other than *ex officio* members, shall retire from office on the expiration of the third year.

(3) Immediately on promulgation of this Act, the Chancellor, after consultation with the Vice-Chancellor and on advice of the Prime Minister, shall appoint an experienced Project Director to put the provisions of this Act into effect.

(4) Other Officers such as Registrar, Treasurer, Controller of Examinations, Librarian and other staff shall be appointed after normal functioning of the University.

(5) All examinations of existing students admitted in all disciplines at the Departments or Institutes or Faculties of the MUST Bhimber, before the promulgation of this Act shall be conducted by the Mirpur University of Science and Technology (MUST), Mirpur and the candidates shall be awarded degrees or certificates or diplomas after the completion of the degree requirements by the Mirpur University of Science and Technology (MUST) Mirpur, whereas the admissions in each of the disciplines existing or to be opened in future shall be made under the University of Bhimber. The examinations of the students admitted after the promulgation of this Act shall be conducted by the University of Bhimber and the candidates shall be awarded degrees or certificates or diplomas after the completion of the degree requirements by the University of Bhimber.

45. **Transfer of Officers, etc.-** (1) Any officer, teacher or other employee of the University shall, as the Chancellor may direct, serve for such period as may be fixed or extended from time to time by the Chancellor in any post under any organization in the territory of Azad Jammu and Kashmir. The terms and conditions offered to him shall not be less favourable than those admissible to him in the University.

(2) The Chancellor in consultation with the Vice-Chancellor may fill any post in the University by appointing a person in the service of the Government.

(3) The Chancellor may approve inter-transfer of officers, teachers or other Employees of the University, Constituent Colleges, Government, corporate bodies provided that the rights and privileges of such persons under this arrangement are protected under such conditions as may be prescribed.

46. Removal of Difficulties. (1) If any question arises as to the interpretation of any of the provisions of the Act, it shall be placed before the Chancellor and Commission whose decision thereon, shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor may make such order after obtaining the views of the Senate, not inconsistent with the provisions of this Act, as may appear to him to be necessary for removing the difficulty.

(3) Where the Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the Authority by whom, or the time at which, or the manner in 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 after obtaining the views of the Senate.

47. Bar to Jurisdiction. No Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done or purported to have been done or intended to be done under this Act.

48. Indemnity. No suit or legal proceedings shall lie against the Government, the University or any Authority, Officer or Employee of the Government or the University or any person in respect of anything done in good faith under this Act.

49. Power to Allow Appointment of Employees of the Government, Other Universities or Educational or Research Institutions to the University. (1) Notwithstanding anything contained in this Act the Senate may, on the advice of the Syndicate, allow any post in the

University to be filled by appointment, on such terms and conditions as the Senate may specify, an employee of the Government or any other university or educational or research institution.

(2) Where any appointment has been made under this Section, the terms and conditions of service of the appointee shall not be less favourable than those admissible to him immediately before such appointment and he shall be entitled to all benefits of such post.

- 50. University Auditor.**-There shall be a University Auditor who shall be an officer in the service of the Government whose services would be placed at the disposal of the University by the Auditor General of Azad Jammu and Kashmir or as provided in the public sector universities.
- 51. Savings.**-Notwithstanding any judgment, decree or order of any court including the High Court and Supreme Court, everything done, all actions taken, notifications issued, decisions made, orders passed, proceedings initiated, powers exercised, powers conferred etc., which have been visualized by this Act, shall be deemed to have been validly done, taken, issued, made, passed, initiated, exercised, conferred etc., under this Act.
- 52. Repeal:**The Azad Jammu and Kashmir University of Bhimber Ordinance, 2023 (Ordinance VIII of 2023) is hereby repealed.



(Ch. Muhammad Nawaz)
Deputy Secretary (Legislation)

SCHEDULE
THE FIRST STATUTE AND REGULATION
(SEE SECTION 42)

1. **Faculties.**-(1) The University shall include the following Faculties along with such other faculties as may be prescribed.
- (a) Faculty of Natural and Applied Sciences;
 - (b) Faculty of Health and Medical Sciences;
 - (c) Faculty of Social Sciences and Humanities;
 - (d) Faculty of Management Sciences;
 - (e) Faculty of Computer Sciences and Information Technology;
 - (f) Faculty of Technology and Skills Education;
 - (g) Faculty of Agricultural Sciences; and
 - (h) Faculty of Veterinary and Animal Sciences.
2. **Faculty Council.**- (1) There shall be a Faculty Council for each Faculty which shall consist of,-
- (a) the Dean who shall be its Convener and Chairperson;
 - (b) Professors and the Chairpersons of Teaching Departments, Principal(s) of the Constituent College(s) and Director(s) of the Institute(s) comprising the Faculty;
 - (c) two members to be nominated by the Academic Council on the basis 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;
 - (d) two experts in the field from outside the University to be appointed by the Syndicate; and
 - (e) one member from amongst the officers of the University to be nominated by the Vice-Chancellor.
- (2) The term of office of members of the Faculty Council, other than ex-officio members, shall be three years.
- (3) The quorum for meetings of the Faculty Council shall be one-half of the total number of members, a fraction being counted as one.

(4) The Faculty Council of each Faculty shall, subject to the general control of the Academic Council and the Syndicate, have the powers to.-

- (a) co-ordinate the teaching, publication and research work in the subjects assigned to the Faculty;
- (b) scrutinize the recommendations of the Departmental Council comprised in the Faculty in regard to the appointment of paper setters and examiners, except for research examinations, and to forward the panels of suitable paper setters and examiners for each examination to the Vice-Chancellor;
- (c) consider any other academic matter relating to the Faculty and to report thereon to the Academic Council; and
- (d) perform such other functions as may be assigned to it.

3. **Dean.-** (1) There shall be a Dean of each Faculty, who shall be the Chairperson and Convener of the Board of Faculty.

(2) The Dean of each Faculty shall be appointed by the Chancellor from amongst the three senior most Professors in the Faculty for a period of three years and shall be eligible for re-appointment:

Provided that if no Professor is available in a Faculty, an Associate Professor may be appointed as Acting Dean till a Professor of the Faculty itself is appointed.

(3) The Dean shall present candidates for admission to degrees except Honorary Degrees in the course falling within the purview of the Faculty.

(4) The Dean shall exercise such administrative and academic powers as may be prescribed by the Syndicate on the recommendations of the Vice Chancellor.

4. **Teaching Departments, Constituent College or an Institute and Chairpersons.-** (1) There shall be a Teaching Department, Constituent College or an Institute for each subject or a group of subjects, as may be prescribed by Regulations and each Teaching Department, Constituent College or an Institute shall be headed by Head of Department, Principal of Constituent College and Director of the Institute.

(2) The Senate shall, on the recommendations of the Vice-Chancellor, appoint the Chairperson from amongst three senior most Professors other than a Professor already working as Dean for a period of three years and the Chairperson shall be eligible for re-appointment:

Provided that in a Teaching Department, Constituent College or Institute where there are less than three eligible Professors, the appointment shall be made from amongst the three senior most Professors and Associate Professors of the Teaching Department, Constituent College or Institute.


(3) The Head of Department, Principal, Director shall plan, organize and supervise the work of the Teaching Department, Constituent College or Institute and shall be responsible to the Dean for the work of his Teaching Department, Constituent College or Institute.

(4) The Head of Department, Principal, Director shall, under the general supervision of the Vice-Chancellor and the Dean, exercise all the administrative, financial and academic powers and such other duties or powers as may be delegated to him.

(5) The Head of Department, Principal, Director shall prepare a comprehensive annual report regarding the performance of the Teaching Department, Constituent College or Institute at the graduate and postgraduate levels, faculty research and development and submit this report to the Dean for evaluation

5. Departmental Council.- (1) There shall be a separate Departmental Council for each subject or group of subjects, as may be prescribed by Regulations.

(2) Each Departmental Council shall consist of.-

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- (a) the Head of Department, Principal, Director who shall be its Convener and Chairperson;
 - (b) all Professors and Associate Professors in the Teaching Department, Constituent College or Institute;
 - (c) two experts to be appointed by the Syndicate;
 - (d) three teachers, other than University teachers, to be appointed by the Academic Council from Colleges; and
 - (e) one Assistant Professor and one Lecturer, from the Department concerned, to be appointed by the Vice-Chancellor:

Provided that in the case of professional subjects which are taught in the affiliated Institutes/Colleges only and not in the University, such as Medicine, Dentistry, Home Economics and Education etc., the Departmental Council shall consist of.-

- (a) the Head of Department, Principal, Director who shall be its Convener and Chairperson:

- (b) the concerned Principal(s) of the Affiliated College(s)/ Director(s) of the Affiliated Institute(s):
- (c) three teachers of the Colleges, to be appointed by the Academic Council; and
- (d) two experts to be appointed by the Syndicate:

Provided further that in the case of such subjects of Humanities and Sciences as are taught in the Affiliated College(s)/Institute(s) only and not in the University, the Departmental Council shall consist of.-

- (e) the Head of Department, Principal, Director of the University who shall be its convener and chairperson;
- (f) three teachers from the Colleges, doing teaching work in the subject, to be appointed by the Academic Council; and
- (g) two experts to be appointed by the Syndicate.

(3) The term of office of members of the Departmental Council, other than ex-officio members, shall be three years.

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

(5) The Head of Department, Principal, and Director of the University Teaching Department, Constituent College, and Institute concerned shall be the Chairperson and Convener of the Departmental Council. Where in respect of a subject, there is no University Teaching Department, Constituent College, and Institute, the Head of Department, Principal, and Director shall be appointed by the Syndicate.

(6) The functions of the Departmental Council shall be to.-

- (a) advise the Authorities on all academic matters connected with instruction, publication, research and examination in the subjects concerned;
- (b) propose curricula and syllabi for all degree, diploma and certificate courses in the subjects concerned;
- (c) suggest a panel of names of paper setters and examiners in the subjects concerned; and
- (d) perform such other functions as may be prescribed by Regulations.

6. **Advance Studies and Research Board.**- (1) There shall be a Board of Research and Advance Studies consist of,-

- (a) the Vice-Chancellor, who shall be the Convener and Chairperson of the Advanced Studies and Research Board;
- (b) all the Deans, Principals of Constituent Colleges and Directors of Institutes;
- (c) one University Professor/Associate Professor, from each Faculty having PhD qualification and good research experience, to be appointed by the Academic Council;
- (d) Director Quality Enhancement Cell;
- (e) Director Office of Research, Innovation and Commercialization;
- (f) Controller of Examinations;
- (g) Director Advanced Studies and Research Board (Secretary).

(2) The term of office of members of the Advanced Studies and Research Board, other than ex-officio members, shall be three years.

(3) The quorum for a meeting of the Advanced Studies and Research Board shall be one-half of the total number of members, a fraction being counted as one.

(4) The functions of the Advanced Studies and Research Board shall be to,-

- (a) advise the Authorities on all matters connected with the promotion of Advanced Studies and Research in the University;
- (b) consider and report to the Authorities on the institution of research degrees in the University;
- (c) propose Regulations regarding the award of research degrees;
- (d) appoint supervisor(s) for a postgraduate research student and to approve title and synopsis of a thesis or dissertation;
- (e) recommend names of panels of paper setters and examiners for research examinations after considering the proposal of the Departmental Council in this behalf; and
- (f) perform such other functions as may be prescribed by Statutes.

7. **Selection Board.**-(1) The Selection Board shall consist of.-

- (a) The Vice-Chancellor, who shall be the Chairperson and Convener of the Selection Board;
- (b) the Chairman or a member of the Azad Jammu and Kashmir Public Service Commission to be nominated by the Chairman;
- (c) The Chairman of the Higher Education Commission, Pakistan or his nominee;
- (d) One member of the Senate to be appointed by the Senate who is not an employee of the University;
- (e) two persons of eminence to be appointed by the Senate provided that none of them is an employee of the University;
- (f) the Dean/Principal of the concerned Faculty/Constituent College;
- (g) the Chairperson concerned;
- (h) two experts (to be co-opted or consulted by the Selection Board) in the subject concerned for selecting candidates for the posts of Professors & Associate Professors and one expert in the subject concerned for selecting other teaching posts, to be nominated by the Vice-Chancellor from a Standing List of Experts for each subject approved by the Academic Council and revised from time to time, and;
- (i) Registrar (Secretary).

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

(3) The quorum for meetings of the Selection Board shall be one-half of the total number of members, a fraction being counted as one.


(4) No member, who is a candidate for the post to which appointment is to be made, shall take part in the proceedings of the Selection Board.

(5) The functions of the Selection Board shall be to.-

- (a) The Selection Board for teaching and other posts shall consider the applications received in response to an advertisement and recommend to the Senate the names of suitable candidates for appointment to teaching or other posts, as the case may be, and may also recommend.-

- (i) The grant of a higher initial pay in a suitable case for reasons to be recorded; and
 - (ii) The appointment of an eminently qualified person to a Professorship in the University on terms and conditions other than those prescribed.
- (b) The Selection Board shall also consider the cases for promotion/ selection for the posts in BPS-17 and above in the non-teaching cadre from amongst the University Employees and recommend to the Senate the names of suitable candidates for approval.
- (c) In the event of unresolved difference of opinion between the Selection Board and the Senate, the decision of the Chancellor shall be final.

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

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- (a) the Vice-Chancellor who shall be convener and chairperson;
 - (b) one member of the Syndicate to be appointed by the Senate;
 - (c) Secretary Finance or his nominee, Finance Department, GoAJ&K;
 - (d) Secretary or his nominee, Higher Education Department, GoAJ&K;
 - (e) Advisor Finance and Planning, Higher Education Commission, Islamabad;
 - (f) Director Planning and Development; and
 - (g) Treasurer (Member/Secretary).

(2) The term of office of the appointed members shall be three years.

(3) The quorum for meetings of the Selection Board shall be one-half of the total number of members, a fraction being counted as one.

(4) The functions of Finance and Planning Committee shall be.-

- (a) to consider the annual statement of accounts and the annual and revised budget estimates and advise the Senate thereon;
- (b) to review periodically the financial position of the University;

- (c) to advise the Senate on all matters relating to planning, development, finances investments and accounts of the University; and
- (d) to perform such other functions as may be prescribed.

9. **Affiliation Committee.**-(1) The Affiliation Committee shall consist of,-

- (a) The Dean, to be nominated by the Vice-Chancellor, who shall be Convener and Chairperson;
- (b) two Professors to be nominated by the Academic Council;
- (c) two teachers to be nominated by the Syndicate;
- (d) Controller of Examinations or his nominee.

(2) The term of office of the members of the Committee, other than ex-officio members, shall be two years.

(3) The Affiliation Committee shall co-opt HoDs of relevant department wherein affiliation is to be granted.

(4) The quorum for a meeting of or for an inspection by the Affiliation Committee shall be four.

(5) The Additional/Deputy Registrar dealing with the affiliation cases or such other person as may be designated by the Vice-Chancellor for this purpose shall act as Secretary of the Committee.

(6) The functions of the affiliation Committee shall be,-


- (a) to inspect the educational institution seeking affiliation with or admission to the privileges of the University and to advise the Syndicate thereon;
- (b) to inquire into complaints alleging breach of conditions of affiliation by Affiliated Colleges and to advise the Syndicate thereon; and
- (c) to perform such other functions as may be prescribed by Regulations.

10. **Discipline Committee.**-(1) A Discipline Committee for the University/ each College shall be formed to consider the cases of expulsion and rustication of students. The Discipline Committee of the University shall consist of.-

- (a) Dean to be nominated by the Vice-Chancellor who shall be Chairperson;
- (b) two Professors/Associate Professors to be nominated by the Academic Council;

- (c) two Professors/Associate Professors to be nominated by the Syndicate; and
 - (d) Director Students Affairs (Member/Secretary).
- (2) The Discipline Committee in each Constituent/ Affiliated College shall consist of five senior most teachers including the Principal/ Dean who shall be its Chairperson. The Committee shall be duly approved by the Vice-Chancellor on the recommendation of the Principal concerned.
- (3) The Vice-Chancellor may allow one or maximum two additional members to be co-opted on the above committees, if the situation may so demand.
- (4) The final decision in every case shall, however, rest with the Vice-Chancellor.
- (5) Appeal/ Review against the rustication/ expulsion shall lie with the Vice-Chancellor. He may refer the Appeal/ Review under consideration to the same or other Discipline Committee and adopt the procedure, which he deems fit:

Provided that the student against whom any action has been taken by the Discipline Committee may lodge an appeal for review with the Vice-Chancellor within two weeks.

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- (6) The term of office of the members of the Committee, other than ex-officio member, shall be two years.
 - (7) The quorum for a meeting of Discipline Committee shall be four members.
 - (8) The functions of the Discipline Committee shall be,-
 - (a) to deal with all cases of indiscipline and misconduct of students in the University.
 - (b) to propose regulations relating to conduct of students, maintenance of discipline and breach of discipline;
 - (c) to impose fine, place on probation, to suspend, expel or rusticate students on the basis of inquiry conducted under prescribed regulations rules; and
 - (d) to perform such other functions as may be prescribed by the Vice-Chancellor.

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