

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARABAD**

Dated the 18th January, 2000.

No. 25-34/LD/97. The following Act made by the Assembly received the assent of the President on the 12th day of January, 2000, is hereby published for general information:-

(ACT I OF 2000)

**AN
ACT**

to set up Mohi-Ud-Din Islamic University Nerian Sharif

WHEREAS it is expedient to provide provisions for the establishment of the Mohi-ud-Din Islamic University Nerian Sharif and for matters ancillary thereto;

It is hereby enacted as follows:-

- 1. Short title and commencement:-** (1) This Act may be called the Mohi-Ud-Din Islamic University Nerian Sharif Act, 1999.
(2) It shall come into force at once.
- 2. Definitions:-** In this Act, unless there is anything repugnant in the subject or context:
 - (i) "Authority" means an Authority of the University specified in Section 13 or any of the Authority of the University as per provision of this Act;
 - (ii) "Academic Council" means the Academic Council of the University;
 - (ii) "Board of Governors" means the Board of the Governors of the University;
 - (iv) "Chief Patron" means the Chief Patron of the University;
 - (v) "Patron" Means the Patron of the University;
 - (vi) "Chancellor" means the Chancellor of the University;

- (vii) “Dean” means the Dean of the Faculty of the University;
- (viii) “Director” means the Head of an Institute/teaching Division of the University;
- (ix) “Faculty” means the Faculty of the University;
- (x) “Government” means the Azad Government of the State of Jammu and Kashmir;
- (xi) “Institute” means the Institute set up by the University;
- (xii) “Prescribed” means prescribed by Statutes, Regulations and Rules;
- (xiii) “Pro-Vice Chancellor” means the Pro-Vice Chancellor of the University;
- (xiv) “Principal” means the Principal of the constituent/ affiliated college or school of the University;
- (xv) “Professor Emeritus” means a retired Professor working in a faculty in an honorary capacity;
- (xvi) “Statutes Regulations and Rules” means the Statutes, Regulations and Rules respectively made or deemed to have been made under this Act,
- (xvii) “Constituent College” means college or school maintained and administered by the University;
- (xviii) “Trust” means the Anjuman Mohi-ul-Islam Siddiqia (Registered);
- (xix) “University” means the Mohi-Ud-Din Islamic University, Nerian Sharif;
- (xx) “Commission” means the University Grants Commission of Pakistan;
- (xxi) “Vice Chancellor” means the Vice Chancellor of the University.

CHAPTER-II

THE UNIVERSITY

3. Establishment and incorporation of the University:-

(1) There shall be established a University to be called MOHI-UD-DIN ISLAMIC UNIVERSITY NERIAN SHARIF consisting of Chief Patron, the Patron, the Vice Chancellor, the Pro-Vice Chancellor, the Deans, the Chairman, the principals and members of the Board, the members of the Academic Council and such other officers as may be prescribed or any council, committee and any other body as the Authority may establish.

(2) The University shall be a body corporate, with its main campus at Nerian Sharif and its Administrative office at Trarkhal and Rawalakot, Azad Jammu and Kashmir. It shall have perpetual succession and a common seal, with power, among others, to acquire, hold and dispose of any property or investment vesting in it and shall by the said name, sue and be sued.

4. University open to all:- The University shall be open to all Muslims of either sex of whatever race, creed, colour, class or domicile who are academically qualified for admission to the courses of study offered by the University and no such person shall be denied the privileges of the University on the grounds of sex, creed, race, colour or domicile:

Provided that nothing contained in this section shall be deemed to prevent instruction and the teachings of Islam as imparted by Muslim scholars and Sufies given to all the students of the University.

5. Powers and Functions of the University:- The University shall be an autonomous body, a full fledged University in all respects and shall have the powers:-

- (i) to impart education instructions and guidance at the graduate, post graduate, research levels in accordance with the provisions to this Act;
- (ii) to provide instruction and teaching in such branches of learning as it may deem fit, to make

provision for research and the advancement and dissemination of knowledge in such as it may determine;

- (iii) to prescribe courses of studies, mode, method and medium of instructions and Examinations as it may determine;
- (iv) to admit and examine internal and external students and to confer or award degree, diplomas, Certificates and other academic distinctions on and to the persons who have passed its Examinations under prescribed conditions;
- (v) to affiliate itself or associate with other institutions of Pakistan or any other country and to establish camp offices/campuses, faculties in Pakistan or abroad under prescribed conditions for the betterment of education;
- (vi) to confer honorary degrees or other distinctions on approved persons in the manner prescribed;
- (vii) to receive and manage property, grants, bequests, trusts, gifts, donations, endowment and other contributions made to the University and to expend or to invest them in such a manner as it may deem fit;
- (viii) to enter into agreements, contracts and other arrangements with Government/organizations, institutions, bodies and individuals for carrying out its functions and activities;
- (ix) to demand and receive such fees and other charges from the students and candidates as it may determine;
- (x) to appoint members of the various bodies and committees as may be determined for instructional and co-curricular activities and to admit students of the University and its constituent units;

- (xi) to appoint such officers including teachers and members of the Administrative and other staff on prescribed terms and conditions and to determine powers and duties of such officers and staff;
- (xii) to provide and support other facilities for education, professional training and research;
- (xiii) to affiliate and dis-affiliate educational institutions and inspect such institutions or associate itself with other selected education, training and research institutions, provide them with service and facilities for the effective discharge of their functions and responsibilities and determine teaching methodology, techniques and strategies in order to ensure the most effective educational, training and research programmes;
- (xiv) to do all such other acts and perform functions, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a place of education, learning and research; and
- (xv) to provide for the printing and publication of research and other works.

CHAPTER-III **OFFICERS OF THE UNIVERSITY**

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

- (a) The Chief Patron;
- (b) The Patron;
- (c) The Chancellor;
- (d) The Vice Chancellor;
- (e) The Pro-Vice Chancellor;
- (f) The Deans;
- (g) The Directors;

- (h) The Principals;
- (i) The Chairman of the Teaching Department;
- (j) The Registrar;
- (k) The Controller of Examinations;
- (l) The Treasurer; and
- (m) Such other persons as may be prescribed to be the officers of the University.

7. The Chief Patron:- The honourable President of AJ&K shall be the Chief Patron of the University.

8. The Patron:- The Minister of Education Government of AJ&K shall be the Patron of the University.

9. The Chancellor:- (1) The Chancellor shall be a person of eminence known for his contribution in the field of knowledge or service to the society and appreciated for his high moral and intellectual calibre.

Provided that Pir Allauddin siddiqui shall be the first life time Chancellor of the University and in case of his death, illness, inability or any other cause, the Chancellor, appointed by the Trust and approved by the Patron on such terms and conditions as may be determined by the Trust, shall perform the function of the office.

(2) The Chancellor if present shall preside at the convocation of the University.

(3) Every proposal to confirm honorary degree shall be subject to confirmation by the Chancellor.

(4) The degree, diplomas and certificates issued by the University will be signed by the Controller of Examination and be counter-signed by the Chancellor.

(5) The chancellor if satisfied that the proceedings of any authority or orders of any officer are not in accordance with the provisions of this Act, the Statutes the Regulations or the Rules, he may, after calling upon

such authority or officer to show cause why such proceedings should not be annulled, by order in writing annul such proceeding or orders.

(6) The Chancellor shall exercise and perform such other powers and function as may be prescribed.

- 10. Visitation:-** (1) The Chancellor may cause a visitation or enquiry to be made in respect of any matter connected with the affairs of the University, appoint such person or persons as may deem fit for this purpose.

(2) The Chancellor shall, on receipt of a report under sub-section (1) issue such directions as he deems fit and the Vice Chancellor will comply with such directions.

- 11. The Vice Chancellor:-** (1) The Vice Chancellor shall be appointed by the Chancellor on such terms and conditions as the Chancellor may determine and shall hold office at the discretion of the Chancellor.

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

(3) The Vice Chancellor shall be the principal academic and administrative officer of the University and shall be responsible for proper implementation of the provisions of this Act, directions of the Chancellor, the decision of the University and execution of the policies and programmes of the University and shall have all powers necessary for this purpose, including administrative control over all officers, Teachers and other employees of the University.

(4) The Vice Chancellor may, in an emergency which in his opinion requires immediate action, take such action as he may consider necessary and shall, thereafter, as soon as possible report his action to the

officer, authority, or, other body, which in the ordinary course would have dealt with the matter.

(5) In particular and without prejudice to the generality of the foregoing powers, the Vice Chancellor shall also have the following powers:-

- (a) to call or request any scholar or subject specialist or eminent person from the country or outside the country to attend any meeting of the University and give his expert opinion;
- (b) to create and fill temporary posts for a period not exceeding six months;
- (c) to sanction all expenditure provided for in the approved budget and to re-appropriate funds within the same major heads to expenditures;
- (d) to sanction re-appropriation of an amount not exceeding to Rupees, one hundred thousand for an unforeseen item not provided for in the budget and report it to the Trust at the next meeting;
- (e) to appoint paper setters and examiners for all examinations of the University after receiving panels of names from the Controller of examinations or the relevant authorities;
- (f) to make such arrangements for the secrecy of papers, marks and results as may be necessary;
- (g) to direct teachers, officers and other employees of the University to take up such assignments in connection with teaching, research, examinations and administration and such other activities in the University, as he may consider necessary;
- (h) to delegate, subject to such conditions, if any, as may be prescribed, any of his powers under the Act, to the Pro-Vice Chancellor or to an officer or other employee of the University;
- (i) to appoint employees in N.P.S. 1 to 16;

- (j) to appoint teachers/employees of such categories in respect of which powers have been delegated to him by the Trust;
- (k) to preside all the meetings of the authorities of which he is the Chairman;
- (l) to preside over the convocation and other meetings in the absence of the Chancellor; and
- (m) to exercise and perform such other powers and functions as may be prescribed.

- 12. The Pre-Vice Chancellor:-** (1) The Pro-Vice Chancellor shall be appointed by the Chancellor on the recommendations of the Vice Chancellor, on such terms and conditions as the Chancellor may determine and shall hold office during the pleasure of the Chancellor.
- (2) The Pro-Vice Chancellor will act in absence of Vice Chancellor, as Vice Chancellor, and enjoy all the powers assigned or delegated to him.

CHAPTER-IV **AUTHORITIES OF THE UNIVERSITY**

- 13. Authorities:-** The following shall be the Authorities of the University:-
- (i) the Board of Governors;
 - (ii) the Academic Council;
 - (iii) the Board of Faculties;
 - (iv) the Board of Advanced Studies and Research;
 - (v) the Board of Studies;
 - (vi) the Selection Board;
 - (vii) the Affiliation Committee;
 - (viii) the Finance and Planning Committee; and
 - (ix) such other Authorities as may be prescribed.
- 14. Board of Governors:-** (1) The general supervision and control of the affairs of the University and its powers to

lay down policies shall vest in the Board consisting of the following:-

- (a) the Vice Chancellor;
- (b) the Pro-Vice Chancellor;
- (c) the Chairman, University grants Commission or a whole time Member of the Commission to be nominated by him,
- (d) the Chief Justice of the Supreme Court of AJ&K or a judge of the Supreme Court to be nominated by the Chief Justice;
- (e) the Chief Justice of the High Court of AJ&K or his nominee;
- (f) the Secretary of Education, Government of AJ&K or his nominee not below the rank of the Deputy Secretary;
- (g) two Dens nominated by the Chancellor in consultation with the Vice Chancellor;
- (h) three persons of eminence in arts, science, technology, education, media, other scholarly fields, business and trade to be nominated by the Chancellor on the recommendations of the Vice Chancellor;
- (i) three members of the Trust to be nominated by the Trust;
- (j) Secretary Finance AJ&K; and
- (k) Secretary Law or his nominee.

(2) A nominated members shall hold office for a term of three years, and shall be eligible for re-nomination on the expiry of his term unless the Chancellor terminated his membership earlier:

Provided that, in the case of the first Board constituted under this Act, one third of the members for the time being, other than ex-officio members, to be determined by lot, shall retire from office on the expiration of one

year, one half of the remaining members, also to be determined by lot, shall retire from office on the expiration of the second and the remaining one half shall retire from office at the expiration of the third year.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the Board without sufficient cause or absence without leave or his nomination is canceled by the authority nominated his.

(4) A casual vacancy of a member shall be filled by a person nominated by the authority which had nominated the member whose vacancy is to be filled.

(5) The Vice Chancellor shall act as the Chairman of the Board.

(6) The Registrar of the University shall act as the Secretary of the Board.

(7) No act or proceedings of the Board shall become invalid by reason only of the Non-existence of a vacancy or a defect in the constitution of the Board.

15. Powers and functions of the Board:- (1) In particular and without prejudice to the generality of the provision of subsection (1) of Section 14 the board shall be the highest body of the University. It shall exercise and perform the powers and functions as follows:-

- (a) to hold, control and administer the property, funds, assets and other resources of the University;
- (b) to transfer and accept transfer of movable or immovable property on behalf of the University;
- (c) to consider and approve, on the advice of the Finance and Planning Committee, the annual and revised budget estimates and to lay down guidelines or rules of business dealing with financial matters;

- (d) to approve, carry out, vary or cancel contracts on behalf of the University;
 - (e) to initiate and approve schemes for achievement of the objectives of the University;
 - (f) to create professional research, administrative and such other posts as may be required to carry out the purposes of the University, and to suspend or abolish such posts;
 - (g) to appoint teachers, researchers and officers on the recommendations of the selection Board;
 - (h) to suspend, punish and remove the University employee from the service whom it is empowered to appoint, in the manner prescribed after due enquiry and defence;
 - (i) to propose statutes for submission to the Chancellor;
 - (j) to approve Rules and Regulations on the recommendations of the appropriate bodies;
 - (k) to affiliate and dis-affiliate colleges or institution;
 - (l) to determine the form and regulate the custody and use of common seal of the University;
 - (m) to determine, regulate and administer all other matters concerning the University and, to this end, exercise all necessary powers not specifically mentioned in the Act, or the Statutes, the Rules and Regulations.
- (2) The Board may delegate any of its powers to an Authority or officers or a committee or a Sub-Committee.

16. Meetings of the Board:- (1) The Board shall meet at least twice a year on the dates to be fixed by the Vice Chancellor provided that a special meeting may be called at any time on the desire of or the direction of the Chancellor or on a requisition made by not less than

seven members of the Board to consider a matter of an urgent nature.

(2) Not less than six clear days notice of a special meeting shall be given to the members of the Board, the Agenda of the meeting shall be restricted to the matter for which the special meeting is called.

(3) The quorum for a meeting of the Bboard shall be one half of its members.

(4) The decision of the Board shall be expressed in terms of the views of the majority of the members present and voting and, if the members are equally divided, the Chairman of the Board shall have and exercise a casting vote.

17. Academic Council:- (1)The Academic Council shall consist of:-

- (a) the Vice Chancellor, who shall be the Chairman;
 - (b) the Pro-Vice Chancellor;
 - (c) the Deans;
 - (d) the Directors;
 - (e) the Principal of the constituent Schooll/Colleges of the University;
 - (f) the Chairman of the Teaching Departments;
 - (g) the University Professors including Professor Emeritus;
 - (h) two eminent scholars to be nominated by the Chancellor;
 - (i) three persons of eminence to be nominated by the Chancellor;
 - (j) the Registrar of the University who shall be the Secretary.
- (2) A nominated members shall hold office for a term of three years and shall be eligible for re-nomination.

(3) The office of a nominated member shall become vacant if he resigns or fails to attend three consecutive meetings of the council without sufficient cause or absence without leave or his nomination is changed by the nominating authority.

18. Powers and duties of the Academic Council:- (1) The Academic Council shall be the highest academic body of the University, and shall subject to the provisions of this Act and the Statutes, have the power to lay down proper standards of instruction, training, research and examinations to regulate and promote the academic life of the University.

(2) In particular and without prejudice to the generality of the foregoing provisions, the Council shall have the powers:-

- (a) to advise the Board on academic matters;
- (b) to regulate the admissions and examinations;
- (c) to propose the Board, schemes for the constitution and organization of Faculties, Teaching Departments, Institutes, Schools, Colleges and the Board of Studies;
- (d) to consider or formulate proposals for the planning and development of teaching, training and research in the University;
- (e) to make Regulations, on the recommendations of the Board of Faculties and the Boards of Studies, prescribing the courses of studies and the syllabi for all University examinations:

Provided that in case the recommendations of Boards of Studies are not received by the prescribed date, the Council may, subject to the approval of the Board, continue for the next year, the courses of Studies already prescribed for examination.

- (f) to recognize the examinations of other Universities or examining bodies as equivalent to

the corresponding examinations of the University and to request other Universities, institutions and Departments, to recognize the examinations and examining bodies of this University:

- (g) to frame Regulations for submission to the Board;
- (h) to appoint members to the various Authorities in accordance with the provisions of this Act;
- (i) to perform such other functions as may be prescribed by Statutes.

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

20. Appointment of Committee:- The Board, the Academic Council and other Authorities may appoint such Standing, Special or Advisory Committees as they may consider advantageous in the performance of their functions.

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

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

- (a) terms and conditions of service of employees of the University, including scales of pay, constitution of pensions, insurance gratuity, provident funds, benevolent funds and other fringe benefits;
- (b) terms and conditions of contractual appointments of teachers, researchers and officers;
- (c) establishment of Faculties, Teaching Departments, Schools, Colleges and other

academic units and divisions, determination of mode and methods of examinations;

- (d) powers and duties of officers and teachers;
- (e) conditions under which the University may enter into arrangements with other public or private organizations for purposes of instruction, examination, research and other scholarly activities;
- (f) conditions of appointment of Professors Emeritus and award of honorary degrees;
- (g) efficiency and discipline of the employees of the University;
- (h) acquisition and administration of properties and investments of the University;
- (i) all other matters which under this Act, are required to be or may be prescribed or regulated by Statutes.

(2) The draft of the Statutes shall be proposed by the Board for approval by the Chancellor.

(3) The Chancellor shall have the power to assent to the Statutes submitted to him for approval, or refer it back to the Board for reconsideration.

(4) No Statutes shall be valid until it has been approved by the Chancellor.

22. Regulations:- (1) Subject to the provisions of this Act and the Statutes, regulations may be made for all or any of the following matters, namely:-

- (a) schemes of studies, training and research, including the duration of course, number of subjects or papers for examinations;
- (b) syllabus and courses of study, training and research programmes leading to degrees, diplomas or certificates;

- (c) conduct and supervision of examinations, appointments of examiners, scrutiny, tabulation and declaration of results;
 - (d) determination of fees and other charges for admission to various faculties, examinations and hostels;
 - (e) maintenance of discipline among students and schemes for their welfare, however, the Academic staff, the Administrative staff and the students of the University will not be allowed to indulge in politics or to join any union. Those who choose to indulge in these activities will face immediate termination/expulsion. The appeal, if any shall lie only before the Board of Governors. The decision of the Board of Governors will be final.
 - (f) institution of fellowships, scholarships prizes, medals, honorary degrees or any other financial assistance for students and research scholars;
 - (g) conduct of convocation and form of academic costumes;
 - (h) conditions of residence of students;
 - (i) use of library and laboratories;
 - (j) all other academic matters which by this Act, or States may be prescribed by the regulations.
- (2) The Board shall have powers to approve the Regulations submitted to it or refer them to the Academic Council for reconsideration.
- (3) No regulation shall be valid until it has been approved by the Board and countersigned by the Chancellor.

23. Rules.-- (1) The Authorities and other bodies of University may make rules consistent with the Act, Statutes and the Regulations, to regulate the conduct of their business and the time and place of meetings and related matters.

(2) The Board may make rules to regulate any matter relating to the affairs of the University which under this Act, are not specifically required to be provided for by the Statutes or the Regulations.

CHAPTER-VI THE UNIVERSITY FUNDS

24. Funds, audit and Accounts.-- (1) The University shall have a fund to which shall be credited its income from fees, donations, trusts, bequests, endowments, grants, aid, subsidies, contributions including contribution made by Anjuman Mohi-ul-Islam Siddiqia (Reg.) and all other sources.

(2) Capital recurring and non-recurring expenditure of the University shall be met from the above mentioned sources.

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

(4) The accounts of the University shall be maintained in such form and manner as may be determined by the Board and shall be audited each year within four months of the closing of the financial year of the University by the Chartered Accountant appointed by the Board.

(5) The accounts. Together with the report of the auditor, shall be submitted to the Board for approval.

(6) The auditors report shall certify that the auditor has complied with the standards of audit and certification laid down by the institute of Chartered Accountant of Pakistan.

(7) The final report of Accounts should be submitted to the Chancellor for approval.

CHAPTER-VII
GENERAL PROVISIONS

- 25. Retirement from service.--** An employee of the University shall retire from service.
- (1) On such date as he has completed twenty five years of service,
- Provided that no employee shall be retired unless he has been informed in writing of the grounds of the action proposed to be taken against him and has been given reasonable opportunity to show cause against that action.
- (2) Where no direction is give under clause (1), on the completion of sixty years of his age.
- 26. Opportunity to show cause.--** Except as otherwise provided, no officer, teacher or other employee of the University holding a permanent post, shall be reduced in rank, or removed from service or compulsorily retired from service unless he has been given reasonable opportunity of show cause against the action to be taken against him under the rules of the University.
- 27. Appeal.--** (1) Where an order is passed punishing and employee (other than Vice Chancellor) of the University or altering or interpreting to his disadvantage the prescribed terms or conditions of his service, he shall, where the order is passed by the Vice Chancellor or any other officer or teacher of the University, have the right to appeal to the Board, against the order, and, where the order is made by the Board, have the right to appeal to the Chancellor.
- (2) The appeal or application for review shall be submitted to the Vice Chancellor who shall lay it before the Board with his views and record of the case.
- (3) No order in appeal or review shall be made unless the appellant or the applicant, as the case ma has been given an opportunity of being hear.

28. Benefits of the Employees.-- (1) The University shall constitute for the benefits of the employees in such manner and subject such constitutions as may be prescribed such pension, gratuity provided fund and benevolent fund schemes at it may deem fit.

(2) When any provident fund has been constituted under the Act the provision of the provident fund Act 1925 shall apply to such fund.

29. Members of Authorities.- When a members of a newly constituted Authority is appointed or nominated, his term of office as fixed under this Act shall commence for such date as may be prescribed.

30. Casual Vacancy.- Any casual vacancy among the appointed or nominated members of any authority shall be filled, as soon as it is convenient for the person or body who appointed or nominated the members whose place became vacant, and the person appointed or nominated to the vacancy shall be a member of such authority for residue of the term for which the person whose place he fills would have been a member.

Provided that a vacancy in the membership of the Authority, other than the Board, cannot be filled for the reason that the member was an ex-officio, and office has ceased to exist, or the organization institution or other body, other than the University has ceased to exist or ceased to function, or for any other circumstances which make it impractical to fill the vacancy, the vacancy shall be filled in such manner as the Chancellor may direct on the recommendation of the Board.

31. Dispute about membership of Authorities.- (1) Notwithstanding anything contained in this Act, a person nominated or appointed to any Authority shall cease to be a member of such Authority as soon he has ceased to hold the position by virtue of which he was nominated or appointed.

(2) If a question arises whether any person is entitled to be a member of any authority, the matter shall be

referred to a committee consisting of the Vice Chancellor, the Chief Justice of Supreme Court or his nominee who is a member of the Board, and the nominee of the Chancellor, and the decision of the committee shall be final and binding.

- 32. Proceedings of Authorities.-** No act, proceeding, resolution or decision of any Authority shall be invalid by reason only of any vacancy or defect in the constitution of, or in the appointment or nomination of any member of the Authority.
- 33. First Schedule.-** Notwithstanding anything contained in this Act, the Statutes set out in the Schedule, shall be deemed to be the Statutes framed under section 21 and shall remain in force until they are amended or replaced by new statutes framed.
- 34. Bar of Jurisdiction.-** No court shall have jurisdiction to entertain any proceedings, grant and injunction of make any order in relation to anything done in good faith or purported to have been done or intended to be done under this Act.
- 35. Indemnity.-** No suit or legal proceedings shall lie against Government, the University or any person in respect of anything which is done, or purported to have been done in good faith or is intended to, or has been done under this Act.
- 36. Discipline.-** The University shall have power to supervise and control the discipline of the students or the trainees of the University in the prescribed manner.
- 37. Removal of difficulties.-**if any difficulty arises as to the constitution or reconstitution of any Authority upon coming in force of this Act, the Chancellor may give appropriate direction remove such difficulty.

THE SCHEDULE
THE FIRST STATUTES
(See Section 21)

- 1. Faculties.**-The School/colleges/Departments, Institutions a faculties of the University will be known as constituent institution of the University.
- (1) The University shall include the following Faculty.
- (a) Faculty of Arabic and Islamic Studies;
 - (b) Faculty of Languages, Social Sciences Humanities;
 - (c) Faculty of Education Technical and vocational;
 - (d) Faculty of Natural Sciences;
 - (e) Faculty of Pharmacy and Chemical Technology;
 - (f) Faculty of Commerce, Chartered Accountant Banking, Business Administration, Hospital Management, Hostel Management and Management Sciences;
 - (g) Faculty of Health and Medical Sciences;
 - (h) Faculty of Law;
 - (i) Faculty of Engineering and Textile;
 - (j) Faculty of Agriculture and Forestry; and
 - (k) Such other Faculties or institution as may desired to be established.
- (2) The Islamic Studies, and the Pakistan Studies shall compulsory subjects for all students.
- (3) Each Faculty shall include such institutions, teaching departments, campuses, centers, or teaching and training units research units as may be prescribed by statutes.

- 2. Board of Faculties:-** (1) There shall be a Board for each faculty consisting of:-
- (a) the Dean;
 - (b) the Professors, Associate Professors and Chairman Principal of the Teaching Departments, School/Colleges comprising the Faculty;
 - (c) one member of each Board of Studies comprising the Faculty, to be nominated by the board of Studies concerned;
 - (d) two teaches to be nominated by the Academic Council by reason of their specialized knowledge of Subjects, who though not assigned to the faculty, have in the opinion of the Academic Council important bearing on the subjects assigned to the Faculty.
- (2) The members mentioned in clause (c) and (d) of subsection (1) shall hold office for three years.
- (3) The quorum for the meeting of the Board of a Faculty shall be half of the total number of members, fractions being counted as one.
- (4) The Board of each faculty shall, subject to the general control of the Academic council and the Board have the following powers;
- (a) to co-ordinate the teaching and research in the subjects assigned to the Faculty;
 - (b) to scrutinize the schemes of curses and syllabi proposed by the Board of the Studies comprising the Faculty, and forward them to the Academic councils along with its observations;
 - (c) to scrutinize the recommendations of the Board of studies comprising the Faculty,

on the appointment of paper setters and examiners, except for research degrees and to forward the panels of suitable persons for each course and examination to the Vice Chancellor.

- (d) to perform such other functions as may be prescribed;

3. Deans:- (1) There shall be a dean for each faculty who shall be the Chairman of the Board of the Faculty, and shall be nominated by the Chancellor from amongst the three senior most teachers of the Faculty, at the recommendations of the Vice Chancellor.

(2) The Dean shall hold office for three years or for a longer period of time as may be determined by the Chancellor.

(3) The Dean shall select candidates for admission to degree courses, except honorary degrees, in the courses falling within the purview of the Faculty.

(4) The Dean shall exercise such other powers and perform such other duties as may be prescribed.

(5) The Deans shall supervise the academic work of the Faculty and report to the Vice Chancellor quarterly about the progress of teaching and research in the Faculty.

(6) The Dean with the approval of the Vice Chancellor shall lay down procedures for the performance and evaluation of teaching and research staff.

4. Teaching Department:- (1) There shall be a teaching Department of an Institute or College for each subject or a group of allied subjects as maybe approved and each Teaching Department

shall be headed by a Chairman an Institute by a Director and a College by a Principal.

(2) The Chairman of a Department, the Director of an Institute and the Principal of College shall be appointed by the Board from amongst the senior teachers of the Department Institute, College or by directly advertising in the newspapers, or on a contract basis or on a deputation basis.

(3) The Chairman of the Teaching Department, the Director of an Institute or the Principal of College shall plan, organize and supervise the work of the Department, institute, College in accordance with the provision of this Act, and shall be responsible to the Dean of the Faculty in which the Department, Institute, College is comprised for the work of his Department/Institute/College.

5. Board of Studies:- (1) There shall be a Board of Studies for each subject or a group of subjects as may be prescribed by the regulations.

(2) Each Board of Studies shall consist of:-

- (a) The Director or Chairman or Principal of the Teaching Department concerned;
- (b) All professors and Associate Professors in the Teaching Department concerned;
- (c) Two University teachers, other than Professors or Associate Professors, to be appointed by the Academic Council;
- (d) Three experts, other than University teachers, to be appointed by the Vice Chancellor.

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

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

(5) The Director, Chairman or Principal of the University Teaching Department concerned shall be the Chairman and Covenor of the Board of studies.

(6) The functions of the Board of Studies shall be:-

- (a) to suggest authorities on all academic matters connected with instructions, research and examinations in the subjects concerned;
- (b) to propose curricula and syllabi for all degree, diploma and certificate courses in the subject or subjects concerned;
- (c) to suggest a panel of names of paper setters and examiners;
- (d) to perform such other functions as may be prescribed.

6. Board of Advanced Studies and Research:-

There shall be a Board of Advanced Studies and research consisting of the following members:-

- (a) The Vice Chancellor, who shall be the Chairman;
- (b) The Pro-Vice Chancellor;
- (c) The Dean;
- (d) two University professors, other than Deans to be appointed by the Board of Governors;
- (e) the Professors Emeritus;
- (f) to eminent scholars nominated by the Chancellor;

- (g) Two University Teachers having research qualifications and experience to be appointed by the Council.
- (3) The term of office of the members of the Advanced Studies and Research Board, other than Ex-officio members, shall be three years.
- (4) The quorum for a meeting of the Advanced Studies and Research Board shall be half of the total number of members, a fraction being counted as one.
- (5) The Functions of the advanced studies and Research Board shall be:-
 - (a) to advise the Authorities on all matters connected with the promotion of advanced studies and research in the University;
 - (b) to propose regulations regarding the award of research degrees;
 - (c) to recommend panels of names of paper setters and examiners after considering the proposals of the Board of Studies in this behalf;
 - (d) to appoint supervisors for research students and to determine the subject of their thesis;
 - (e) to perform such functions as may be prescribed by Statutes.

7. The selection Board:- (1) There shall be a Selection Board consisting of:-

- (a) The Vice Chancellor who shall be the Chairman;
- (b) The Pro-Vice Chancellor;
- (c) One member of the Board of Governors and two persons of eminence to be nominated by the Board:

Provided that none of them is an employee of the University;

- (d) the Chairman, University Grants Commission or any full-time member of the Commission nominated by him;
 - (e) one member of AJ&K Public Service Commission to be nominated by the Chairman of the Commission;
 - (f) one Judge of the Supreme Court of AJ&K nominated by the Chief Justice;
 - (g) the Deans of the Faculty concerned;
 - (h) the Director, Chairman or Principal of the Teaching Department concerned;
 - (i) one expert to be nominated by the Trust;
 - (j) the Registrar of the University will act as Secretary of the Selection Board;
- (2) The member of the Selection Board other than ex-officio members shall hold office for three years
- (3) The quorum for a meeting of the Selection Board shall consist of five members.
- (4) No member of the Selection Board who is a candidate for the post to which appointment is to be made shall take part in such proceedings of the Selection Board.
- (5) In selecting candidates for the post of Professor and Associate Professors, the Selection Board shall, co-opt or consult two experts in the subject concerned and in selecting candidates for other teaching post, one expert in the subject concerned, to be nominated by the Vice Chancellor from a standing list of experts of each subject approved by the Board and revised from time to time.

(6) Subject experts from foreign countries may be called or appointed on contract basis for a Specified period. The foreigners would be appointed by the Vice Chancellor with the prior approval of the Chancellor. They may be exempted to appear before the Selection Board.

8. Function of the Selection Board:- (1) The Selection Board shall consider all application for teaching and other posts received in response to an advertisement and shall recommend to Board the names of suitable candidates for appointment to such posts.

(2) The Selection Board may recommend to the Board grant of a higher initial pay in a suitable case for reasons to be recorded.

(3) The Selection Board may recommend to the Board the appointment of an eminently qualified person to a position in the University on the terms and conditions as may be prescribed.

(4) The Selection Board shall consider all cases of promotion of officers of the University and recommend to the Board the names of suitable candidates for such promotions.

(5) In the event of an unresolved difference or opinion between the Selection Board and the Board of Governors, the matter shall be referred to the Chancellor whose decision thereon shall be final.

9. The Finance and Planning Committee:- (1) There shall be a Finance and Planning Committee consisting of--

- (a) the Vice Chancellor, who shall be the Chairman;
- (b) the Pro-Vice Chancellor;
- (c) a nominee of the Trust;

- (d) a nominee of the Board;
 - (e) One member to be nominated by the Finance Minister Government of AJ&K.
 - (f) two experts in the field of finance and planning to be nominated by the Chancellor;
 - (g) two member of the Academic Council to be nominated by the Academic Council;
 - (h) the Project Director of the University;
 - (i) one Dean to be nominated by the Chancellor on the recommendation of the Vice Chancellor; and
 - (j) the Treasurer of the University shall be the Secretary.
- (2) The quorum for a meeting of the finance and planning Committee shall consist of five members.
- (3) The term of office of the members other than ex-officio members shall be three years.

10. Functions of the Finance and Planning Committee:- The function of the Finance and planning Committee shall be:-

- (a) to consider annual statement of accounts, annual budget and revised budget estimates and advise the Board thereon;
- (b) to review periodically the financial position of the University;
- (c) to advise the Board on all matters relating to planning developments and accounts of the University;
- (d) to prepare short term and long term development plans;

- (e) to prepare staff and resources development plans;
- (f) to perform such other functions as may be prescribed by Statutes.

11. The Affiliation Committee:- (1) There shall be an Affiliation Committee consisting of:-

- (a) The Pro-Vice Chancellor who shall be Chairman;
- (b) One member of the Board to be nominated by the Board;
- (c) Two teachers (among the seniors if possible) to be nominated by the Academic Council.

(2) The Committee with the approval of the Vice Chancellor may co-opt not more than three experts.

(3) The term of office of the members of the Committee, excluding ex-officio members, shall be three years.

(4) The quorum for a meeting of or an inspection by the Affiliation Committee shall consist of three members.

(5) An officer of the University to be designated by the Vice Chancellor for this purpose, shall act as the secretary of the Committee.

12. The Functions of the Affiliation Committee:-
The function of Affiliation Committee shall be:-

- (a) to consider the applications receive form different recognized institutions/Colleges/Schools seeking affiliation with the University;
- (b) to visit the institutions/Colleges/Schools to ascertain the standard of education

and submit its recommendations to the Vice Chancellor;

- (c) to examine the academic justifications of the teaching staff and facilities provided to the students and propose for the betterment of curricular, co-curricular and extra-curricular activities among the students;
- (d) to recommend provisional affiliation to be granted to the Institution/College/Schools for any term but not more than three years;
- (e) to review the previous observations/recommendations on the expiry of the said term and submit its final recommendations to the Vice Chancellor whose decision there on shall be final;
- (f) to perform such other functions as may be prescribed by statutes.

13. The Academic Planning and Development Committee:- (1) There shall be an Academic Planning and Development Committee consisting of:-

- (a) The Vice Chancellor who shall be the Chairman;
- (b) The Deans;
- (c) The Chairman of Teaching Department or the Director of Institute or the Principal of the College;
- (d) One nominee of the Board;
- (e) One nominee of the Trust;
- (f) The Treasurer; and
- (g) The Registrar who shall act as secretary of the committee.

(2) The term of office of the members, excluding ex-officio members shall three years.

(3) The quorum to the meetings of the Committee shall consist of five members.

14. The Function of the Academic Planning and Development Committee:- The Function of the Academic Planning and Development Committee shall be:-

- (a) to review periodically the courses of study with a view to improve them;
- (b) to make recommendations to the Board of Advanced studies and Research and Board of studies for changes or modifications in courses in the light of experience and research studies;
- (c) to prepare proposals for introduction of new courses at the various levels to the relevant Committee;
- (d) to advise the Board of Governor and Academic Council on all matters related to academic planning, development, Academic programmes; and
- (e) to advise on such matters as are referred to it by the Vice Chancellor.

38. Repeal:- Mohi-ud-Din Islamic University Nerian Sharif Ordinance 1999 (Ordinance XIV of 1999) is hereby repealed.

Sd/-
(Syed Atta Mohyuddin Quadri)
Draftsman