

EXTRAORDINARY

REGISTERED NO. S-2771

THE BALOCHISTAN GAZETTE

PUBLISHED BY AUTHORITY

NO. 62 QUETTA THURSDAY JUNE 17. 2010

BALOCHISTAN PRVINCIAL ASSEMBLY SECRETARIAT PROVINCIAL

NOTIFICATION.

Dated Quetta, the 17th June, 2010.

No. PAB/Legis: V (10)/ 2010. The Lasbela University of Agriculture Water and Marine Sciences Bill, 2010 having been passed by the Provincial Assembly of Balochistan on 9th June, 2010 and assented to by the Governor, Balochistan on 16th June, 2010 is hereby published as an Act of the Provincial Assembly.

THE LASBELA UNIVERSITY OF AGRICULTURE WATER AND MARINE SCIENCES ACT, 2010
ACT NO. IX OF 2010.

(First published after having received the assent of the Governor of Balochistan in the Balochistan Gazette (Extra – ordinary) dated the 16th June, 2010).

AN

ACT

to provide for the establishment of the Lasbela University of Agriculture Water and Marine Sciences and for the matters connected therewith or ancillary thereto.

Preamble

WHEREAS it is expedient to establish the Lasbela University of Agriculture, Water and Marine Science at Uthal, for promoting the advancement and dissemination of knowledge in the Province of Balochistan;

It is hereby enacted as follows.—

CHAPTER - I PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Lasbela University of Agriculture, Water and Marine Sciences Act, 2010.

(2) It shall come into force at once.

Definitions.

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

- (a) "Academic Council" means the council setup under section 22 of the Act;
- (b) "Academic Department" means a teaching and research department maintained and administered, or recognized by the University in the manner as may be prescribed;
- (c) "Act" means the Lasbela University of Agriculture, Water and Marine Sciences Act, 2010.
- (d) "Affiliated College" means an educational institution affiliated to the University but not maintained or administered by it;
- (e) "Authority" means any of the Authorities of the University specified or set up in this Act;
- (f) "Chancellor" means the Chancellor of the University;
- (g) "College" means a constituent college or an affiliated college;
- (h) "Commission" means the Higher Education Commission established under the Higher Education Commission Ordinance, 2002 (LIII of 2002);
- (i) "Constituent College" means an educational institution, by whatever name described, maintained and administered by the University;
- (j) "Dean" means the head of a Faculty or the head of an academic body granted the status

of a Faculty by this Act or by the statutes or regulations prescribed under this Act;

- (k) "Department" means a teaching or research department maintained and administered or recognized by the University in the manner prescribed;
- (l) "Director" means the head of an institute established as a constituent institution by the University by Statutes or Regulations in terms of the powers delegated by this Act;
- (m) "Faculty" means an administrative and academic unit of the University consisting of one or more departments, as prescribed;
- (n) "Government" means the Government of Balochistan;
- (o) "Prescribed" means prescribed by statutes, regulations or rules made under the Act;
- (p) "Principal" means the head of a College or Institution;
- (q) "Pro Vice Chancellor" means Pro Vice Chancellor of the University;
"Representation Committees" means the Committees constituted under section 24 of the Act;
- (s) "Review Panel" means the Review Panel set up by the Chancellor in accordance with the provisions of Act;
- (t) "Senate" means the Senate of the University;
- (u) "Statutes", mean Statutes, Regulations and Rules made under this Act.
- (v) "Syndicate" means the Syndicate of the University;
- (w) "teachers" include Professors, Associate Professors, Assistant Professors and Lecturers engaged whole-time by the University or by a constituent or affiliated college and such other persons as may be declared to be teachers by Regulations;
- (x) "University" means Lasbela University of Agriculture, Water and Marine Sciences.
- (y) "University Teacher" means a whole-time teacher appointed and paid by the University, or recognized by the University as such; and

- (z) "Vice-Chancellor" means the Vice-Chancellor of the University.

CHAPTER-II **THE UNIVERSITY**

Incorporation

3. (1) The Lasbela University of Agriculture, Water and Marine Sciences shall be constituted and established at Uthal in accordance with the provisions of this Act.

(2) The University shall consist of the following, namely:-

- (a) the Chancellor,
- (b) the Members of the Senate;
- (c) the Vice Chancellor;
- (d) the Pro Vice Chancellor;
- (e) the Members of the authorities established under section 16 of the Act;
- (f) all University teachers;
- (g) all other full-time officers and members of the staff of the University; *and*
- (h) persons recognized as students of the University in accordance with the terms as prescribed from time to time.

(3) The University shall be a body corporate by the name of the Lasbela University of Agriculture, Water and Marine Sciences and shall have perpetual succession and a common seal, and may sue and be sued by the said name.

(4) 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.

(5) Notwithstanding anything contained in any other law for the time being in force, the University shall have academic, financial and administrative autonomy, including the power to employ Officers, teachers and other employees on such terms as may be prescribed, subject to the terms of this Act and the Higher Education Commission Ordinance, 2002 (LIII of 2002). 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.

Powers and purposes.

4. The University shall have the powers to:-
 - (i) provide for education and scholarship in such branches of knowledge as it may deem fit, and to make provision for research, service to society and for the application, advancement and dissemination of knowledge in such manner as it may determine;
 - (ii) prescribe courses of studies to be conducted by it and the colleges;
 - (iii) hold examinations and to award and confer degrees, diplomas, certificates and other academic distinctions to and on persons who have been admitted to and have passed its examinations under prescribed conditions;
 - (iv) prescribe the terms and conditions of employment of the officers, teachers and other employees of the University and to lay down terms and conditions that may be different from those applicable to government servants in general;
 - (v) engage, where necessary, persons on contract of specified duration and to specify the terms of each engagement;
 - (vi) confer honorary degrees or other distinctions on approved persons in the manner prescribed;
 - (vii) provide for such instruction for persons not being students of the University as it may prescribe, and to grant certificates and diplomas to such persons;
 - (viii) institute programmes for the exchange of students and teachers with other universities, educational institutions and research organizations, inside as well as outside Pakistan;
 - (ix) provide career counseling and job search services to students and alumni;
 - (x) maintain linkages with alumni;
 - (xi) develop and implement fund-raising plans;
 - (xii) provide and support the academic development of the faculty of the University;
 - (xiii) confer degrees on persons who have carried on independent research under prescribed conditions;

- (xiv) affiliate and disaffiliate educational institutions under prescribed conditions;
- (xv) inspect colleges and other educational institutions affiliated or seeking affiliation with it;
- (xvi) accept the examinations passed and the period of study spent by students of the University at other universities and places of learning equivalent to such examinations and periods of study in the University, as it may prescribe, and to withdraw such acceptance;
- (xvii) co-operate with other Universities, public authorities or private organizations, inside as well as outside Pakistan, in such manner and for such purposes as it may prescribe;
- (xviii) institute Professorships, Associate Professorships, Assistant Professorships and Lecturer ships and any other posts and to appoint persons thereto;
- (xix) create posts for research, extension, administration and other related purposes and to appoint persons thereto;
- (xx) recognize selected members of the teaching staff of affiliated colleges or educational institutions admitted to the privileges of the University or such other persons as it may deem fit, as University teachers;
- (xxi) institute and award financial assistance to students in need, fellowships, scholarships, bursaries, medals and prizes under prescribed conditions;
- (xxii) establish teaching departments, schools, colleges, faculties, institutes, museums and other centers of learning for the development of teaching and research and to make such arrangements for their maintenance, management and administration as it may prescribe;
- (xxiii) provide for the residence of the students of the University and the colleges, to institute and maintain halls of residence and to approve or license hostels and lodging;
- (xxiv) maintain order, discipline and security on the campuses of the University and the colleges;
- (xxv) promote the extra-curricular and recreational activities of such students, and to make arrangements for promoting their health and general welfare;

- (xxvi) demand and receive such fees and other charges as it may determine;
- (xxvii) make provision for research, advisory or consultancy services and with these objects to enter into arrangements with other institutions, public or private bodies, commercial and industrial enterprises under prescribed conditions;
- (xxviii) enter into, carry out, vary or cancel contract;
- (xxix) 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;
- (xxx) provide for the printing and publication of research and other works; *and*
- (xxxi) 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.

University open to all classes, creeds, etc.

5. (1) 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 religion, race, caste, creed, class, 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.

(4) The University shall exercise the powers conferred on it by or under this Act within the territorial limits of the Balochistan Province and in respect of the institution over which it has jurisdiction in accordance with law.

Teaching at the University.

6. (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 authority responsible for organizing recognized teaching shall be such as may be prescribed.

CHAPTER-III
OFFICERS OF THE UNIVERSITY

Principal Officers.

7. The following shall be the principal officers of the University, namely:-

- (a) the Chancellor;
- (b) the Vice-chancellor;
- (c) the Pro Vice-chancellor;
- (d) the Deans;
- (e) the Principals of the constituent colleges;
- (f) the Chairpersons of the teaching departments;
- (g) the Registrar;
- (h) the Treasurer;
- (i) the Controller of Examinations; *and*
- (j) such other persons as may be prescribed by the Statutes or Regulations to be the principal officers of the University.

Chancellor.

8. (1) The Governor of Balochistan shall be the Chancellor of the University and the Chairperson of the Senate.

(2) The Chancellor shall, when present, preside at the meetings of the Senate and the Convocation of the University. In the absence of the Chancellor the Senate may request a person of eminence to preside over the meeting of the Senate and convocation of the University.

(3) The members of the Senate shall be appointed by the Chancellor from amongst the persons recommended by the Representation Committee set up for this purpose.

(4) The Chancellor shall appoint the Vice Chancellor and Pro Vice Chancellor as provided in this Act.

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

(6) If the Chancellor is satisfied that serious irregularity or mismanagement with respect to the affairs of the University has occurred, he may:-

- (a) as regards proceedings of the Senate, direct that specified proceedings be reconsidered and appropriate action taken within one month of the direction having been issued:

Provided that if the Chancellor is satisfied that 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 Syndicate to exercise powers under section 16.

Removal from the Senate.

9. (1) The Chancellor may, upon the recommendation 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-fourths of the membership of the Senate:

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

Vice-Chancellor.

10. (1) There shall be a Vice-Chancellor of the University who shall be an eminent academic or a distinguished administrator and shall be appointed on such terms and conditions as may be prescribed.

(2) The Vice-Chancellor shall be the chief executive officer of the University responsible for all administrative and academic functions of the University and for ensuring that the provisions of 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, be entitled to attend any meeting of any Authority or body of the University.

(4) The Vice-Chancellor may, in an emergency that in his opinion requires 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 Statute, The Emergency Committee may either confirm the action taken or 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;
- (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; to create and fill temporary posts for a period not exceeding six months;
- (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; *and*
- (f) 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 present 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.

Appointment of the Vice-Chancellor.

11. (1) The Vice Chancellor shall be appointed by the Chancellor on such terms and conditions as the Chancellor may determine and shall hold office during the pleasure of the Chancellor for a term of five years or more which may be extended by the Chancellor from time to time.

(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 the performance of the duties of the Vice Chancellor as he may deem fit.

**Pro Vice
Chancellor.**

12. (1) The Chancellor shall appoint the Pro-Vice Chancellor on such terms and conditions as he may determine for a specific period not exceeding four years, which may be extended from time to time by the Chancellor.

(2) Where a Pro-Vice Chancellor is appointed under subsection (1) he shall, notwithstanding anything contained in this Act, exercise such powers and perform such functions of the Vice Chancellor or such other powers and functions as the Chancellor may delegate to him.

(3) The Pro-Vice Chancellor shall be an *ex-officio* member of the Syndicate and Academic Council.

Registrar.

13. (1) There shall be a Registrar of the University to be appointed by the Senate on the recommendation 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 secretariat 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 for a period of three years which may be extended from time to time by Senate on the recommendations of Vice Chancellor:

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.

Treasurer.

14. (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 as may be prescribed.

(2) The experience and the 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 for a period of three years, which may be extended from time to time by Senate on the recommendations of Vice Chancellor.

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.

Controller of Examinations.

15. (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 connected with the conduct of examinations and perform such other duties as may be prescribed.

(4) The Controller of Examinations shall be appointed for a period term of three years which may be extended from time to time by Senate on the recommendations of Vice Chancellor:

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.

CHAPTER-IV **AUTHORITIES OF THE UNIVERSITY**

Authorities.

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

- (a) Authorities established by the Ordinance,-
 - (i) the Senate;
 - (ii) the Syndicate; *and*
 - (iii) the Academic Council;
- (b) Authorities to be established by the Statutes,-
 - (i) Graduate and Research Management Council;
 - (ii) Recruitment, Development, Evaluation and Promotion committees for teachers and other staff whether at the level of the department, the Faculty or the University;
 - (iii) Career Placement and Internship Committee of each Faculty;
 - (iv) the Representation Committees for appointment to the Senate, Syndicate and the Academic Council;
 - (v) Faculty Council; *and*
 - (vi)** Department Council.

(2) The Senate, the syndicate and the Academic Council may be set up such other Committees or Sub-Committees, by whatever name described, as considered desirable through Statutes or Regulations as appropriate. Such Committees or Sub-Committees shall be

authorities of the University for the purposes of this Ordinance.

Senate: - 17. (1) The Senate shall consist of:-

- (i) The Chancellor.
- (ii) threes
- (iii) The Members of the Syndicate.
- (iv) The Deans.
- (v) The Directors of University Institutes.
- (vi) The Principal of the constituent Colleges.
- (vii) The University Professors and Emeritus Professors.
- (viii) The Chairman of the Teaching Departments.
- (ix) The Officers or Teacher In charge of Students Affairs.
- (x) Three Principals of affiliated Colleges to be elected by the Principals of all such Colleges from amongst themselves.
- (xi) Ten Teachers of affiliated Colleges having at least three years services in an affiliated College to be elected by the teachers of all such Colleges from amongst themselves.
- (xii) Chairman of the Board of Intermediate and Secondary Education located within the jurisdiction of the University.
- (xiii) Two representatives of the affiliated college's students Unions to be elected by the Presidents of all the affiliated colleges student's Unions.
- (xiv) Fifteen University Teachers having at least three years service to be elected by all University Teachers.
- (xv) Five registered graduates to be elected by all such graduate from amongst themselves.
- (xvi) Three persons eminent in the Arts, Science and the professions, one from each category.
- (xvii) The Registrar.

- (xviii) The Treasurer.
- (xix) The Controller of Examination.
- (xx) The Librarian.
- (xxi) Member of the Provincial Assembly of Balochistan to be elected in the following manner:

One member from each Division, to be elected by the member of the Provincial Assembly from that Division.

- (xxii) The Director of Education Colleges, within the territorial limits of the University and
- (xxiii) Three Members to be nominated by the Academic Staff Association.

(2) The chancellor or in his absence his nominee shall be the chairman of the Senate.

(3) The Senate shall meet at least twice in every years. Provided that the members mentioned at clauses (xiii) and (xiv) of sub-section (1) shall hold office during the term of their tenure.

(4) The senate shall meet at least twice in every year one dates to be fixed by the vice chancellor with the consent of the chancellor.

(5) The quorum for a meeting of the Senate shall be one – third of the total number of members: a fraction being counted as one.

Powers and duties of Senate. (18). Subject to the provisions of this Act the Senate shall have the powers:

- (a) To consider the drafts Rules proposed by the Syndicate and deal with them in the manner indicated in sub-section (2) of the Section 28;
- (b) to consider and pass resolution on the annual report, the annual statement of accounts, and the annual revised budget estimates;

- (c) to appoint members to the Syndicate and other Authorities in accordance with the provisions of this Act;
- (d) to delegated any of its powers to an Authority or officer or a committee or sub-committee; and
- (e) to perform such other functions as may be prescribed by Rules.

Syndicate: - 19 (1) the Syndicate shall consist of :-

- (i) The Vice Chancellor who shall be its chairman.
- (ii) One member of the provincial Assembly of Balochistan to be elected by the Members of the Assembly from amongst themselves:
- (iii) The Chief Justice of the Balochistan High Court or a Judge of the said Court to be nominated by the Chief Justice.
- (iv) One Dean to be appointed by the Chancellor on the recommendation of the Vice Chancellor.
- (v) One professor, one Associate professor, two Assistant professors and two Lecturers who have completed a minimum of two years service in the University to be elected jointly by all the Teachers of the university.
- (vi) Two members to be nominated by the Academic Staff Association.
- (vii) Two teachers of the affiliated colleges to be elected from amongst the teachers of affiliated Colleges.
- (viii) One Principal of the professional college to be nominated by the chancellor.
- (ix) Three person of eminence including one female not serving any educational institution to be nominated by the Chancellor.
- (x) Two nominees of the Chancellor from among eminent educationalists.
- (xi) Education Secretary.
- (xii) One Principal of the affiliated Colleges to be elected by the Principals of such colleges from amongst themselves.

2. Members of the Syndicate, other than ex-officio members shall hold office for three years.
3. The quorum for a meeting of the Syndicate shall be one-half of the total number of members; a fraction being as one.

Power and duties of the syndicate. 20. (i) The Syndicate shall be the executive body of the University and shall, subject to the provision of this Act and the Statutes, exercise general supervision over the affairs and management of the property of the University.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the statutes, the Syndicate shall have the powers;

- a) To hold, control and administer the property and funds of the University;
- b) To govern and regulate, with due regard to the advice of the Finance and Planning Committee in this behalf, the finances, accounts and investments of the University and for that purpose to appoint such agents as it may think fit;
- c) to consider the annual report, the annual and revised budget estimates and to advice the Senate thereon, and to re-appropriate funds from one major head of expenditure to another;
- d) to transfer and accept transfer of movable or immovable property on behalf of the University;
- e) to enter into, vary, carry out and cancel contracts on behalf of the University;
- f) to cause proper books of accounts to be kept for all sums of money received and expended by the University and for the assets and Liabilities of the university.
- g) to invest any money belonging to the University including any unapplied incomes in any of the securities described in section 20 of the Trusts Act, 1882 (II of 1882), or in the purchase of immovable property or in such other manner, as it may determine, with the like power of varying, such investments.

- h) to revive and manage any property transferred and grants, bequests, trusts, gifts, donations endowment and other contributions made to the University.
- i) to administer any funds placed at the disposal of the university for specified purpose;
- j) to determine the form, provide for the custody and regulate the use of the common seal of the University;
- k) to provide the buildings libraries, premises furniture, apparatus, equipment and other means required for carrying out the work of the University;
- l) to establish and maintain halls of residence and hostels or approve license hostels or lodgings for the residence of students;
- m) to affiliate and disaffiliate colleges.
- n) to admit educational institutions to the privileges of the University and with draw such privileges.
- o) to arrange for the inspection of colleges and the teaching departments.
- p) to initiate Professorships, Associate Professorships, Assistant Professorships, Lecturer ships and other teaching posts or to suspend or to abolish such posts,.
- q) to create, suspend or abolish such administrative research extension or other posts as may be necessary.
- r) to appoint University teachers and other officers on the recommendation of the Selection Board in the initial pay of above one thousand per mensem.
- s) to appoint Emeritus Professor on such terms and condition as may be prescribed.
- t) to confer Honorary Degrees in accordance with the conditions prescribed.
- u) to prescribed the duties of officers, teachers and other employees of the University.

- v) to suspend, punish and remove from Service officers (other than the Vice Chancellor), Teachers and other employees in the manner prescribed.
- w) to report the Senate on matters on which it has been asked to report.
- x) to appoint members to the various authorities in accordance with the provision of this Act.
- y) to propose drafts for statutes for submission to the Senate.
- z) to consider and deal in the manner prescribed in sub section (2) of section 29, the regulations made by the Academic Council, provided that the syndicate may frame a regulation at its own initiative and approve it after calling for the advice of the Academic Council;
- aa) to regulate, determine and administrator other matters concerning the University and to this end exercise all other powers not specifically mentioned in the Act and the statutes;
- bb) to delegate any of its power to an Authority or Officer or a committee or Sub-committee; and
- cc) to perform such other functions as have been assigned to it by the other provisions of this Act or may be assigned to it by the statutes;

- Academic Council. 21.** (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 Pro Vice Chancellor;
 - (c) the Deans of Faculties and such Heads of departments as may be prescribed;
 - (d) five members representing the departments, institutes and the constituent colleges to be appointed in the manner prescribed by the Senate;
 - (e) two Principals of affiliated colleges;
 - (f) five Professors including Emeritus Professors;
 - (g) the Registrar;
 - (h) the Controller of Examinations; *and*
 - (i) the Librarian.

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

Provided that as regards the five professors and the members representing the departments, institutes and the constituent colleges 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 24. 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.

Powers and functions of the Academic Council.

22. (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 instruction, research and examinations and to regulate and promote the academic life of the University and the colleges.

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

(a) approve the policies and procedures pertaining to the quality of academic programs;

(b) approve academic programs;

(c) approve the policies and procedures pertaining to student related functions including admissions, expulsions, punishments, examinations and certification;

(d) approve the policies and procedures assuring quality of teaching and research;

(e) recommend the policies and procedures for affiliation of other educational institutions;

(f) propose to the Syndicate schemes for the constitution and organization of Faculties, teaching departments 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 programs 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 functions as may be prescribed by Regulations.

Representation Committees.

23. (1) There shall be a Representation Committee constituted by the Senate through Statute for recommendation of persons for appointment to the Senate in accordance with the provisions of section 17.

(2) There shall also be a Representation Committee constituted by the Senate through Statute for the recommendation of persons for appointment to the Syndicate and the Academic Council in accordance with the provisions of sections 21 and 23.

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

- (a) three members of the Senate who are not University Teachers;
- (b) two persons nominated from the University Teachers in the manner prescribed;
- (c) one person from the academic community, not employed by the University, at the level of professor or college principal to be nominated in the manner prescribed; and
- (d) one eminent citizen with experience in administration, philanthropy, development work, law or accountancy to be nominated by the Senate.

(4) The Representation Committee for appointments to the Syndicate and the Academic Council shall consist of the following:-

- (a) two members of the Senate who are not University Teachers; and
- (b) three persons from the University Teachers to be appointed in the manner prescribed;

(5) The tenure of the Representation Committees shall be three years:

Provided that 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.

Appointment of Committees by certain Authorities.

24. (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 Statutes or Regulations.

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

Statutes.

25. (1) Subject to the provisions of the Ordinance, 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 University employees;
- (d) the scales of pay and other terms and conditions of service of officers, teachers and other University employees;
- (e) the maintenance of the register of registered graduates;
- (f) affiliation and disaffiliation of educational institutions and related matters;
- (g) 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 (1) of sub-section (1) shall be initiated and approved by the Senate, after seeking the views of the Syndicate:

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

Regulations.

26. (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 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 board of studies;
- 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. A Regulation proposed by the Academic Council shall not be effective unless it receives the approval of the Senate.

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

Amendment and repeal of Statutes and Regulations.

27. The procedure for adding to amending or repealing the Statutes and the Regulations shall be the same as that prescribed respectively for farming or making Statutes and Regulations.

Rules.

28. (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**

University fund.

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

Audits and Accounts.

30. (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/institutes and all other bodies designated as such by the Syndicate in terms of Statutes shall be independent cost centre 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 Statute, 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 Statute.

(4) No expenditure shall be made from the funds of the University, unless a Act 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 and signed by the Treasurer. The annual audited statement of accounts so prepared shall be submitted to the Auditor General of Pakistan for his observations.

(7) The observations of the Auditor General of Pakistan, if any, together with such annotations as the Treasurer may make, shall be considered by the Syndicate and shall be placed before the Senate within six months of closing of the financial year.

CHAPTER-VII GENERAL PROVISIONS

Opportunity to show cause.

31. 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.

Appeal to the Syndicate and the Senate.

32. 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.

Service of the University.

33. (1) All persons employed by the University in accordance with the terms and conditions of service prescribed by statutes shall be persons in the service of Pakistan for the purposes of any court or tribunal set up by law in terms of Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973:

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

(2) An officer, teacher or other employee of the University shall retire from service on the attainment of such age or tenure of service as may be prescribed.

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

Benefits and Insurance.

34. (1) The University shall constitute for the benefit of its officers, teachers and other employees schemes, as may be prescribed, for the provision of post-employment benefits as well as health and life insurance while in service.

(2) Where any provident fund has been constituted under this Act, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such funds as if it were the Government Provident Fund.

Commencement of term of office of members of Authority.

35. (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.

Filling of casual vacancies in Authorities.

36. 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.

Flaws in the constitution of Authorities.

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

Proceedings of Authorities not invalidated by the vacancies.

38. No act, resolution or decision of any Authority shall be invalid by reason of any vacancy on the Authority doing, passing, or making it or by reason of any want of qualification or invalidity in the election, appointment or nomination of any de facto member of the Authority, whether present or absent.

First Statutes and Regulations.

39. Notwithstanding anything to the contrary contained in the Act, the Governor Balochistan shall promulgate the First Statutes and Regulations which shall be deemed to be Statute and Regulations framed under section 26 and 27 and shall continue to remain in force until amended or replaced or till such time the new Statutes and Regulations are framed in accordance with the provisions of the Act.

Savings.

40. (1) Notwithstanding any thing contained in any other law, for the time being in force upon coming into force of this Act, any thing done, action taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trust created, donations or grants made, Scholarships, Studentships or exhibitions instituted, affiliations or privileges granted and orders issued under any of the provisions of the Balochistan Ordinance No. III of 2005 and Ordinance No. XVI of 2007, other legislative instruments or the statutes, the Regulations and the Rules made or deemed to have been made thereunder, shall if not inconsistent with the provisions or the Rules made under this Act, be continued and, so far as may be deemed to have been respectively done, taken, incurred, acquired, appointed, instituted, granted, and issued under this Act, and any documents referring to any of the provisions of the said Ordinance, other legislative instruments or statutes the Regulations, and the Rules first referred shall so far as may be, be considered to refer to the corresponding provisions of the Ordinance or the statutes the Regulations and the Rules made, under this Act.

(2) All institutes or other constituent units of the University functioning in terms of the provisions of the Balochistan Ordinance No. III of 2005 and Ordinance No. XVI of 2007 or other legislative instruments shall continue to function in terms of this Act.

(3) Any statutes, Regulations or Rules made or deemed to have been made under the Balochistan Ordinance No. III of 2005 and Ordinance No. XVI of 2007 or other legislative instrument shall, if not inconsistent with the provisions of this Act, be deemed to be statutes, Regulations or Rules made under the Act having regard to the various matters which by the Act have to be regulated or prescribed by Statutes Regulations and Rules respectively, and shall continue to be in force until they are repealed, rescinded or modified in accordance with the provisions of the Act.

Transitory Provisions.

41. (1) Notwithstanding anything contained in the Act, upon the coming into force of this Act with respect to Lasbela University of Agriculture, Water and Marine Sciences, the Senate shall be established and the members thereof, except the University Teachers, appointed by the Chancellor in accordance with the numbers and criteria for membership specified in the Act. The University Teachers shall be appointed to the first Senate by the Chancellor. The number of 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 can be complied with. The first Senate so constituted shall initiate, as soon as possible, the process for the appointment of the members of the Syndicate and the Academic Council in accordance with the terms of this Act. The term of tenure provided in sub-section (4) of section 17 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.

(2) Notwithstanding any thing contained in this Act the first Vice Chancellor shall be appointed by the Chancellor for a period of five years as prescribed in the Act.

(3) Notwithstanding any thing contained in this Act, the first appointments to the statutory posts of Pro Vice Chancellor, Registrar, Treasurer and Controller of Examination may be made by the Chancellor for the period specified under the Act in his discretion:

Provided that the persons to be appointed on the above mentioned statutory posts must fulfill all the laid down criteria required for the posts.

Removal of difficulties.

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

(2) If any difficulty arises in giving effect to any of the provisions of the Act, the Chancellor may make such order after obtaining the views of the Senate, not inconsistent with the provisions of the 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.

Indemnity.

43. 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 any thing which is done in good faith under the Act.

Power to allow appointment of employees of the Government, other universities or educational or research institutions to the University.

44. (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 as the Senate may specify, an employee of the Government or any other university or educational or research institution.

Provided that in the case of a teacher the selection board shall be consulted before filling of the post.

(2) Any officer, teacher or other employee of the University shall, as the Chancellor may in the public interest direct, serve in any post under Government or any other University or an Educational or Research Institution:

Provided that Syndicate shall be consulted before issuing the direction.

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

Repeal.

45. The Lasbela University of Agriculture Water and Marine Science Ordinance 2007 (XVI of 2007), is hereby repealed.

Validation etc.

46. Anything done, actions taken, orders passed instruments made, notifications issued, appointments made agreements made, proceedings initiated process or communications issued under the powers conferred, assumed or exercised, by the authorities of the University or Principal Officers on and after the 2nd November, 2007 and before the commencement of this Act shall be deemed to have validly done, made issued, taken, initiated, conferred, and exercised and have had effect accordingly.

Secretary

**Balochistan Provincial
Assembly**