



ISLAMIA COLLEGE PESHAWAR

KHYBER PAKHTUNKHWA (PAKISTAN)

Tel: +92-91-9222013, Exchange: +92-91-9222227-31, Fax: +92-91-9222190

URL: www.icp.edu.pk Email: assistantregistrar@icp.edu.pk

100
Years
of
Glory

No. 8921 /Meetings

Dated: 31/03/2022

To

All members of the Syndicate
Islamia College Peshawar

Subject:- FINAL APPROVED MINUTES OF THE 31ST MEETING OF THE SYNDICATE, ISLAMIA COLLEGE, PESHAWAR HELD ON 27.02.2022

Dear Sir/Madam,

I am directed to enclose herewith a copy of the final Minutes of the 31st meeting of the Syndicate held on 27.02.2022 at 10:00 am in the Main Committee Room, Islamia College, Peshawar for your information and record.

Thanking you.

Enclosed: As stated above


31/03/2022
Registrar

Copy to:

1. The Principal Secretary to the Honorable Chancellor ICP / Governor KP
2. The Deputy Registrar (Meetings/Academics), ICP
3. The PSO to Vice-Chancellor, ICP
4. Master File


Registrar

**MINUTES OF THE 31st MEETING OF THE SYNDICATE, ISLAMIA COLLEGE PESHAWAR
HELD ON 27th FEBRUARY 2022 AT 10:00AM IN THE MAIN COMMITTEE ROOM, ISLAMIA
COLLEGE PESHAWAR**

The 31st Meeting of the Syndicate, Islamia College Peshawar was held on 27th February, 2022 at 10:00 AM in the Main Committee Room, Islamia College Peshawar under the chairmanship of Prof. Dr. Gul Majid Khan, Vice-Chancellor, Islamia College Peshawar. The following attended the meeting:

1. **Prof. Dr. Gul Majid Khan**
Vice Chancellor, Islamia College Peshawar
2. **Engr. Syed Imtiaz Hussain Gilani,**
Nominee of the Chairman,
Higher Education Commission, Islamabad (Online)
3. **Prof. Dr. Abdus Salam,**
Department of English
4. **Dr. Muradullah,**
Director Student Affairs
5. **Dr. Saleem-ur-Rehman,**
Department of Islamic Theology
6. **Mr. Adnan Farid,**
Additional Secretary (Admn),
Nominee of the Secretary to Government,
Finance Department,
Government of Khyber Pakhtunkhwa
7. **Mr. Javed Iqbal,**
Deputy Secretary (Universities),
Nominee of the Secretary to Government,
Higher Education, Archives & Libraries Department,
Government of Khyber Pakhtunkhwa
8. **Mr. Syed Habib ul Hasan Gilani**
Deputy Secretary (Establishment),
Nominee of the Secretary to Government,
Establishment Department,
Government of Khyber Pakhtunkhwa
9. **Dr. Khalid Khan,**
Department of Chemistry
10. **Mr. Salah-ud-Din,**
Department of Computer Science
11. **Mr. Hamid Mehmood Khan,**
Treasurer,
Islamia College Peshawar



12. **Mr. Zakaria**
Assistant Librarian

13. **Mr. Ali Shah**
Deputy Director (Web)

14. **Dr. Qasim Mansoor Jalali,**
Registrar,
Islamia College Peshawar

The meeting started with recitation of few verses from the Holy Quran. The Honorable Vice-Chancellor welcomed and thanked the members of the Syndicate for sparing time to attend the meeting on weekend.

Afterwards, the Secretary was directed to present the agenda items of the meeting one by one.

Item No. 01: MINUTES AND COMPLIANCE REPORTS ON THE 27TH, 28TH (EMERGENCY), 29TH (EMERGENCY), 30TH (EMERGENCY) MEETING OF THE SYNDICATE HELD ON 11.09.2021, 18.12.2021, 07.01.2022 AND 03.02.2022 RESPECTIVELY

Decision: The Syndicate considered the minutes and compliance report of the 27th, 28th, 29th and 30th meetings of the Syndicate and confirmed the same.

Item No. 02: CONSIDERATION OF THE MINUTES OF THE 17TH MEETING OF THE ACADEMIC COUNCIL HELD ON 24.02.2022

Decision: The Syndicate considered the minutes of the 17th meeting of the Academic Council and approved the same subject to consideration of the valid observations, if any, received from the members of the Council.

Item No.03: CONSIDERATION OF THE MINUTES OF THE 18TH MEETING OF THE FINANCE AND PLANNING COMMITTEE HELD ON 22.02.2022

Discussion: The Syndicate considered the minutes of the 18th meeting of the Finance & Planning Committee. The Treasurer apprised the forum that the budget deficit approved by the Senate, Islamia College Peshawar is Rs. 448 million for the FY 2021-22. Any increase will further raise the budget deficit. Therefore, the observations raised on the decisions of item no. 1, 2, 3 and 4 of the minutes of the 18th Finance and Planning Committee meeting may be taken into

consideration. It was also informed that adoption of these notifications is subject to availability of resources.

Furthermore, the Budget heads of Adhoc relief Allowance 2021, Teaching Allowance 2021, Special Allowance 2021, Washing and Dress Allowance etc are not available in the approved budget FY 2021-22.

Decisions:

1. The Syndicate approved the minutes of the 18th Meeting of the F&PC. Furthermore, regarding Items No. 1, 2, 3 and 4 of the 18th F&PC meeting, the Syndicate decided to adopt the notifications w.e.f. 01.07.2021. The Syndicate directed to make payments to the employees and report the same to the Senate.
2. Furthermore, the Syndicate also considered the deferred item No. 01, 02, 03, 04, 09, 13, 16 & 17 of the 17th meeting of the Finance & Planning Committee held on 15.12.2021 and decided as follows:

Item No #	Decision of the Syndicate
01: Grant of Adhoc Relief Allowance 2021 @ 10%.	The Syndicate approved the Notification No. 398/Estt Dated: 15.02.2022 issued by Registrar, Islamia College Peshawar.
02: Sanction an increase @ 10% of net pension 2021.	Approved the adoption of Govt of Khyber Pakhtunkhwa Finance Department (Regulations Wing) Notification No. FD (SOSR-II)2-4/2021 Pension Dated: 09.07.2021.
03: Remuneration for paper setting, paper checking and invigilation.	In this regard, relevant information will be obtained from rest of the Universities and relevant policies in vogue in majority of the Universities would then be considered.
04: Different types of non-approved allowances.	Recommendations of the Finance & Planning Committee approved.
09: Revision of existing policy regarding remuneration to author on publication of Research Articles.	Recommendations of the Finance & Planning Committee approved.

13: Renewal of Group Insurance Scheme with State Life Insurance Corporation of Pakistan.	Recommendations of the Finance & Planning Committee approved.
16: Transport Facility to the Employees' Wards to School.	Deferred.
17: Consideration of various rates/remunerations recommended by AC/ASRB and approved by the Syndicate from time to time.	Recommendations of the Finance & Planning Committee approved.

Item No. 04: CONSIDERATION OF THE REPORT OF THE COMMITTEE CONSTITUTED BY THE 26TH MEETING OF THE SYNDICATE REGARDING 300 POSTS

Discussion: The forum was apprised that the Syndicate in its 26th meeting constituted a Committee to look into the allegation of creation of 300 posts without observing the codal formalities required for such creation. The Committee under the convenorship of one elected member of the Syndicate, namely Prof. Dr. Abdus Salam had finalized its report and the same was placed for perusal. Being the convener of the Committee, Prof. Dr. Abdus Salam apprised the forum about the main findings and recommendations of the Committee. He clarified that budgetary approval for the impugned posts does exist. However, the issue of how these posts were created in the first place is difficult to justify because no procedure for creation, or abolishing of posts exists in the Statutes of ICP.

Recommendations of the Committee are reproduced as under;

- a. A well-defined procedure for creation and allocation of all types of posts needs to be chalked out in the prescribed manner on urgent basis.
- b. No appointment should be made on posts with new designations shown as created in FY 2017-18 or later unless the eligibility / appointment criteria for the same is prescribed in Statutes.
- c. A post once created should keep existing and be shown in all subsequent record unless abolished by the Syndicate with proper justification.

The Nominee of the HED appreciated the work done by the Committee and suggested that the actionable recommendations of the Committee should be followed up. The Syndicate directed that if no criteria is mentioned for a specific

post in the Statutes, its creation is illegal and if a specific new position is needed by the University, it has to be created first through amendment in the Statutes as per the prescribed procedure provided in the Act. The Syndicate further directed that the details of all the posts having no criteria in the statutes for appointment/ recruitment, should be provided to the Syndicate first for making an informed decision about the same.

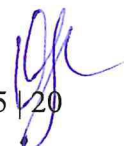
Decisions:

- a. The Syndicate agreed in principle that the Islamia College Peshawar may consider to abolish the posts which are reflected in the budget but have no criteria in the Statutes of the University and to re-adjust those posts which are in excess to need of the University. In this connection, the relevant details shall be placed before ensuing meeting of the Syndicate.
- b. Moreover, creation of new posts shall be made according to the proper procedure, i.e. need assessment, recommendation by F&PC, and final approval by the Syndicate. In this connection, the Vice-Chancellor was authorized to constitute a committee to frame rules in light of the recommendations of the Committee's report (recommendation a).

Item No. 05: CONSIDERATION OF THE REPORT OF THE COMMITTEE CONSTITUTED BY 19TH MEETING OF SYNDICATE REGARDING PSDP SCHOLARS.

Decisions: The item was discussed in detail and the Syndicate approved the following recommendations of the concerned Committee:

Recommendations of the Committee	Decision of the Syndicate
<i>a. Seniority of the Faculty members should be recognized from the day they joined Islamia College Peshawar (prior to leaving for study leave).</i>	Approved
<i>b. Salary and other benefits should commence from the day they joined University after successfully completing their studies, as per letter No. 325/Estt Dated: 17.02.2014.</i>	Approved
<i>c. Mr. Ghulam Sadiq should also be compensated for the 10-months he taught prior to leaving for studies abroad.</i>	Approved

Item No. 06: CONSIDERATION OF THE REPORT OF THE COMMITTEE CONSTITUTED BY 28TH MEETING OF SYNDICATE REGARDING CHILDREN OF DECEASED EMPLOYEES

Discussion: The house was apprised that the Syndicate in its 28th meeting had constituted a Committee to frame rules regarding the recruitment of the children of deceased employees, which was placed before the Syndicate for perusal. The draft rules were read by the members of the Syndicate. The Nominee of the HED appreciated the draft rules but added that these could be further improved by properly arranging them into various sections and sub-sections. It was highlighted that the rules involve recruitment of the deceased employees' children, therefore, it entails appointment against specific posts and when it comes to appointment in the University against a certain post, there must be specific reference to the same in the Statutes of the University. Therefore, amendment will have to be made in the Statutes in order to reflect against this specific quota. But amendment in the Statutes is the domain of the Senate of the University. Accordingly, the house agreed in principle that in order to implement these draft rules, procedure for necessary amendments in the Statutes may be initiated by the University after which the draft rules will be implemented.

Decision: The Syndicate agreed in principle with the draft rules regarding the deceased employees' sons' quota to the extent of deceased employees' children only. Accordingly, the administration was directed to get the proposed amendments in the Islamia College Peshawar Statutes, 2016 approved by the Senate in order to incorporate the provision of deceased employee's sons' quota in the same.

Item No. 07: CONSIDERATION OF THE ORDER OF THE APPELLATE AUTHORITY / HONORABLE GOVERNOR, KHYBER PAKHTUNKHWA IN THE CASE OF DR. AMIRULLAH, CHAIRMAN, DEPARTMENT OF POLITICAL SCIENCE, ICP

Discussion: The house was apprised that the appeal filed by Dr. Amir Ullah Khan, Associate Professor, Department of Political Science against the decision of the Provincial Ombudsperson Khyber Pakhtunkhwa dated 12.04.2021 has been finally disposed of by the Appellate Authority / Governor Khyber Pakhtunkhwa vide Order dated. 04.01.2022. The house perused the said order carefully in order to decide the next course of actions in the case. The Nominee of the HED stated that the Order of the Appellate Authority is clear; the decision of the Provincial

Ombudsperson Khyber Pakhtunkhwa has been set aside. However, Dr. Amir Ullah is Censured for not referring the matter of counselling the student to the relevant forum. Operating part of the order is reproduced as under;

“AND NOW THEREFORE, in the light of above, I, the Appellate Authority / Governor, Khyber Pakhtunkhwa, in exercise of powers conferred upon me under Section 09 the Protection against Harassment of Women at the Workplace Act, 2010, hereby, accept this Appeal and set aside the judgment of the Provincial Ombudsperson dated 12.04.2021. However, the Appellant is Censured for not referring the matter of counseling the complainant to the institutional setup / disciplinary committee of the University, if it was required. The University Administration is directed to ensure implementation of the Section 1 and Clause (iv) of Schedule-I (Code of Conduct) of the ACT in letter and spirit. Furthermore, subsequent to the acceptance of this Appeal the University Administration shall strictly monitor that the Complainant does not suffer any academic victimization as a result of her Complaint, and shall send monthly reports to this Secretariat”

He (Nominee of the HED) added that there are two possibilities looking at the wording of the Order regarding censure. First, the censure has been issued by the Honorable Governor and there is no direction to the Syndicate or the University administration to take any further action about censure. Second, the censure is to be issued to Dr. Amir Ullah by the Syndicate. An elected member of the Syndicate stated that providing counselling to the student is the responsibility of the Chairman of any department and, therefore, the penalty/censure does not seem to have considered this aspect. However, other members of the Syndicate opined that it will be wise to issue a censure to Dr. Amir Ullah in order to comply with the letter and spirit of the Order of the Appellate Authority.

During the discussion, the Secretary/Registrar drew the attention of the house to the orders of the Honorable High Court issued in W.P No. 5177-P/2020 whereby the administration has been asked to take measures for curbing the menace and evil of sexual harassment in the sacred institution like Islamia College University. The forum discussed the issue at length and asked the administration to take every possible step to make the learning environment for female students and staff as conducive and friendly as possible.



Decisions:

1. Advice letter be issued to Dr. Amir Ullah Khan, Chairman, Department of Political Science in pursuance of the Order of the Appellate Authority/Governor Khyber Pakhtunkhwa.
2. The University Administration is directed to ensure implementation of the Section 11 (*Responsibility of employer*) and Clause (iv) of Schedule-I (*Code of Conduct*) of the ACT in letter and spirit.
3. Furthermore, subsequent to the acceptance of this Appeal the University Administration shall strictly monitor that the Complainant does not suffer any academic victimization as a result of her Complaint.

Item No. 08: CONSIDERATION OF THE REPORT OF DTRC IN RESPECT OF DR. MADIHA ASGHAR, ASSISTANT PROFESSOR (TTS), DEPARTMENT OF PSYCHOLOGY, ICP CONSTITUTED BY 30TH MEETING (EMERGENCY) OF THE SYNDICATE HELD ON 03.02.2022

Discussion: The House was informed that the Syndicate in its 30th Meeting (Emergency) thoroughly discussed the case and decided as:

“In light of the order of the Worthy Governor, Khyber Pakhtunkhwa/Chancellor, Islamia College Peshawar dated 25.01.2022, the Syndicate decided as follows:

1. Office Order No. 1924/Estt: dated. 06.10.2021 is hereby withdrawn.
2. The Syndicate decided that in compliance with the directives of the Worthy Governor, Khyber Pakhtunkhwa/Chancellor, Islamia College Peshawar, a fresh DTRC must be held on 10.02.2022 and to come up with comprehensive evaluation report in respect of Dr. Madiha Asghar. In this connection, the Syndicate constituted the DTRC consisting the following:
 - a. **The Vice Chancellor,** Convener
Islamia College Peshawar
 - b. **Prof. Dr. Muhammad Jehanzeb Khan,** Member
Vice Chancellor, FATA University (Subject Expert)
 - c. **Prof. Dr. Johar Ali,** Member
Vice Chancellor, Khushal Khan Khattak University, Karak
 - d. **Prof. Dr. Hizbullah,** Member
University of Peshawar
 - e. **Prof. Dr. Imtiaz Ahmad,** Member
University of Peshawar
 - f. **Prof. Dr. Farhana Jehangir,** Member

University of Peshawar (Subject Expert)
g. **Prof. Dr. Erum Irshad,**
University of Peshawar (Subject Expert)

Member

As per the TTS Statutes, Section 1.4.1.2 (b) "*As a general rule, the length of service in the rank of Assistant Professor before being considered for promotion to the rank of Associate professor is six years.....*". However, the Syndicate decided that Dr. Madiha Asghar may be given the benefit of the HEC amendments letter No. 15-54/HEC/A&C/2020/1883 dated 16.10.2020 states that "*Notwithstanding anything else to the contrary in these TTS Statutes, in case of faculty members who are unable to complete the eligibility requirements for promotion to an Associate Professorship within a period of six years, the maximum length of the tenure process shall be increased to nine years, provided that for each additional year spent in the tenure process, the faculty member will be required to publish one additional research publication above the normal requirements*". Accordingly, it was decided that the DTRC shall count dossier/testimonial up to Nine years from initial appointment instead of only 6 years.

In pursuance of decision of the Syndicate the Committee was notified vide No.346/Estt: dated 04.02.2022; and Dr. Madiha Asghar was informed vide letter No.344/Estt: dated 04.02.2022 to submit dossier on the prescribed proforma, complete in all respect, on or before 09.02.2022. Whereas, meeting of the Committee was convened on 10.02.2022 vide letter No.353/Estt: dated 07.02.2022 and Dr. Madiha Asghar was directed to appear before DTRC vide letter No.361/Estt: dated 08.02.2022.

The DTRC discussed the eligibility requirements for promotion to Tenured Associate Professor as per Section 1.4.1.2 (b) of the Islamia College Peshawar Tenure Track System Statutes, which states that:

"As a general rule, the length of service in the rank of Assistant Professor before being considered for promotion to the rank of Associate professor is six years....."

Whereas, criteria for promotion to the rank of Associate Professor under Section 1.4.2.1 (b) is

"To be eligible for appointment or promotion to an associate professorship the faculty member is required to have a PhD / Relevant terminal qualification from a



recognized and reputable Institution in the relevant field with either 6-years post-PhD / Relevant terminal degree or minimum of 04-years of Post-PhD experience with at least 06 years of experience prior to the PhD. The experience to be counted is to be of teaching/research in a recognized University or a post-graduate Institution or Professional experience in the relevant field in a National or International Organization. In addition 10 research publications (with at least 4 publications in the past 5 years) in Internationally Abstracted Journals, recognized for the purpose of appointment on Tenure Track by Higher Education Commission, are required”.

The Committee also discussed HEC Notification No. 15-54/HEC/A&C/2020/1883 dated 16.10.2020 adopted by the Syndicate Islamia College Peshawar in its 24th meeting held on 30.12.2020. Operating part of which is reproduced as under:

“Notwithstanding anything else to the contrary in these TTS Statutes, in case of faculty members who are unable to complete the eligibility requirements for promotion to an Associate Professorship within a period of six years, the maximum length of the tenure process shall be increased to nine years, provided that for each additional year spent in the tenure process, the faculty member will be required to publish one additional research publication above the normal requirements”.

It was informed that Dr. Madiha Asghar has submitted several documents and research articles on 09.02.2022;

The House was also informed that the Research Articles submitted by Dr. Madiha Asghar on 09.02.2022 were sent to Director, Quality Enhancement Cell, ICP vide letter No. 8897/Meetings dated 09.02.2022 for evaluation. Report received from Assistant Registrar (QEC) vide letter No. 189/QEC/ICP dated 09.02.2022 states that she had only two valid publications between March 2010 to March 2019.

Thereafter, in compliance with the Order dated 25.01.2022 of the Honorable Governor/Chancellor, Islamia College Peshawar, Dr. Madiha Asghar was heard in person. Different questions were posed to her, to which she did not respond satisfactorily. During her personal hearing, Dr. Madiha Asghar requested

permission for consultation with her legal advisor which was granted to her as per her desire/request.

After threadbare discussion, the DTRC recommended that:

“She is required to submit self-assessment report in consolidated form for the period 2010-2019 (year wise) for review by the DTRC constituted for the purpose by the Syndicate on or before 16.02.2022, in case of failure, ex-parte decision will be taken”.

In order to consider dossier along with Self-Assessment Report for the review period i.e. 2010-2019, the second meeting of DTRC was convened on 25.02.2022. However, no such dossier and Self-Assessment Report was submitted by Dr. Madiha Asghar, which she was informed vide letter No. 389/Estt: dated 11.02.2022. Therefore, the DTRC deliberated upon the matter and in the light of various provisions of the statutes, discussed as under:

In this connection, Sections 2.10.2.3, 2.1 (a) & (b) of TTS Statutes, 2016 were discussed at length, which are reproduced as under:

2.10.2.3 Self-assessment Report

“A self-assessment report shall be completed by every faculty member on tenure track. In this form the faculty member will document the teaching, research, advisory, consultative and administrative service rendered by him during the previous year. Where appropriate the self-assessment will be backed by documented evidence, that may include (i) course file, (ii) publications (published, submitted, in preparation), (iii) research project in progress and completed, (iv) report on industrial project undertaken (v) details of new courses developed or innovation introduced in course or laboratory work (vi) requisite information about MSc, MPhil and PhD students supervised, and (vii) advisory and administrative services rendered.”

2.1 The Tenure Track Process

“(a) The tenure track process normally involves an initial term contract appointment of a faculty member for a period of three years. For a faculty member appointed at a junior rank (not higher than Assistant Professor) it will be followed by a second term contract appointment for an additional period of three

years. A tenure decision must be made for such a faculty member in the third year of the second term contract appointment. Faculty members initially at a junior rank will thus normally serve six years, before a final tenure decision is made. For a faculty member appointed at a senior rank (Associate and Full Professor) the probationary period shall normally be four years for associate and professors. The services of a faculty member having tenure shall be terminated only for adequate cause, except at the normal retirement age or under extraordinary circumstances discussed in these statutes.”

“(b) Each candidate who wishes to be considered for the Tenure Track Scheme should prepare a comprehensive application dossier that includes letters of reference from his/her Ph.D. supervisor as well as others from eminent researchers in his/her area of specialization, and all publications in Internationally Abstracted Journals, recognized for the purpose of appointment on Tenure Track by the Higher Education Commission”.

The Syndicate was informed that Dr. Madiha Asghar had sent an email on 19.02.2022 to the Chairman, Higher Education Commission with respect to recognition of the Journal of the Department. The same email was then forwarded to Mr. Asif Hussain, Director (Research Publication Section), Research & Innovation Division, HEC. She also approached the Governor, Khyber Pakhtunkhwa/Chancellor on 21.02.2022 with subject “Application for issuance for Directions to Higher Education Commission, Islamabad, Pakistan”.

In light of the above discussion, the DTRC found as under:

“The Committee, after going through the whole record, found that despite repeated requests, the candidate could not submit proper dossiers for evaluation as per TTS Statutes. After looking into different parameters, the Committee, based on QEC report regarding her list of publications, found that only 02 publications are endorsed in the HEC recognized journals considered for TTS, whereas, the required number of publications in the instant case is 13 (4+3 in last 05 years are required) in the 09 years time till March 2019. A TTS faculty (Assistant Professor) is retained on probation for 06 years (03 years first term followed by a 03 years second term appointment) which can be extended to 09

years at maximum, whereas, the candidate has been serving on TTS as Assistant Professor since March 2010”.

In light of the above, the DTRC made the following recommendations:

“Based on this deficiency, the Committee could not recommend her for a tenured position of Associate Professor. However, she, if feels aggrieved, may approach Higher Education Commission as per letter No. 15.54/Coord/2019/HEC/(QAD)/119 dated 07.02.2022”.

Decision: In light of the above facts and to ensure compliance of the directives of the Honourable Governor, Khyber Pakhtunkhwa issued vide Order Dated: 25.01.2022, a Show Cause Notice be served upon Dr. Madiha Asghar, Assistant Professor (TTS), Department of Psychology, Islamia College Peshawar under the Islamia College Peshawar Tenure Track System Statutes, 2016 read with the Islamia College Peshawar Efficiency & Discipline Statutes, 2016 by the Vice-Chancellor, Islamia College Peshawar. It is worth mentioning here that under the TTS Statutes, there is no requirement of serving Show Cause Notice in case of those who are unable to fulfill the eligibility requirements for promotion to Tenured Associate Professor within a period of 06 years (now extendable by 03 years-up to a total of 09 years).

Moreover, the forenamed be given a chance to appear for personal hearing before the ensuing meeting of the Syndicate, if she desires so.

Item No. 09: RE-CONSTITUTION OF DEPARTMENTAL ACCOUNTS COMMITTEE (DAC)

Decision: The Syndicate considered the item and appointed Dr. Murad Ullah, Director Students' Affairs, Islamia College Peshawar as Member of the Departmental Accounts Committee (DAC) in place of Dr. Zahoor Jan, Associate Professor, Department of Computer Science till the cessation of his tenure as member of the Syndicate.

Item No. 10: APPOINTMENT OF THE CHAIRMEN OF VARIOUS DEPARTMENTS, ISLAMIA COLLEGE PESHAWAR

Decision: The Syndicate perused and agreed with the action taken by the Vice-Chancellor with regard to the appointment of the following Chairpersons from time to time:

S. No.	Name of the Chairperson	Department
1.	Prof. Dr. Samin Jan	Botany
2.	Prof. Dr. Izhar Ullah	Urdu

Item No. 11: CONSTITUTION OF INQUIRY COMMITTEE ON THE DIRECTIVES OF SENATE, ISLAMIA COLLEGE PESHAWAR

Discussion: The House was informed that Governor's Inspection Team conducted an inquiry into appointments of certain Administrative Officers i.e Registrar, Director Students Affairs, Treasurer and Director ORIC. The Senate in its 10th meeting held on 11.10.2019 decided as follows:

"After threadbare discussion, the House, in light of Section 20 (2) (m) of Khyber Pakhtunkhwa Universities Act 2012 (Amended-2016) unanimously annulled the appointments of Registrar, Director Student Affairs, Treasurer and Director ORIC as made in violation of Act/Rules/Statutes, and directed to re-advertise the vacant positions. Furthermore, legal action may also be taken against all the tiers responsible for scrutiny, recommendation and selection/approval of appointments made in violation of the relevant rules and procedure".

The House was apprised that Dr. Tauqir Alam, ex-Registrar, retired on attaining the age of superannuation, Dr. Murad Ullah is serving as Director Students Affairs, Dr. Awais Adnan did not join as Director ORIC, whereas, Mr. Zafar Khan, Treasurer, joined back his parent University after serving for One year in Islamia College Peshawar.

Dr. Tauqir Alam and Dr. Murad Ullah challenged the decision of the 10th meeting of the Senate in Peshawar High Court Peshawar vide writ Petition No. 5735/2019 & 5773-P of 2019 respectively. The honorable Peshawar High Court decided the case and referred the matter of their annulment to respondent No. 02, Chancellor / Chairman Senate, Islamia College Peshawar in the following words.

"It was the statutory duty of the Senate that before taking punitive action, a show cause notice should have been served upon that as to why the proceedings

should not be annulled. So, without going into the other legal aspect of the case, we are of the view that let the matter be remanded to respondent No. 02 with the direction to decide it in accordance with law”.

The Honorable Governor’s Secretariat vide letter No. LO /1-1/2013/ dated 29.06.2020 asked the university Authorities to comply with the Court’s directives by issuing a show cause notice to Dr. Tauqir Alam through the Syndicate which is the competent authority for this purpose.

However, in response to the above letter, the Administration clarified to the higher authorities that the matter has been referred to respondent No. 02 viz; Chancellor / Chairman Senate, Islamia College Peshawar.

But in response, the Governor’s Secretariat vide letter No. SO(II)6(11)4GS/10/2516-17 dated 24.09.2020 explicitly directed as under:

“The Competent authority has directed that being a court case, it shall be placed before the Syndicate at the earliest possible as already advised vide this Secretariat letter dated 29.06.2020 cited in the preceding para failing which all the responsibilities will rest upon the University authorities concerned”.

The Syndicate decided to refer the matter to the Department of Law Government of Khyber Pakhtunkhwa to seek legal opinion on the matters that:

- i. Whether a show cause notice would be served upon the appointee or the authority who made the appointment?
- ii. Whether a show cause notice would be served by the Syndicate or the Senate as per the Khyber Pakhtunkhwa Universities Act, 2012 in light of the decision made by the Senate of the University?

In view of above, the Law Department was requested to guide the University by explaining the legal position on the matter in hand vide letter No. 708/Estt dated 01.04.2021.

In light of the above, the case was placed before the Syndicate for deliberation/consideration on the matter viz:

- I. “Furthermore, legal action may also be taken against all the tiers responsible for scrutiny, recommendation and selection/approval of appointments made in violation of the relevant rules and procedure”

- II. To discuss and decide the status of Dr. Murad Ullah in view of the decision of the Senate, Honorable High Court and directives of the Governor's Secretariat referred above.

Decision: The Syndicate dropped the agenda item and directed the Administration to pursue the letter No. 708/Estt dated 01.04.2021 sent to HED as per the decision of the Syndicate in its 24th meeting dated 30.12.2020.

Item No.12: **CONSIDERATION OF RECOMMENDATION OF COMMITTEE CONSTITUTED BY 27TH MEETING OF SYNDICATE REGARDING PENSION CASE OF WIDOW DAUGHTER OF MR. HAYATULLAH KAKAR, EX-ESTATE OFFICER, BOT, ISLAMIA COLLEGE PESHAWAR**

Discussion: The case was thoroughly presented by the Secretary/Registrar. The house was apprised that although the Committee constituted in the instant case has recommended the grant of pension to the widow daughter of Mr. Hayatullah Kakar, it is a matter of record that the Islamia College Peshawar was separated from the University of Peshawar on 30.06.2008. Whereas Mr. Hayatullah Kakar retired on 31.05.1997 and died on 11.05.2006, i.e. when he was an employee of the University of Peshawar. As the pension of all other employees who had retired from their services before 20.03.2008 (the date of declaration of ICP as an independent university and separation from the University of Peshawar) is paid by and is the responsibility of University of Peshawar, therefore, even if his widow daughter is entitled for two pensions as per the government rules, the Islamia College Peshawar is not responsible for making such payment.

Decision: The request of widow daughter of Mr. Hayatullah Kakar for the grant of pension was not acceded to as her father, like many other employees, was working in Islamia College Peshawar which was only a constituent college of the University of Peshawar at the time of his retirement and his pension liability lies with University of Peshawar similar to all such employees who retired before 30.06.2008.

Item No.13: **CONSIDERATION OF EXTENSION OF CONTRACT RENEWAL TO M/S AHMAD ASSOCIATES FOR REMOVAL/DISPOSAL OF GARBAGE**

Discussion: The case was discussed in detail. The Syndicate was unanimous on the point that such contracts shall be awarded strictly in accordance with the

financial/KPPRA rules in vogue. The Nominee of the HED also clarified that once a contract is awarded through open competition/auction, the same cannot be extended further and the process has to be repeated for the next terms award. However, the Syndicate noted that at times, the process takes time and in case the contract is not extended for a reasonable time, the delay may cause problems for the University. In such scenarios, the way out is to extend the contract only for limited/reasonable time.

Decision: The contract with M/S Ahmad Associates for removal/disposal of garbage may be extended/renewed only till the finalization of the award of fresh contract to another contractor as per Financial Rules in vogue.

Item No. 14: CONSIDERATION OF REPORT OF COMMITTEE REGARDING GRANT OF MS/EQUIVALENT ALLOWANCE

Discussion: The Registrar apprised the house that a Committee was constituted in order to look into the issue of grant of monthly allowance @2500/- rupees to the holders of MS/LLM allowance. The Committee concluded the task assigned to it and submitted its recommendations. However, the recommendations of the Committee ran contrary to the opinion of the legal counsel of the University in the instant matter. Similarly, a judgment of the Honorable Supreme Court of Pakistan was also on record which restricted the award of MPhil allowance to the holders of MPhil degree holders only, and does not extend it to the holders of MS/LLM degree holders. The said judgment was delivered by the Apex Court in Civil Appeals of the Khyber Pakhtunkhwa Government. Hence, the matter has been brought before the Syndicate for guidance.

One elected member of the Syndicate, who was also a member in the Committee constituted for this case, apprised that the issue has been clarified by the Higher Education Commission through several letters. According to these letters, the allowance is to be granted to the holders of MPhil and MS/LLM degree holders both. He further added that the University Syndicate has previously adopted such letter of the HEC and the allowance is therefore granted to holders of MPhil/MS/LLM degree holders without any discrimination. He likewise added that this allowance is granted to MS/LLM degree holders in all universities of KP. He further added that the Supreme Court decided the case on notification of KP

Government whereas, the allowance approved by the Syndicate is based on that of Finance Division (Regulation Wing), Government of Pakistan.

Another elected member added that there is no difference between MS and MPhil degree as both are awarded after 18 years of education. Therefore, awarding this allowance to one class and not to the other will be injustice, whereas another elected member stated that the Syndicate is competent forum to approve rates for MPhil/MS/LLM or equivalent qualification allowance under Islamia College Peshawar Teachers Appointment Statutes 2016 as well as Administrative Officers Appointment Statutes 2016.

On the other hand, the Nominee of the HED, the Nominee of the Finance Department and the Nominee of the Establishment argued that in the wake of the clear judgment of the apex court in the matter, this allowance cannot be granted to the holders of MS/LLM degree holders, as the same would be tantamount to contempt of court. The Nominee of the HED further added that being part of the Syndicate of numerous universities of the province, it is a misstatement that all other universities of the province grant this award to MS/LLM degree holders, as there are a number of universities which do not grant this allowance to MS/LLM degree holders.

Decision: After threadbare discussion, the following decision was made:
MPhil allowance @2500/- per month would be admissible to the holders of M.Phil degree only.

Item No. 15: CONSTITUTION OF MOU WITH HAYATABAD INSTITUTE OF MEDICAL SCIENCES, PESHAWAR

Discussion: At the outset, an elected member of the Syndicate raised the question that whether there is any benefit for University and its stakeholders in the different MOUs presented to the Syndicate for approval? He added that MOUs are only an initial step towards the signing of a proper agreement. He further added that MOUs should not be of a nature that they contain no advantage for the University and are only beneficial to the external parties. Other members of the Syndicate also agreed to this proposal and they agreed that proper homework should be done before placing an MOU before the Syndicate for approval.

Decision: The Vice-Chancellor was authorized to do the needful regarding the MOUs before placing them on the agenda of the Syndicate. Moreover, the details of MoU approved by the Syndicate in its previous meeting(s) be placed before the Syndicate for information.

Item No. 16: NOMINEE OF THE SYNDICATE FOR AFFILIATION COMMITTEE

Decision: Mr. Ali Shah, Member of the Syndicate was appointed as member of the Affiliation Committee.

ADDITIONAL AGENDA ITEMS

Item No. 01: RECOMMENDATIONS OF THE 38TH MEETING OF THE SELECTION BOARD HELD ON 29-30.01.2022

Discussion: The house was informed that 38th meeting of the Selection Board was held on 29-30.01.2022. The various cases considered by the Board are important, however, the HED has directed to convene meeting of the Syndicate on single agenda item to discuss the recommendations of the Selection Board. Whereas, the following two items were considered on the directives of the Court. Therefore, these two items are placed before the Syndicate for consideration.

Decision: The Syndicate discussed the items and approved the same as under:

Item #	Case	Recommendations of the Selection Board
05	Lecturer Department of Computer Science (Court case of Mr. Israr Iqbal Awan, Ex-Lecturer, Department of Computer Science, Islamia College Peshawar)	<i>"In compliance to the decision of the Honorable Peshawar High Court, Peshawar the Selection Board thoroughly examined the case and recommended to repeat the process of re-evaluation according to the Statutes in vogue at that time and to place the same before the Selection Board and Syndicate for decision."</i>
14	Associate Professor of Islamic Theology (Court case of Dr. Zafar Hussain, Assistant Professor, Department of Islamic Theology, Islamia College Peshawar)	<i>"In compliance of the directives of the Honorable Peshawar High Court, Peshawar, the Selection Board thoroughly discussed the case. After threadbare discussion, the Board authorized the Vice-Chancellor to constitute a Re-assessment/Re-evaluation Committee to re-evaluate as per the Statute in vogue at that time and report the case to Selection Board."</i>

The meeting concluded with mutual vote of thanks to and by the Chair.

Minutes recorded by:


Secretary/Registrar,
Islamia College Peshawar

Approved by:


Vice-Chancellor,
Islamia College Peshawar

Observations on Minutes of 31st meeting of the Syndicate held on 27.02.2022


Minutes recorded in agenda item	Observations	Remarks
S.No. 1	<p><u>Observations made by Prof. Dr. Abdus Salam, member of the Syndicate</u></p> <p>I hereby submit the following observations on the minutes of the 31st Meeting of the Syndicate, Islamia College Peshawar held on 27/02/2022, circulated vide 8919/ Meetings dated 24/03/2022.</p> <ol style="list-style-type: none">1. Item # 03 (Decisions Part 2, Sub-item 01, page 3/20): the origin/ source of the notification i.e, "Islamia College Peshawar" needs to be mentioned.2. Item # 04 (Discussion page 4/20): The name of the undersigned should be spelled correctly as recorded in the list of participants on page 1/20.3. Item # 07 (Decisions (1), page 8/20): the word "Advice" was neither used by the syndicate, nor fits in the context of the overall decision. Advice relates to the future rather than a past occurrence.4. Additional Agenda Item # 01 (Decision Sub-item 14, page 19/20): To the best of my knowledge and record, this item was neither discussed nor decided by the Syndicate in this meeting. <p>It is requested that the minutes may kindly be corrected and notified accordingly.</p>	<p>Minutes corrected accordingly.</p> <p>Minutes corrected accordingly.</p> <p>Minutes recorded correctly.</p> <p>Minutes recorded correctly.</p>
S. No 2.	<p><u>Observation made by Mr. Hamid Mehmood Khan and endorsed by Mr. Ali Shah, members of the Syndicate</u></p> <p>I hereby submit the following observation on the draft minutes of the 31st meeting of the Syndicate, Islamia College Peshawar.</p> <ol style="list-style-type: none">1. <u>Item No. 3</u> Regarding Items No. 1, 2, 3 and 4 of the 18th F&PC meeting, the notifications were adopted w.e.f. 01.07.2022.	<p>Minutes corrected accordingly.</p>

Dr. Qasim Mansoor Jalali
Registrar,
Islamia College Peshawar

Approved by:

Prof. Dr. Gul Majid Khan
Vice-Chancellor,
Islamia College Peshawar

OK


31-3-22

The Registrar,

Dated: 30-03-2022

Islamia College Peshawar.

Subject: Observation on the minutes of the 31st meeting of the Syndicate

Dear Sir,

I hereby submit the following observation on the draft minutes of the 31st meeting of the Syndicate, Islamia College Peshawar.

1. Item No. 3 Regarding Items No. 1, 2, 3 and 4 of the 18th F & PC meeting, the notifications were adopted w.e.f 01-07-2021.

Sincerely,



Hamid Mehmood Khan
Treasurer

Islamia College Peshawar

DRM



ikram ullah <ikramullahicp@gmail.com>

Fwd: OBSERVATIONS

Registrar ICP <registrar@icp.edu.pk>

Wed, Mar 30, 2022 at 11:11 AM

To: ikram ullah <ikramullahicp@gmail.com>, Muhammad Haroon Khan <haroon@icp.edu.pk>

Pls do the needful. Matrix format for observations.

----- Forwarded message -----

From: **Dr. Abdus Salam Khalis** <drkhalis@icp.edu.pk>

Date: Wed, 30 Mar 2022, 22:56

Subject: OBSERVATIONS

To: Registrar ICP <registrar@icp.edu.pk>

Cc: <vc@icp.edu.pk>

Dated 30/03/2022

The Registrar

Islamia College Peshawar

Subject: Observations

Dear Sir,

I hereby submit the following observations on the minutes of the 31st Meeting of the Syndicate Islamia College Peshawar held on 27/02/2022, circulated vide 8919/ Meetings dated 24/03/2022.

1. Item # 03 (Decisions Part 2, Sub-item 01, page 3/20): the origin/ source of the notification i.e, "Islamia College Peshawar" needs to be mentioned.
2. Item # 04 (Discussion page 4/20): The name of the undersigned should be spelled correctly as recorded in the list of participants on page 1/20.
3. Item # 07 (Decisions (1), page 8/20): the word "Advice" was neither used by the syndicate, nor fits in the context of the overall decision. Advice relates to the future rather than a past occurrence.
4. Additional Agenda Item # 01 (Decision Sub-item 14, page 19/20): To the best of my knowledge and record, this item was neither discussed nor decided by the Syndicate in this meeting.

It is requested that the minutes may kindly be corrected and notified accordingly.

Prof. Dr. Abdus Salam

Member Syndicate

Islamia College Peshawar

The Registrar,

Dated: 30-03-2022

Islamia College Peshawar.

Subject: Observation on the minutes of the 31st meeting of the Syndicate

Dear Sir,

I hereby submit the following observation on the draft minutes of the 31st meeting of the Syndicate, Islamia College Peshawar.

1. Item No. 3 Regarding Items No. 1, 2, 3 and 4 of the 18th F & PC meeting, the notifications were adopted w.e.f 01-07-2021. *JS*

Sincerely,

[Signature]
Hamid Mehmood Khan
Treasurer
Islamia College Peshawar

*Endorsed the observations
of Mr Hamid Mehmood Khan
Ali Shah —) AM/30-3-22*

*DR(M)
Fr 31st Syndicate pl.*

The observation seems correct since the decision was made as per the observation. But the same has been inadvertently overlooked. Hence the same may be incorporated.

Hon. Vice-Chancellor

[Signature]
31/03/2022