

Judiciary and Human Resource Management in Universities



JUDICIARY AND HUMAN RESOURCE MANAGEMENT IN UNIVERSITIES

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October 24, 2023

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Print Editions

October 24, 2023

Penalty system sought to check unnecessary litigation against universities

Study also recommends establishment of inclusive internal conflict resolution mechanism

By Our Staff Reporter

ISLAMABAD: Pointing to the rising number of court cases filed by faculty members and other staffers against the managements of universities, a new study has suggested the introduction of a proper penalty system against the losing litigants to discourage unnecessary litigation.

Additionally, the research study recommended establishment of an effective and inclusive internal conflict resolution mechanism within the institu-

tions.

Pakistan Institute The of Development Economics (PIDE) conducted the research study, "Judiciary and human resource management in universities" to investigate the average number of court cases and their nature registered by faculty members and other staff against university administrations as well as the average cost of litigation to resolve these cases.

According to a press release issued by PIDE, the study showed that on an average 105 court cases were filed by faculty members against the administrations. Of these, 50 cases were from relatively younger universities and 160 belonged to older institutions. The universities were classified into two categories: older universities (established before 2005) and younger ones (established after 2005).

the cases were initiated by academic faculty members and 42pc by non-academic staff.

Additionally, majority of these cases related to promotion (65pc) and permanent positions (22pc), respectively.

The cost of litigation involved both direct and indirect expenses. The direct cost is determined by lawyer fees, which vary based on the nature of the case and the scales and groups of applicants.

For lower scales (BPS 1 to 16), the average cost of litigation ranges from Rs50,000 to RS200,000 per person while for higher ranks (BPS 17 and above), it varied from Rs150,000 to Rs500,000 per person.

The indirect cost pertains to time with each case taking on an average six months in service tribunals. This duration can be extended if the losing party The study found that 58 per cent of escalates the matter to higher courts,

including high courts or the Supreme Court. This conflict detrimentally impacts the working environment, particularly among faculty members, ultimately affecting the institution's overall performance.

The study identified one of the main reasons people frequently resort to courts as absence of significant penalties in the event of losing a legal case. To address this issue, the study proposed two potential solutions: the development of a structured penalty system, particularly in cases of frivolous or defamatory litigation, and the adoption of more effective and inclusive conflict management mechanisms based on successful models and best practices.

These recommendations are designed to promote fair and responsible legal actions while alleviating the burden on the legal system.



PIDE conducts research study on "Judiciary and HR Management in Universities"

TIMES REPORT

Institute of Development research: older universities from PKR 150,000 to tions.Furthermore, Economics (PIDE) conducted a research study titled "Judiciary and Human (established after 2005). In time, with each case tak- quently resort to the courts Resource Management in examining the cases filed ing, on average, six months as the absence of signifi-Universities" to investigate by faculty, the study found in service tribunals. This cant penalties in the event the average number of that 58 percent were initiat- duration can be extended if of losing a legal case. To court cases and their ed by academic faculty the losing party escalates address this issue, the nature, registered by facul- members, while 42 percent the matter to higher courts, study proposes two potenty members and other staff were filed by non-academic including high courts or tial solutions: the developagainst university adminis- staff. Additionally, the supreme courts. This con- ment of a structured penaltrations, as well as the aver- majority of these cases flict detrimental impacts ty system, particularly in age cost of litigation to related to promotion (65%) the working environment, cases of frivolous or defamresolve these According to the press (22%), respectively. The cost members, release issued by PIDE here of litigation involves both affecting the institution's and inclusive conflict manon Monday, the study direct and indirect expens- overall performance. The agement revealed that, on average, es. The direct cost is deter- study recommends the based on successful models 105 court cases were filed by mined by lawyer fees, implementation of a proper and best practices. These faculty members against which vary based on the penalty system against the recommendations the administration. Of nature of the case and the losing party to discourage designed to promote fair these cases. 50 were from scales and groups of appli- the unnecessary escalation and responsible relatively younger universi- cants. For lower scales (BPS of matters to court, actions while alleviating ties, while 160 cases 1 to 16), the average cost of Additionally, it suggests the burden on the legal sysbelonged to the older uni-litigation ranges from PKR the establishment of an tem.

versities. The universities 50,000 to 200,000 per per- effective and inclusive PESHAWAR: The Pakistan broad categories in the (BPS 17 and above), it varies mechanism within institucases. and permanent positions particularly among faculty atory litigation, and the

were classified into two son, while for higher ranks internal conflict resolution (established before 2005) 500,000 per person. The study identifies one of the and younger universities indirect cost pertains to main reasons people fre-

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MT REPORT

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NATIONAL

PIDE conducts research study to examine average number of court cases

OUR STAFF REPORTER PESHAWAR

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According to a press release issued here on Monday, the study revealed that, on average, 105 court cases were filed by faculty members against the administration. Of these cases, 50 were from relatively younger universities, while 160 cases belonged to the older universities.

The universities were classified into two broad categories in the research: older universities (established before 2005) and younger universities (established after 2005). In examining the cases filed by faculty, the study found that 58 percent were initiated by faculty members, while 42 percent filed by non-academic staff. Additionally, majority of the cases related to promo-

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The cost of litigation involves both direct and indirect expenses. The direct cost is determined by lawyer fees, which are vary based on the nature of the case and the scales and groups of applicants. For lower scales (BPS 1 to 16), the average cost of litigation ranges from Rs50,000 to Rs200,000 per person, while for higher ranks (BPS 17 and above), it varies from Rs150,000 to Rs500,000 per person.

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The study recommends the implementation of a proper penalty system against the losing party to discourage the unnecessary escalation of matters to court. Additionally, it suggests the establishment of an effective and inclusive internal conflict resolution mechanism within institutions.



October 24, 2023

PIDE conducts research study on "Judiciary and HR Management in Universities"

OUR CORRESPONDENT PESHAWAR

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Judiciary and Human Resource Management in Universities

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FAISAL SHEIKH

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PIDE conducts research study <u>T.M. Report</u>

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