

**THE¹[KHYBER PAKHTUNKHWA] BOARDS OF INTERMEDIATE AND
SECONDARY EDUCATION ACT, 1990**

²[KHYBER PAKHTUNKHWA] ACT NO.V OF 1990.

CONTENTS

PREAMBLE

SECTIONS

1. Short title extent and commencement.
2. Definitions.
3. Establishment and incorporation.
4. Jurisdiction of the Board
5. Constitution of a Board.
6. Resignation of member.
7. Removal of a member.
8. Casual vacancies.
9. Meeting of the Board.
10. Powers of a Board.
11. Controlling Authority.
12. Powers of the Controlling Authority.
13. Officers of the Board.
14. Chairman.
15. Secretary and Controller of Examinations.
16. Other officers.
17. Retirement of officers and employees of the Board.
18. Committees of a Board.
19. Constitution functions and duties of committees.
20. Power of a Board to make regulations.
21. Power of a Board to make rules.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

22. Fund.
23. Accounts and Audit.
24. Provident fund or pension.
25. Submission of yearly reports and returns.
26. Member of Board prohibited from deriving monetary gains.
27. Bar against membership.
28. Validations.
29. Bar of suit.
30. Member and employees of Board deemed to be public servants.
31. Protection of acts and order.
32. First Regulations.
33. Transitional provisions.
34. Savings.
35. Repeal.

SCHEDULE

THE FIRST REGULATIONS OF THE BOARD

(See section 32)

1. Powers and duties of the Chairman.
2. Powers and duties of the Secretary.
3. Duties and power of the controller of examination.
4. Constitution powers functions etc, of the joint academic committee.
5. Appointments Committee.
6. Composition and functions of the Finance Committee.
7. Constitution and functions of the Committee for appointment of paper setters and head examiners.
8. Committee of Courses.
9. Person ceasing to be a member of a Committee would cease to be a member of sub-committee.
10. Recognition of schools.
11. Audit.

**THE¹[KHYBER PAKHTUNKHWA] BOARDS OF INTERMEDIATE AND
SECONDARY EDUCATION ACT,1990**

²[KHYBER PAKHTUNKHWA] ACT NO.V OF 1990.

*[First published after having received the assent of the Governor of the
³[Khyber Pakhtunkhwa]in the Gazette of⁴[Khyber Pakhtunkhwa](Extraordinary), dated
the 4th December, 1990.*

**AN
ACT**

*to reconstitute and establish Boards of Intermediate and Secondary Education in the
⁵[Khyber Pakhtunkhwa]and to amend and consolidate the law relating thereto.*

WHEREAS it is expedient to reconstitute and establish Boards of Intermediate and Secondary Education in the ⁶[Khyber Pakhtunkhwa]and to amend and consolidate the law relating thereto

Preamble

It is hereby enacted as follows:-

1. (1) This Act may be called the ⁷[Khyber Pakhtunkhwa] Boards of Intermediate and Secondary Education Act, 1990.

Short title
extent and
commence-
ment.

(2) It shall extend to whole of the ⁸[Province of the Khyber Pakhtunkhwa].

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

Definitions.

(a) “Board” means a Board of Intermediate and Secondary Education constituted or reconstituted under section 3

(b) “Chairman” means the Chairman of a Board;

(c) “College” means an institution within the jurisdiction of a Board and recognized by it for intermediate education and includes a college having intermediate, degree and post-graduate classes and affiliated to a University for the degree classes;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁷Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁸Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (d) “Committee” means a committee specified in section 18;
- (e) “Controller of Examinations” means the Controller of Examinations of a Board;
- (f) “Controlling Authority” means the Controlling Authority of a Board as specified in section 11;
- (g) “Government” means the Government of the ¹[Khyber Pakhtunkhwa];
- (h) “Head of an Institution” means the Principal of a college or the Principal, Headmaster or Headmistress of a school;
- (i) “higher secondary education” means education pertaining to Class XI and Class XII and such other classes as may be declared by Government to be classes of higher secondary education;
- (j) “institution” means a college or school, as the case may be;
- (k) “intermediate college” means an institution recognized for imparting instructions to Class XI and Class XII and includes an institution having classes for intermediate and secondary education;
- (l) “intermediate education” means education pertaining to Class XI and Class XII;
- (m) “member” means a member of a Board;
- (n) “prescribed” means prescribed by regulations or rules;
- (o) “Principal” means the head of a college or school, as the case may be;
- (p) “recognised” means recognised by a Board;
- (q) “regulations” and “rules” respectively mean the regulations and rules made or deemed to have been made under this Act;
- (r) “school” means an institution within the jurisdiction of a Board and recognized by it only for secondary and higher secondary education;
- (s) “secondary education” means education pertaining to Class IX and Class X and such other classes as may be declared by Government to be classes of secondary education;
- (t) “Secretary” means the Secretary of a Board;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (u) “section” means a section of this Act; and
- (v) “University” means the University having jurisdiction within an area in which a Board functions under section 4.

3. (1) Government may, by notification in the official Gazette, constitute and establish one or more Boards or re-constitute an existing Board, as it may deem fit. Establishment and incorporation.

(2) A Board shall be a body corporate and shall have perpetual succession and a common seal with power to acquire, hold and transfer property and may sue or be sued by its corporate name.

4. While constituting or reconstituting a Board under section 3, Government shall specify the territorial limits within which, or the institutions in respect of which, a Board shall exercise its jurisdiction. Jurisdiction of the Board.

5. (1) A Board shall consist of the following members, namely: Constitution of a Board.

- (i) the Chairman;
- ¹[(ii) the Vice-Chancellors of all Universities in the ²[Khyber Pakhtunkhwa] or Professors nominated by them;]
- ³[(iii) Omitted.]
- (iv) the Chairman of other Boards of Intermediate and Secondary Education in the ⁴[Khyber Pakhtunkhwa], if any;
- (v) the Director of Education (Colleges), the Director of Education (Schools) ⁵[, the Director of Technical Education] and the Director of Education (FATA), ⁶[Khyber Pakhtunkhwa];
- (vi) one representative of the Syndicate of the concerned University;
- (vii) one Principal of a male college to be elected by the Principals of all male colleges situated within the jurisdiction of the Board concerned;
- (viii) one Principal of a female college to be elected by the Principals of all female colleges situated within the jurisdiction of the Board concerned;

¹Substituted vide Khyber Pakhtunkhwa Act No. XIII of 1991.

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Omitted vide Khyber Pakhtunkhwa Act No. XIII of 1991.

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Inserted vide Khyber Pakhtunkhwa Act No. XIII of 1991.

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

- (ix) two persons nominated by the Controlling Authority;
- (x) one Principal or Headmaster of a school for boys to be elected by the Principals and Headmasters of all boys' schools situated within the jurisdiction of the Board concerned; and
- (xi) one Principal or Headmistress of a school for girls to be elected by the Principals and Headmistresses of all girls' schools situated within the jurisdiction of the Board concerned.

(2) The names of the nominated and elected members shall be notified in the official Gazette.

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

(4) No member appointed by virtue of his office shall continue to be a member if he ceases to hold that office.

(5) When a person ceases to be a member of a Board, he shall cease to be a member of any committee of which he may be a member.

Resignation
of member.

6. A member may resign his membership by a letter addressed to the Chairman.

Removal of a
member.

7. (1) A member shall be liable to be removed by the Controlling Authority if he—

- (i) becomes of unsound mind; or
- (ii) is declared insolvent by a competent court; or
- (iii) is convicted by a criminal court of an offence involving moral turpitude.

(2) The decision of the Controlling Authority removing a member from his office under sub-section (1) shall be final and shall not be questioned by or before any court or other authority.

Casual
vacancies.

8. (1) Whenever there occurs a vacancy in the membership of a Board due to death, resignation or removal, it shall be filled in accordance with the provisions of this Act.

(2) The person who fills the vacancy referred to in sub-section (1) shall be a member for the full term of two years.

9. (1) The Chairman may, whenever he considers necessary, and shall, on a requisition from at least ¹[seven] members, call a meeting of the Board. Meeting of the Board.

(2) The quorum for meetings of a Board shall be ¹[seven].

10. (1) Subject to the provisions of this Act, a Board shall have power to organise, regulate, develop and control intermediate education and secondary education. Powers of a Board.

(2) In particular and without prejudice to the generality of the powers conferred by the preceding sub-section, a Board shall have the power—

(i) to hold and conduct all examinations pertaining to intermediate education, secondary education, Pakistani and classical languages and such other examinations as may be determined by Government;

(ii) to prescribe courses of study for its examinations;

(iii) to lay down conditions for recognition of institutions;

(iv) to accord, refuse or withdraw recognition, wholly or partly

(a) in the case of schools, after considering inspection reports received from the Divisional Director of Education concerned; and

(b) in the case of intermediate colleges and institutions preparing candidates for languages, examinations after considering reports of an Inspection Committee appointed by the Board in this behalf;

(v) to inspect and arrange for inspection of recognised institutions and call for inspection reports in respect of such institutions;

(vi) to lay down conditions for admission to its examinations, to determine the eligibility of candidates and to admit them to such examinations;

(vii) to grant certificates and diplomas to persons who have passed its examinations and to withdraw such certificates and diplomas;

(viii) to fix, demand and receive such fees as may be prescribed;

(ix) to supervise the residence, health and discipline of the students of recognised institutions with a view to promoting their general welfare;

(x) to institute and award scholarships, medals and prizes in the prescribed manner;

¹Substituted vide Khyber Pakhtunkhwa Act XIII of 1991.

- (xi) to organise and promote extra-mural activities in and for recognised institutions;
- (xii) to hold, control and administer its property and funds;
- (xiii) to enter into and carry out contract in exercise of its powers and in the performance of its duties under this Act, and the regulations;
- (xiv) to pass its annual budget;
- (xv) to transfer any movable and immovable property belonging to it;
- (xvi) to hold and manage endowments;
- (xvii) to regulate and decide all administrative matters including the creation and abolition of posts under the Board;

Provided that a post carrying an initial basic pay scale 17 and above shall not be created without the prior approval of the Controlling Authority;

- (xviii) to appoint such officers and staff as it may consider necessary for the performance of its functions and define their duties and conditions of service;
- (xix) to make provisions for buildings, premises, furniture, apparatus, books and other means required for carrying out the purposes of this Act;
- (xx) to sanction or incur such expenditure as may be necessary for carrying out the purposes of this Act; and
- (xxi) to do all other acts necessary for carrying out the purposes of this Act.

(3) A Board may delegate any of its powers to its Chairman or any officer of the Board or to a committee or sub-committee appointed by it, as it may deem fit.

Controlling Authority. **11.** The ¹[Chief Minister], ²[Khyber Pakhtunkhwa], or his nominee shall be the Controlling Authority of a Board or Boards, if there are more Boards than one.

Powers of the Controlling Authority. **12.** (1) The Controlling Authority shall have the power to cause an inspection to be made, by such person or persons as it may direct, of the offices, activities and funds of, and the examinations conducted by, a Board, and to cause an enquiry to be made in like manner in respect of any matter concerning a Board.

¹Substituted vide Khyber Pakhtunkhwa Act No. XII of 2005

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

(2) The Controlling Authority shall communicate to a Board the result of such inspection or enquiry and may advise a Board to take such action and within such period as may be specified.

(3) The Board shall report to the Controlling Authority the action it proposes to take or has taken on such communication.

(4) Where a Board does not, within a reasonable time, take action to the satisfaction of the Controlling Authority, the Controlling Authority may, after considering any explanation made by the Board, issue such directions as it thinks fit, and the Chairman shall comply with such directions.

(5) If the Controlling Authority is satisfied that any proceeding of a Board or a committee is not in conformity with the provisions of this Act, the Controlling Authority may, without prejudice to the foregoing provisions of this section, by order in writing, annul such proceeding:

Provided that before making any such order, the Controlling Authority shall, through the Chairman, call upon the Board or the committee, as the case may be, to show cause why such an order should not be made.

(6) The Controlling Authority may, from time to time, direct a Board to conduct its affairs and to perform its functions in such manner as may be specified.

(7) The Controlling Authority may require a Board to furnish it with:

- (i) any return, statement, estimate, statistics or other information regarding any matter under the control of the Board; or
- (ii) a report on any such matter; or
- (iii) a copy of any document in the charge of the Board;

and the Chairman shall comply with every such requisition.

(8) Notwithstanding anything to the contrary contained in this Act, the Controlling Authority may—

- (i) place the services of any of the officers or other employees of any Board at the disposal of Government or any other Board or institution for such period and on such terms and conditions as may be determined by him; provided that such terms and conditions shall not be less favourable than those admissible to him immediately before his transfer;

- (ii) make appointment to any post in the Board in any capacity from persons in the service of Pakistan or from officers or other employees of any other Board; and
- (iii) make regulations concerning efficiency and discipline of officers and other employees of the Board.

Officers of the Board.

13. The following shall be the officers of a Board:

- (i) the Chairman;
- (ii) the Secretary;
- (iii) the Controller of Examinations; and
- (iv) such other officers as may be appointed by the Board.

Chairman.

14. (1) The Chairman shall be a whole time officer and shall be appointed by the Controlling Authority on such terms and conditions as may be determined by the Controlling Authority.

(2) The Chairman shall hold the post during the pleasure of the Controlling Authority for a term not exceeding four years.

(3) If at any time the office of the Chairman is vacant, temporarily or otherwise, by reason of leave illness or other cause for a period not exceeding one year, the Controlling Authority shall make such arrangements for carrying on the duties of the Chairman as it may think fit.

(4) The Chairman shall be the principal executive and academic officer of the Board and shall, when present, preside at the meetings of the Board or of Committee specified in sub-section (2) of section 18.

(5) It shall be the duty of the Chairman to ensure that the provisions of this Act and the regulations and rules are faithfully observed and carried out, and he shall exercise all powers necessary for this purpose.

(6) Subject to clause (xvii) of sub-section (2) of section 10, the Chairman may, in case of urgency, create temporary post in the Board and may appoint a person against that post for a period not exceeding six months:

Provided that every appointment so made shall be reported within sixty days of such appointment to the Board for confirmation.

(7) In any emergency arising out of the administrative business of a Board and requiring, in the opinion of the Chairman, immediate action, the Chairman may take such action as he deem necessary and shall report the action taken to the Board at its next meeting for approval.

(8) The Chairman shall exercise such other powers as may be prescribed by regulations.

15. (1) The Secretary and the Controller of Examinations shall be whole time salaried officer of the Board and shall be appointed by the Controlling Authority on such terms and conditions as it may determine.

Secretary and
Controller of
Examinations.

(2) The Secretary and the Controller of Examinations shall hold office for a term of three years from the date of notification of their appointments and shall be eligible for re-appointment for such further period, not exceeding three years, as may be specified in the order of re-appointment.

(3) Notwithstanding the provisions contained in sub-sections (1) and (2), the Controlling Authority may, at any time, review the work of the Secretary and the Controller of Examinations and if on such review it is satisfied that the interest of the Board, or for any other sufficient cause, it is necessary so to do, it may, after giving the Secretary or, as the case may be, the Controller of Examinations, an opportunity of showing cause dispense with his services any time during the original or extended term of his office.

16. Subject to the provisions of this Act, the powers and duties of other officers of a Board shall be such as may be determined by the Board concerned.

Other
officers.

17. An officer or other employee of a Board shall retire from service on the completion of the sixtieth year of his age.

Retirement of
officers and
employees of
the Board.

18. (1) There shall be a joint Academic Committee which serve all the Boards constituted or reconstituted under this Act.

Committees
of a Board.

(2) Beside the Joint Academic Committee, a Board shall have the following committees, namely:

- (i) the Finance Committee;
- (ii) the Appointments Committee;
- (iii) Committee for appointment of paper-setters and head examiners;
- (iv) Committee of courses; and
- (v) such other committee or committees as the Board may appoint.

(3) A committee may appoint such sub-committees as it may consider necessary.

Constitutions, functions and duties of committees.

19. The constitutions, functions and duties of Committees shall be such as may be prescribed by regulations.

Power of a Board to make regulations.

20. (1) A Board may, subject to the approval of Government, frame regulations, not inconsistent with the provisions of this Act, to carry out the purposes of this Act provided that.—

- (i) a Board shall not propose draft of regulation effecting the constitution or power of any authority of the Board until such authority has been given an opportunity of expressing an opinion in writing upon the proposals;
- (ii) a Board shall not have the power to make any regulation concerning efficiency and discipline of officers and other employees; and
- (iii) the draft of regulations shall be forwarded to the controlling Authority and shall not be effective until it has been approved by the Controlling Authority.

(2) In particular and without prejudice to the generality of the foregoing powers, such regulations may provide for—

- (a) the terms and conditions of service of the employees of a Board, including matters relating to grant of leave to, and retirement from service of, such employees;
- (b) the constitution of pension or provident fund or both for the benefit of the officers and other employees of a Board;
- (c) the admission of institutions to the privilege of recognition and the withdrawal of recognition;
- (d) a general scheme of studies, including the total number of subjects to be taught and the duration of courses; and
- (e) all other matters required under any of the provisions of this Act to be prescribed by regulations.

Power of a Board to make rules.

21. A Board may make rules consistent with this Act and the regulations to provide for—

- (i) the inspection of institutions and the reports, returns and other information to be furnished by them;
- (ii) the conditions of admission of candidates to the examinations held by it and their eligibility for diplomas, certificates and titles;
- (iii) the manner and the form in which accounts of a Board shall be maintained; and
- (iv) such other matters as may be required under the regulations to be provided by the rules.

- 22.** A Board shall have fund to which shall be credited all its income, including income from fees, endowments, grants and contributions. Fund.
- 23.** (1) The accounts of a Board shall be maintained in such form and in such manner as may be prescribed by rules. Accounts and Audit.
- (2) The accounts of the Board shall be audited in such manner as may be prescribed by regulations.
- (3) A Board shall, as soon as possible after the end of every financial year, submit to Government the annual statement of its accounts, duly audited, together with the report of the auditor.
- 24.** (1) A Board shall establish for the benefit of its employees such pension or provident fund or both as it may deem fit in such manner and subject to such conditions as may be prescribed by regulations. Provident fund or pension.
- (2) Government may, by notification in the official Gazette, declare that the provisions of the Provident Fund Act, 1925 (Act XI of 1925) shall apply to a provident fund established by a Board and on the making of such declaration that Act shall apply as if such Board were Government and the said fund were the Government provident fund.
- 25.** A Board shall submit to the Controlling Authority, as soon as possible after the end of every financial year but not later than the 30th September, a report on the conduct of its affairs for that year. Submission of yearly reports and returns.
- 26.** (1) No member shall draw any fee or other remuneration in any capacity whatever from the funds of the Board or enter into any contract with the Board directly or through any other person in connection with affairs of the Board: Member of Board prohibited from deriving monetary gains.
- Provided that the emoluments of the Chairman shall be paid from the funds of the Board in accordance with the terms and conditions of his appointment.
- (2) Nothing in this section shall be deemed to prohibit a member of a committee from receiving from the Board, remuneration in lump sum for writing, compiling or editing a book intended to be prescribed for an examination of the Boards.
- 27.** No person who has any financial interest in any book prescribed by a Board as a course of study for any examination conducted by such Board or has a financial interest as a partner or otherwise in any firm which publishes, procures or supplies any such book, shall be eligible to become a member of such Board, or a committee thereof or continue as such after having acquire any such interest. Bar against membership.
- 28.** No act or proceedings of a Board or any Committee shall be invalid merely by reason of the existence of a vacancy on the Board or the Committee, as the case may be, or by reason of any irregularity in the appointment of any member of the Board or the committee. Validations.

Bar of suit. **29.** No act done, order made or proceeding taken by a Board in pursuance of the provisions of this Act shall be called in question in any court.

Member and employees of Board deemed to be public servants. **30.** Members of a Board and its committees, the employees of a Board and other persons appointed for carrying out the purposes of this Act, shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLI of 1860).

Protection of acts and orders. **31.** No suit for damages or other legal proceedings shall be instituted against Government, the Controlling Authority, a Board, a Committee, member of a committee or an officer or employee of a Board in respect of anything done or purported to have been done in good faith in pursuance of the provisions of this Act, and the regulations and rules made thereunder.

First Regulations. **32.** Notwithstanding anything to the contrary contained in this Act, the regulations set out in the Schedule to this Act shall be deemed to be the First Regulations framed by each Board under section 20 of this Act.

Transitional provisions. **33.** (1) Till such time as the constitution of a Board under section 5 is completed, the chairman and the ex-officio members shall exercise all the powers and perform all the duties of a Board and its committees.

(2) A Board shall exercise all powers and perform all duties of the committee of a Board till such time as the committees are constituted.

(3) If any difficulty arises in giving effect to the provisions of this Act, the Controlling Authority may take such action to remove the difficulty as, in the circumstances of the case, it may deem necessary.

Savings. **34.** Notwithstanding anything to the contrary contained in this Act, everything done, action taken jurisdiction or power conferred recognition granted and order issued under any of the provisions of the ¹[Khyber Pakhtunkhwa]Boards of Intermediate and Secondary Education Ordinance, 1990, (²[Khyber Pakhtunkhwa] Ord. No. I of 1990), and the regulations and rules, if any, made thereunder, shall, if not inconsistent with the provisions of this Act and the regulations and rules made thereunder, be continued and, so far as may be, be deemed to have respectively been done, taken, conferred, granted and issued under this Act and the regulations and rules made thereunder.

Repeal. **35.** The ³[Khyber Pakhtunkhwa]Boards of Intermediate and Secondary Education (Second) Ordinance, 1990 (⁴[Khyber Pakhtunkhwa]Ordinance No. IV of 1990), is hereby repealed.

**By order of the Speaker, Provincial Assembly of
⁵[Khyber Pakhtunkhwa]**

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

SCHEDULE.
THE FIRST REGULATIONS OF THE BOARD
(See section 32)

1. The Chairman shall exercise control over the office of the Board concerned as its principal executive and academic officer and shall do all acts to ensure that the officers and the staff properly perform the duties entrusted to them. In particular he shall.—

Powers
and duties
of the
Chairman.

- (i) write confidential reports on the work of officers of category 'A' which includes officers of the rank of Assistant Secretaries and of equivalent posts and above;
- (ii) recommend to the Board any disciplinary action that he considers necessary against officer mentioned in clause (i);
- (iii) take disciplinary action against members of the establishment of category 'B' which includes subordinates upto senior clerks and above; and
- (iv) appoint Superintendents of Examination.

2. (1) The Secretary shall, subject to the control of the Chairman, be incharge of the academic and administrative sector of the office of the Board concerned and cause the orders and decisions of the Board and the Chairman to be carried out.

Powers
and
duties of
the
Secretary.

(2) The Secretary shall take all possible steps to ensure that the funds of the Board are spent on the purpose for which they are provided.

(3) The Secretary shall cause to be prepared and submit to the Board for approval the annual statement of accounts and Budget estimates.

(4) All meeting of the Board and the committees shall be convened by the Secretary under the direction of the Chairman. While preparing the agenda for a meeting of the Board or a committee, the Secretary shall carry out the directions of the Chairman given in this respect and no item shall be placed on such agenda or be considered in the meeting without the previous permission of the Chairman.

(5) The Secretary shall record the minutes and maintain the records of the proceedings of the Board and the committees.

(6) The Secretary shall conduct the official correspondence of the Board under the authority of the Chairman except the correspondence relating to the conduct of examinations.

(7) All fees and dues payable to the Board, and all sums received by the Secretary, shall be credited without delay to the account of the Board in a Government treasury or a bank approved by the Board.

(8) The Secretary shall issue to successful candidates on behalf of the Board in the prescribed form certificates of having passed the examinations held by the Board.

(9) Notwithstanding anything to the contrary contained in these regulations, the Board may assign to any other officer or officers such duties of the Secretary as it may deem necessary.

Duties and power of the controller of examination.

3. The Controller of Examination shall, subject to the control of the Chairman, be in charge of the examination sector of the Board, and shall.—

- (i) make arrangements for the conduct of all examinations of the Board;
- (ii) conduct official correspondence of the Board relating to the Examinations; and
- (iii) perform such other duties as may be assigned to him by the Chairman from time to time.

Constitution powers functions etc, of the joint academic committee.

4. (1) The Joint Academic Committee shall consist of.—

- (i) the Chairmen of all the Boards of Intermediate and Secondary Education in ¹[Khyber Pakhtunkhwa];
- (ii) University Professor from each of the University of Peshawar, Gomal University and the ²[Khyber Pakhtunkhwa] University of Engineering and Technology to be nominated by the Vice-Chancellors of the respective Universities;
- (iii) a University Professor from each of the faculties of the University of Peshawar and Gomal University to be nominated by the Vice-Chancellors of the respective Universities;
- (iv) Divisional Directors of Education in the ³[Khyber Pakhtunkhwa];
- (v) Directors, Bureau of Curriculum Development and Education Extension Services, Abbottabad;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (vi) Director, Technical Education, ¹[Khyber Pakhtunkhwa] or his nominee;
- (vii) Chairman, ²[Khyber Pakhtunkhwa] Board of Technical Education or his nominee;
- (viii) Chairman, ³[Khyber Pakhtunkhwa] Text Book Board or his nominee;
- (ix) two convenors of Committees of Courses from each Board nominated by the Controlling Authority;
- (x) two principals of colleges, recognised by the respective Board, nominated by the Controlling Authority;
- (xi) two headmasters and one headmistress of the schools, recognised by the respective Board, nominated by the Controlling Authority; and
- (xii) two teachers of Intermediate classes nominated by the Chairman of each Board from within his jurisdiction.

(2) The members of the Joint Academic Committee, other than the ex-officio members, shall hold office for two years.

(3) No member appointed by virtue of his office shall continue to be a member if he ceases to hold that office.

(4) The quorum for the meetings of the Joint Academic Committee shall be one-third of the total number of members, a fraction being counted as one.

(5) (a) The Joint Academic Committee shall have the general superintendence and control of, and the responsibility for the maintenance of the standards of, teachings and examinations.

(b) Without prejudice to the generality of the foregoing provisions, and subject to such conditions as may be prescribed, the Joint Academic Committee shall exercise and perform the following powers and duties, namely:—

- (i) determine the subject or subjects which shall be assigned to each Committee of Courses;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (ii) advise the Board on the qualifications of the teachers and examiners, their duties and conditions of appointment;
- (iii) advise the Board on all academic matters including the general scheme of studies for an examination, the number of subjects to be included in an examination, the value of each subject in respect of marks to be assigned to it and the conditions to be fulfilled for passing an examination and for being placed in a particular division; and
- (iv) exercise such other powers and perform such other duties as may be prescribed.

(6) The Chairmanship of the Joint Academic Committee shall rotate among the Chairmen of the Boards in alphabetical order for a term of one year.

Appointments
Committee.

5. (1) The Appointments Committee shall consist of—

- (i) the Chairman of the Board concerned;
- (ii) the Vice-Chancellor of the University concerned or his nominee;
- (iii) the Director of Education concerned; and
- (iv) two nominees of the Controlling Authority.

(2) The Appointments Committee shall recommend the appointment, confirmation and scale of officers and employees of the Board of category 'A'.

(3) The members of the Appointments Committee, other than the ex-officio members, shall hold office for two years.

(4) The quorum for a meeting of the Appointments Committee shall be three.

Composition
and functions
of the Finance
Committee.

6. (1) The Finance Committee shall consist of—

- (i) the Chairman of the Board concerned;
- (ii) the Director of Education concerned;
- (iii) the representative of the Finance Department, Government of the¹[Khyber Pakhtunkhwa]; and
- (iv) two nominees of the Controlling Authority.

(2) The functions of the Finance Committee shall be—

- (i) to examine the annual budget and advise the Board thereon; and

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (ii) to review the financial position of the Board periodically and make recommendations to the Board for improving its finances.

(3) The members of the Finance Committee, other than ex-officio members, shall hold office for two years.

(4) The quorum for the meeting of the Finance Committee shall be three.

7. (1) There shall be a committee for the appointment of paper setters and head examiners which shall consist of—

Constitution and functions of the Committee for appointment of paper setters and head examiners.

- (i) the Chairman of the Board concerned;
- (ii) the Vice-Chancellor of the concerned University or his nominee who should be a professor in one of the Science subjects; and
- (ii) the Director of Education concerned.

(2) The functions of the Committee for the appointment of paper setters and head examiners shall be to appoint paper setters and head examiners for all examinations conducted by the Board, after considering the recommendations of the Committee of Courses in this behalf; provided that where the Committee of Courses does not make its recommendations within the time specified by the committee for appointment of paper setters and head examiners, the committee will make these appointments without the recommendations of the Committee of Courses.

8. (1) There shall be a Committee of Courses for each subject or a group of allied subjects included in the courses of studies organised by the Board, which shall consist of the following, namely:—

Committee of Courses.

- (i) two teachers of the subject or subjects from among the teachers of Intermediate Education nominated by the Academic Committee;
- (ii) two teachers of the subject or subjects from among the teachers of Higher Secondary/ Secondary Schools nominated by the Academic Committee;
- (iii) two persons having experience of Intermediate education, or Secondary education, nominated by the Board concerned; and
- (iv) one expert in the subject or subjects nominated by the Chairman of the Board concerned;

Provided that if in any subject the required number of teachers is not available, the Chairman may decide that the

number of members of the Committee of Courses for that subject may be less than seven or may permit the nomination of suitable persons who are not teachers as members of a particular Committee of Courses.

(2) The term of office of the members of the Committee of Courses shall be two years:

Provided that if a vacancy occurs in the Committee during the course of two years the member appointed to fill the vacancy shall hold office for the remaining term only.

(3) The Committee of Courses shall consider academic matters relating to the subject or subjects with which it is concerned and shall recommend to the Academic Committee the courses of study and text books to be prescribed as well as the conditions to be fulfilled by the candidates for passing the relevant examination in the subject or subjects.

(4) The Committee of Courses shall have a convenor who shall be nominated by the Board.

(5) The quorum for a Committee of Courses shall be four.

Person ceasing to be a member of a Committee would cease to be a member of sub-committee.

Recognition of schools.

9. Notwithstanding anything contained in these regulations when a person ceases to be a member of a committee, he shall cease to be a member of any sub-committee of which he may be a member by virtue of his membership of that committee.

10. (1) The Board shall accord recognition to such schools as are within the jurisdiction of the Board, if it is satisfied, on the basis of the inspection report received in the case of schools maintained by the Government of Pakistan from the Officer on Special Duty, Ministry of Education, Government of Pakistan, or any other authority appointed for the purpose by the said Ministry, and in the case of other schools, from the Director of Education concerned, that the conditions prescribed for recognition have been satisfactorily fulfilled.

(2) If the Board on the basis of a report received in the case of a school maintained by the Government of Pakistan from the Officer on Special Duty, Ministry of Education, Government of Pakistan, or any other authority appointed for the purpose by that Ministry, and in the case of any other school, from the Director of Education concerned, is satisfied that the conditions of recognition have ceased to be fulfilled by any school recognised by it, the Board may, after giving the management of that school an opportunity of being heard, cancel the recognition.

(3) The Board may if it considers necessary, arrange a special inspection of any school by an Inspection Committee appointed by it.

Audit.

11. (1) The Board shall appoint whole-time Audit Officer and Auditor for the purpose of auditing the accounts and the bills to be paid from the funds of the Board. No

expenditure shall be made from the funds of the Board, unless the bill for its payment has been audited by the Auditor in conformity with the regulations and rules.

(2) The statement of accounts of the Board, signed by the Secretary and the Auditor, shall be submitted to Government within six months of the closing of the financial year.

(3) The accounts of the Board shall be audited once a year, in conformity with the regulations and rules, by Auditors appointed by Government for this purpose.