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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

*Islamabad, the 1st September, 1975*

The following Acts of Parliament received the assent of the President on the 29th August, 1975, and are hereby published for general information:—

*An Act to provide for the establishment of a Federal Board of Intermediate and Secondary Education.*

WHEREAS it is expedient to provide for the establishment of a Federal Board of Intermediate and Secondary Education and for matters connected therewith or incidental thereto ;

It is hereby enacted as follows :—

**1. Short title and commencement.**—(1) This Act may be called the **Federal Board of Intermediate and Secondary Education Act, 1975.**

(2) It shall come into force on such date as the Federal Government may, by notification in the official Gazette, appoint in this behalf.

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

- (a) “Board” means the Federal Board of Intermediate and Secondary Education ;
- (b) “Chairman” means Chairman of the Board ;
- (c) “college” means an institution within the jurisdiction of the Board and recognized by it for Intermediate education, and includes a college having Intermediate and Degree classes and affiliated to a University for the Degree classes ;
- (d) “committee” means a committee constituted under this Act ;
- (e) “head of an institution” means the principal of a college or the headmaster or headmistress of a school ;
- (f) “headmaster” and “headmistress” include the principal of a school ;
- (g) “institution” means a college or a school ;
- (h) “Intermediate college” means an institution recognized for imparting Intermediate education, and includes an institution imparting both Intermediate education and Secondary education ;
- (i) “Intermediate education” means education pertaining to class XI and class XII ;
- (j) “prescribed” means prescribed by regulations ;
- (k) “principal” means head of a college ;

- (l) "recognized" means recognized by the Board ;
- (m) "school" means an institution within the jurisdiction of the Board and recognized by it only for imparting Secondary education ;
- (n) "regulations" means regulations made under this Act ;
- (o) "Secondary education" means education pertaining to class IX and class X and such other classes as may be declared by the Federal Government to be classes of Secondary education ; and
- (p) "Secretary" means Secretary of the Board.

**3. Constitution of the Board.**—(1) The Federal Government shall, as soon as may be after the commencement of this Act, establish a Board to be known at the Federal Board of Intermediate and Secondary Education.

(2) The Board shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property, both movable and immovable, and shall by the aforesaid name sue and be sued.

**4. Jurisdiction of the Board.**—The Board shall exercise the powers conferred on it by or under this Act in respect of the institutions within the Federal Capital, the Federally Administered Tribal Areas, and such states and territories, not forming part of a Province, as are or may be included in Pakistan, whether by accession or otherwise, institutions established by Pakistan Missions or citizens of Pakistan in foreign countries and such institutions located within the jurisdiction of Cantonment Boards constituted under the Cantonments Act, 1924 (II of 1924), as seek recognition of the Board.

**5. Composition of the Board.**—The Board shall consist of the following members, namely :—

- (a) the Chairman, to be appointed by the Federal Government ;
- (b) two Vice-Chancellors to be nominated by the University Grants Commission ;
- (c) a nominee of the Ministry of Education not below the rank of Deputy Secretary in the Federal Government ;
- (d) a nominee of the Directorate of Military Lands and Cantonments to represent the Cantonment Boards ;
- (e) one principal to be elected in the prescribed manner by the principals from amongst themselves ;
- (f) one headmaster of a school for boys to be elected in the prescribed manner by the headmasters of schools for boys from amongst themselves ;
- (g) one headmistress of a school for girls to be elected in the prescribed manner by the headmistresses of schools for girls from amongst themselves ;
- (h) the Director, Federal Government Educational Institutions, Islamabad ;
- (i) the Director, Institute of Islamic Research, Islamabad ;
- (j) three members, of whom one shall be a woman, to be elected by the National Assembly from amongst its members ;

- (k) two members to be elected by the Senate from amongst its members ; and
- (l) one representative each of the Provincial Governments, the Azad Government of the State of Jammu and Kashmir, the administration of the Federally Administered Tribal Areas and the Areas of Gilgit, Baltistan, Nagar Haveli and Hunza.

**6. Terms of members of the Board.**—(1) Unless the Federal Government, being of the opinion that it is necessary in the public interest so to do, removes him from office, a member, other than an *ex-officio* member, shall hold office for a period of three years from the date of his election or nomination, as the case may be.

(2) No *ex-officio* member shall continue to be a member if he ceases to hold the office by virtue of holding which he was appointed.

(3) Any casual vacancy in the office of a member, other than an *ex-officio* member, shall be filled by election or nomination, as the case may be and the person so elected or nominated shall hold office for the unexpired period of the term of his predecessor.

(4) Any member of the Board may, by writing under his hand addressed to the Chairman, resign his office, provided that the resignation shall not have effect until it is accepted by the Chairman.

(5) A member shall, on the expiry of his term of office, be eligible for re-election or re-nomination.

**7. Meetings of the Board.**—(1) The meetings of the Board shall be held in such manner and at such time as may be prescribed :

Provided that, until regulations are made in this behalf, such meetings shall be called by the Chairman.

(2) In the absence of the Chairman from any meeting of the Board, the members present shall elect a member from among themselves to preside at that meeting.

(3) No act or proceedings of the Board shall be invalid merely on the ground of the existence of a vacancy in or defect in the constitution of, the Board.

**8. Powers and functions of the Board.**—(1) Subject to the other provisions of this Act, the Board shall have power to organize, regulate, develop and control Intermediate education and Secondary education.

(2) In particular, and without prejudice to the generality of the foregoing power, the Board shall have the power to—

- (a) hold and conduct examinations pertaining to Intermediate education and Secondary education ;
- (b) prescribe courses of instruction for examinations conducted by the Board, provided that the Board may prescribe different courses of instruction for different classes of institutions ;

- (e) admit candidates to the examinations conducted by it and prescribe the conditions for admission to such examinations;
- (d) recognize institutions in Pakistan or outside Pakistan:

Provided that, in the case of a Government institution, such recognition shall not be withheld without the prior approval of the Federal Government;

- (e) control and regulate, with the approval of the Federal Government, the examinations held at the Intermediate education and Secondary education level in Pakistan by foreign agencies, professional institutions or bodies or universities;
- (f) withdraw recognition if it is satisfied after inspection carried out under clause (h) that the standards of management and instruction in an institution justify withdrawal, provided that the recognition shall not be withdrawn without the prior approval of the Federal Government;
- (g) fix, demand and receive such fees as may be prescribed;
- (h) cause an inspection to be made by such person or persons as the Board may nominate of recognized institutions or institutions applying for recognition;
- (i) adopt measures to promote the physical and moral well-being of students of recognized institutions, and supervise their residence, health and discipline;
- (j) organize and provide lectures, demonstrations, educational exhibitions and take such other measures as are necessary to promote the standards of Intermediate education and Secondary education;
- (k) institute and award scholarships, medals and prizes subject to such conditions as may be prescribed and to accept endowments for the same subject to such conditions as the Board may deem fit;
- (l) prescribe text-books or other books study and to arrange for publication of such text-books or other books;
- (m) regulate the imposing of penalties for misconduct of students, teachers, examiners and examinees;
- (n) prescribe qualifications for the appointment of teachers in the institutions recognized by the Board;
- (o) submit to the Federal Government its views on any matter with which it is concerned or which the Federal Government or any Provincial Government or a educational institution may refer to it for its advice;
- (p) deposit its surplus funds in any nationalized bank of Pakistan;
- (q) enter into and carry out contracts in exercise of its powers and in the performance of its duties under this Act and the regulations;
- (r) regulate and decide all administrative matters including the creation and abolition of posts under the Board;
- (s) appoint such officers and staff as it may consider necessary for the performance of its functions and to define their duties and conditions of service;

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- (t) make provision for buildings, premises, furniture, apparatus, books and other means required for carrying out the purposes of this Act ;
  - (u) pass its annual budget ;
  - (v) sanction or incur such expenditure as may be necessary for carrying out the purposes of this Act ; and
  - (w) do all other acts necessary for carrying out the purposes of this Act.

(3) The Board may delegate any of its powers to the Chairman or any officer of the Board or to a committee or sub-committee appointed by it.

**9. Power of the Federal Government.**—(1) The Federal Government shall have the power to cause inspection to be made by such person or persons as it may direct, of the offices, activities and funds of, and all the examinations conducted by, the Board and to cause an inquiry to be made in like manner in respect of any matter concerning the Board.

(2) The Federal Government shall communicate to the Board the result of such inspection or inquiry and may advise the Board to take such actions and within such period as may be specified.

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

(4) Where the Board does not, within a reasonable time, take action to the satisfaction of the Federal Government, the Federal Government 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) The Federal Government may, from time to time, direct the Board to conduct its affairs and perform its functions in such manner as may be specified.

(6) The Federal Government may require the Board to furnish it with—

(i) any return, statement, estimate, statistics or other information regarding any matter relating to, or 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.

(7) If the Board fails or neglects to comply with the directives or orders given to it under sub-section (5) or if, in the opinion of the Federal Government, the Board persistently makes defaults in the performance of its functions under this Act, the Federal Government may supersede the Board and appoint the Chairman in the place of such Board until a new Board is established in accordance with the provisions of this Act and no such supersession or appointment shall be questioned in any court.

10. **Officers of the Board.**—The following shall be the officers of the Board, namely :—

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

11. **Appointment, powers and duties of the Chairman.**—(1) The Chairman shall be appointed by the Federal Government on such terms and conditions as the Federal Government may determine.

(2) The Chairman shall hold office for a term of three years but shall be eligible for reappointment for a second term not exceeding three years :

Provided that, notwithstanding the expiry of the term of his office, he shall continue to hold office until his successor is appointed and enters upon his office.

(3) If at any time the office of Chairman is vacant, or he is unable to perform his functions, temporarily or otherwise, by reason of leave, illness or other cause for a period not exceeding one year, the Federal Government shall make such arrangements for carrying on the duties of the Chairman as it may think fit ; and, until such arrangements are made, the Secretary shall perform the duties of the Chairman.

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

(5) If an emergency arises out of the administrative business of the Board which, in the opinion of the Chairman, requires that immediate action should be taken, the Chairman may take such action as he deems necessary and shall report the action taken to the Federal Government and to the Board as its next meeting for approval.

(6) The Chairman shall exercise such other powers as may be prescribed.

12. **Appointment, powers and duties of the Secretary.**—(1) The Secretary shall be appointed by the Federal Government on such terms and conditions and for such period as the Federal Government may think fit.

(2) The Secretary shall, subject to the control of the Chairman, be the chief administrative officer of the Board, shall be responsible for ensuring that the orders of the Board and the Chairman are carried out and shall execute all contracts for and on behalf of the Board.

(3) The Secretary shall be responsible for ensuring that all moneys are expended on the purpose for which they are granted or allotted and for preparing and submitting to the Board for approval an annual statement of accounts and budget estimates.

(4) The Secretary shall exercise such other powers as may be prescribed.

13. **Appointment and constitution of committees.**—(1) The Board shall appoint Committees of Courses, a Finance Committee and such other committees as it may deem necessary for the proper execution of its business.

(2) Each committee shall consist of members of the Board and of such other persons, if any, as the Board, in each case, may think fit to appoint :

Provided that a person nominated by the Federal Government shall be a member of the Finance Committee.

(3) A committee may, subject to the approval of the Chairman, co-opt persons if the committee so feels.

(4) The term of office of a member of a Committee co-opted under subsection (3) shall be one year from the date of co-optation :

Provided that a person co-opted in his capacity as a member of a particular body or as the holder of a particular appointment shall hold office only for so long as he is a member of that body or the holder of that appointment, as the case may be.

14. **Fund.**—The Board shall have a fund to which shall be credited all income of the Board, including income from fees, endowments, grants and contributions.

15. **Annual audit of accounts.**—(1) The accounts of the Board shall be maintained in such form and in such manner as may be prescribed.

(2) The accounts of the Board shall be audited every year by the Accountant General, Pakistan Revenues.

(3) The Board shall, at the time of audit, produce all accounts, registers, documents and other papers which may be required by the auditor to assist him in his investigation :

Provided that, if the Federal Government certifies, that a particular document is secret, the auditor shall accept in lieu of such document a statement in respect thereof duly certified by the Chairman :

Provided further that, if such a document is confidential, the auditor shall be responsible for preventing disclosure of its contents.

(4) The Board shall, as soon as possible after the end of each financial year, submit to the Federal Government the annual statement of the accounts of the Board, duly audited, together with the report of the auditor.

16. **Provident fund.**—The Board may establish a provident fund for the benefit of its employees and, where it establishes such fund, the provisions of the Provident Funds Act, 1925 (XIX of 1925), shall apply to such fund.

17. **Powers of the Board to make regulations.**—(1) The Board may, with the approval of the Federal Government, make regulations for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the regulations may provide for all or any of the following matters, namely :—

- (a) the procedure for the conduct of, and the number of members required to form a quorum at, meetings of the Board and the committees ;



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- (b) the conduct of examinations, including the appointment of examiners and their duties, powers and remuneration ;
  - (c) the conditions for admission of candidates to the examinations held by the Board and their eligibility for diplomas, certificates and titles ;
  - (d) the conditions for the recognition of institutions and the withdrawal of recognition ;
  - (e) the courses of study to be followed in the institutions imparting Intermediate education or Secondary education or education for other examinations conducted by the Board ;
  - (f) the institution of scholarships and prizes ;
  - (g) the election and co-option of members of the Board and its committees ;
  - (h) the constitution, powers and duties of committees :
  - (i) the appointment of employees of the Board and the conditions of their service ;
  - (j) the constitution of a provident fund for the benefit of the employees of the Board ; and
  - (k) such other matters as may be necessary for giving effect to the provisions of this Act.

M. A. HAQ,  
Secretary.

### CORRIGENDA

[to the Gazette of Pakistan, Extraordinary, Part I, dated the 1st August, 1975, containing President's Order No. 4 of 1975.]

- Page 437 : In the Schedule, in column 4, against third entry, for "Aftar" read "After".
- " 438 : In the Schedule, in column 4, in line 11, for "SECTION" read "SECTIONS".
- " 439 : In the Schedule, in column 3, against entry 4, for "Tools" read "Tolls".
- : In the Schedule, in column 4, against entry 4, in line 12, for "Tools" read "Tolls".
- : In the Schedule, in column 4, in line 20, from the bottom, for "or if" read "or if".
- " 440 : In the Schedule, in column 4, in line 19, from the bottom, for "eight" read "eighth".
- : In the Schedule, in column 4, in line 14, from the bottom, for "Peshawar," read "Peshawar".
- " 442 : In the Schedule, in column 4, in line 6, for "1973" : " read "1973:" ;".
- : In the Schedule, in column 4, in line 7, for "(46);" read "(46),".
- : In the Schedule, in column 4, in line 12, for "1973:" read "1973:" ;".
- : In the Schedule, in column 4, in line 22, from the bottom, for "Tribal" read "Tribal Areas".
- : In the Schedule, in column 4, in line 3, from the bottom, for "eight" read "eighth".

- Page 443 : In the Schedule, in column 4, in line 15, for " eight " read " eighth " .  
 : In the Schedule, in column 4, in line 11, from the bottom, for " sub-section a " read " sub-section " .
- .. 445 : In the Schedule, for the heading " ORDER XVI " read " ORDER XLV " .
- " 448 : In the Schedule, in column 4, against entry 4, for " 282 " read " 283 " and for " Province " read " Province " .
- " 449 : In the Schedule, in column 4, against entry 5, omit " 1940 " .  
 : In the Schedule, in column 4, in line 8, from the bottom, for " Governemnt " read " Government " .
- " 451 : In the Schedule, in column 4, in line 15, for " ths " read " this " .
- " 452 : In the Schedule, in column 4, against entry 2, for " West Paktan " read " West Pakistan " .  
 : In the Schedule, in column 4, against entry 5, for " Substutuee " read " Substitute " .
- " 453 : In the Schedule, in column 3, against first entry for " (Previntion " read " (Prevention " .  
 : In the Schedule, in column 4, against entry 2, for " "The Central Government " " " read " " The Central Government or a Provincial Government " " " .  
 : In the Schedule, in column 4, against entry 3, in lines 14 and 15, for " Pnkistan " and " Departemnt " read " Pakistan " and " Department " , respectively .  
 : In the Schedule, in column 4, in line 4, from the bottom, for " 13.— " read " 13.—(a) " .
- " 454 : In the Schedule, in column 4, against entry 5, for " Pakistan " read " Pakistan " " .
- " 455 : In the Schedule, in column 3, against entry 3, for " Ordinance Factories " read " Ordnance Factories " .
- " 456 : In the Schedule, in column 4, against entry 3, for " Pakitan " read " Pakistan " .
- " 459 : In the Schedule, in column 4, in line 3, from the bottom, for " Minis-ter's " read " Ministers " .
- " 460 : In the Schedule, in column 4, against entry 2, omit " Pakis- " .
- " 461 : In the Schedule, in column 4, in line 14, from the bottom, for " other. " read " other. " " .
- " 462 : In the Schedule, in column 4, in line 10, for " Aduitor- " read " Auditor " .  
 : In the Schedule, in column 4, against entry 2, for " for the Pro- " read " for " the Pro- " .  
 : In the Schedule, in column 4, against last entry, in line 12, for " West " read " of West " .
- " 466 : In the Schedule, in column 3, against entry 2, for " Test " read " Text " .
- " 467 : In the Schedule, in column 4, against entry 2, for " Frontier " " read " Frontier " " .