

**THE BALOCHISTAN BOARDS OF INTERMEDIATE AND
SECONDARY EDUCATION
ACT, 2019**

(Baln. Act X of 2019)

CONTENTS

SECTIONS

- Preamble.
- 1. Short title, extent and commencement.
- 2. Definitions.
- 3. Constitution and reconstitution of the Boards.
- 4. Corporate Body.
- 5. Jurisdiction of the Boards.
- 6. Constitution of a Board.
- 7. Resignation of a member.
- 8. Removal of a member.
- 9. Casual vacancies.
- 10. Meetings of the Board.
- 11. Powers of the Board.
- 12. Controlling Authority.
- 13. Powers of the Controlling Authority.
- 14. Officers of the Board.
- 15. Appointment of the Officers of the Board.
- 16. Chairman.
- 17. Employees of the Board.
- 18. Powers and duties of other officers of the Board.

19. Retirement from service.
20. Committees of the Board.
21. Constitution, functions and duties of committees.
22. Power of a Board to make regulations.
23. Power of a Board to make Rules.
24. Fund.
25. Accounts and Audit.
26. Pension and Provident Fund.
27. Submission of yearly reports and returns.
28. Members of the Board prohibited from deriving monetary gains.
29. Bar against membership.
30. Validations.
31. Bar of Suit.
32. Public Servants.
33. Protection of acts and orders done under the Act.
34. First Regulation.
35. Transitional provisions.
36. Removal of difficulty.
37. Application of Government rules and regulations.
38. Repeal and Savings.

**¹THE BALOCHISTAN BOARDS OF INTERMEDIATE
AND SECONDARY EDUCATION
ACT, 2019**

(Balochistan Act No. X of 2019)

¹ This Act was passed by the Provincial Assembly of Balochistan on 12th October, 2019; assented to by the Governor of Balochistan on 24th October, 2019; and first published in the Balochistan Gazette (Extraordinary) No. 7, dated 25th October, 2019.

[25th October, 2019]

An Act to provide for re-constituting and establishing of the Boards of Intermediate and Secondary Education in Balochistan and the matters ancillary thereto or connected therewith.

Preamble.

WHEREAS, it is expedient to re-constitute, recognize and establish Boards of Intermediate and Secondary Education in Balochistan and to provide for the matters ancillary thereto or connected therewith:

It is hereby enacted as follows: –

Short title, extent and commencement.

1. (1) This Act may be called “The Balochistan Boards of Intermediate and Secondary Education Act, 2019”.
- (2) It shall extend to the whole of Balochistan.
- (3) It shall come into force at once.

Definitions.

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

- (a) “Act” means The Balochistan Boards of Intermediate and Secondary Education Act, 2019;
- (b) “Board” means a Board of Intermediate and Secondary Education constituted or reconstituted under the Act;
- (c) “Calendar” means the calendar of events, activities schedule of exams etc. prepared and approved by a Board;
- (d) “Chairman” means the Chairman of a Board;
- (e) “College” means an institution, public or private, within the jurisdiction of a Board and recognized by it for intermediate education, and includes a college having intermediate and degree classes and affiliated to the University for the degree classes;
- (f) “Committee” means a committee constituted under this Act;
- (g) “Controller of Examinations” means the Controller

of Examinations of the Board;

- (h) “Controlling Authority” means the Controlling Authority as specified in section 12;
- (i) “Government” means the Government of Balochistan;
- (j) “Head of an Institution” means the Principal of a college or Principal/Headmaster or Headmistress of a school;
- (k) “Institution” means a college or a school;
- (l) “Intermediate College” means an institution recognized for imparting instruction to Class XI and Class XII and includes an institution having classes for intermediate and secondary education;
- (m) “Intermediate Education” means education pertaining to Class XI and Class XII or Higher Secondary Education;
- (n) “Member” means a member of a Board;
- (o) “Prescribed” means prescribed by regulations or rules;
- (p) “Principal” means the Head of a college or a school;
- (q) “Recognized” means recognized by a Board;
- (r) “Regulations” means regulations made or deemed to have been made under this Act;
- (s) “Rules” means the rules made or deemed to have been made under this Act;
- (t) “Schedule” means schedules attached to this Act;
- (u) “School” means an institution public or private, within the jurisdiction of a Board and recognized by it;
- (v) “Secondary Education” means education pertaining to Class IX and Class X and such other classes as may be declared by the Government to be classes secondary education;

(w) “Secretary” means the Secretary of a Board functioning under the provisions and powers prescribed under this Act or the rules made thereunder; *and*

(x) “University” means the University having jurisdiction within an area in which a Board functions under section 5.

Constitution and reconstitution of the Boards.

3. (1) The Government may, by a notification in the official Gazette, establish one or more Boards or reconstitute a Board already established, in respect of such areas or such institutions as it may deem necessary:

Provided that, the Board constituted under the Balochistan Board of Intermediate and Secondary Education Ordinance, 1977 (Ordinance No. X of 1977) i.e. Board of Intermediate and Secondary Education Quetta, shall be reconstituted as “Board of Intermediate and Secondary Education Quetta” soon after the commencement of this Act, under the provisions of the Act.

(2) Upon constitution of a board under subsection (1), the Government may reconstitute the Board(s) already constituted under this Act, with such areas of jurisdiction and such institutions as it may deem necessary.

Corporate Body.

4. Subject to the provisions of the Act, a Board shall be a body corporate having a perpetual succession and a common seal with power to acquire, hold and transfer its property, movable or immovable, and shall, by its name may sue or be sued.

Jurisdiction of the Boards.

5. (1) A Board shall exercise the powers in respect of and within such areas or such institutions and within such area as may be determined and notified by the Government from time to time:

Provided that, all the institutions within the Province of Balochistan over with the Balochistan Board of Intermediate and Secondary Education, Quetta was exercising its powers under the Balochistan Board of Intermediate and Secondary Education Ordinance, 1977 (Ordinance No. X of 1977), immediately before the commencement of this Act, shall fall within the jurisdiction of the Boards constituted for

reconstituted under section 3, in their respective areas, till such time as may deem fit by the Controlling Authority.

(2) The Government may, by notification in the official Gazette, authorize the Board of Intermediate and Secondary Education Quetta reconstituted in consequence of constitution of new Boards, to continue, to exercise the powers of the Board under the Act as it is exercising before the constitution of new Boards for a period of two years from the date of constitution of new Boards in respect of such matters and institutions as may be specified in the said notification.

Constitution of a Board.

6. (1) The Board shall consist of the following members, namely: —

- (a) the Chairman;
- (b) the Vice Chancellor of the University, or his nominee not less than the rank of Professor or Grade 20 officer;
- (c) the Chairman/Chairmen of other Board/Boards constituted in the province under the provisions of the Act;
- (d) the Director of Colleges & Higher Education, Balochistan;
- (e) the Director Technical Education Balochistan;
- (f) the Director of Education (Schools) Balochistan;
- (g) one representative of syndicate of the University nominated by the Vice Chancellor;
- (h) Additional Secretary (Dev:) Government of Balochistan Education Department concerned or any nominee by the department concerned not below the rank of Deputy Secretary;
- (i) two Principals of Degree Colleges (one

from Boys and the other from Girls colleges) situated within the jurisdiction of the Board to be nominated by the Controlling Authority;

- (j) two representatives from Principals/Senior Headmasters /Headmistress of the schools (one from male and one from female school) situated within the jurisdiction of the Board to be nominated by the Controlling Authority;
- (k) one Principal of a renowned private college and one Principal of renown private school to be nominated by the Controlling Authority on the recommendation of the Chairman Board;
- (l) one representative of Finance Department not below the rank of Deputy Secretary; and
- (m) one permanent employee of the Board, not below the rank of Grade18, nominated by the Chairman of the Board.

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

(3) The term of office of members, other than ex-officio members, shall be three 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 a member.

7. A non-official member may resign from his membership by a letter addressed to the Chairman.

Removal of a member.

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

- (a) becomes of unsound mind; *or*

- (b) is declared insolvent by a competent Court of law; *or*
- (c) is convicted of an offence by a Court of law involving moral turpitude; *or*
- (d) is found negligent in discharge of his/her functions.

(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 of other authority:

Provided that, no decision under-section (1) shall be made unless the member to be affected thereby is offered an opportunity of personal hearing by the authority notified by the Government.

Casual vacancies.

9. (1) Whenever there occurs a vacancy in the membership of the 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 of the Board for the remaining period of the three-year's term of the office.

Meetings of the Board.

10. (1) A Board shall hold its meeting ordinarily twice in a year for which the notices shall be issued seven days prior to the date of the meeting.

(2) The Chairman may, whenever he considers necessary, and shall, or on a requisition from at least seven members, call a meeting of the Board.

(3) The quorum for meetings of a Board shall be more than half of the membership of the Board.

Powers of the Board.

11. (1) Subject to the provisions of this Act, the Board shall have powers to organize, regulate, develop and control Intermediate Education and Secondary Education.

(2) In particular and without prejudice to the generality of the powers conferred by the preceding subsection, the Board shall have the following powers: —

- (a) to hold and conduct all examinations

pertaining to Intermediate Education, Secondary Education, Technical Education, Pakistani and Classical language and such other examinations as may be determined by the Government;

- (b) to prescribe courses of study for its examinations;
- (c) to lay down conditions for recognition of institutions;
- (d) to accord, refuse or withdraw recognition, wholly or partly to accord recognition, to the school and college examination to such schools or colleges as are within the jurisdiction of the Board, if it is satisfied, on the basis of the inspection report received in the case of 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 the said Ministry, and in the case of other schools/colleges, from the Director of Schools, Education Department concerned/Director of Colleges, Education Department concerned or any other authorized authority that the condition prescribed for recognition have been satisfactorily fulfilled;
 - (i) in the case of other schools (not governed by the Government), after considering inspection reports from the Inspection Committee appointed by the Board for the purpose; *and*
 - (ii) in the case of Intermediate Colleges (Private) after considering reports from an Inspection Committee appointed by the Board in this behalf; If the Board on the basis of a

report received from any of the above quarters is satisfied that the conditions of recognition have ceased to be fulfilled by any school/college recognized by it, the Board may, after giving the management of the school/college an opportunity of being heard, suspend/cancel the affiliation;

- (e) to inspect and arrange for inspection of recognized institutions and call for inspection reports in respect of such institutions, other than the institutions run by the Government of Pakistan;
- (f) to lay down conditions for admission to its examination, to determine the eligibility of candidates and to admit them to such examinations;
- (g) to grant certificates and diplomas to persons who have passed their examinations and to withdraw such certificates and diplomas;
- (h) to fix, demand and receive such fees as may be prescribed;
- (i) to supervise the residence, health and discipline of the students of recognized institutions with a view to promote their general welfare;
- (j) to institute and award scholarships, medals and prizes in accordance with the regulations and rules;
- (k) for recognized institutions; to organize and promote extracurricular activities in and
- (l) to hold, control and administer its property and fund;
- (m) 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;

- (n) to pass its annual budget;
- (o) to transfer any movable and immovable property belonging to its with the prior approval of the Controlling Authority;
- (p) to hold and manage endowments;
- (q) to regulate and decide all administrative matters including the creation and abolition of posts under the Board:

Provided that, a post carrying an initial pay equal to Basic Pay Scale-16 or more, shall not be created without the prior approval of the Controlling Authority;

- (r) 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;
- (s) to make provision for buildings, premises, furniture, apparatus, books and other means required for carrying out the purposes of this Act;
- (t) to sanction or incur such expenditure as may be necessary for carrying out the purposes of this Act;
- (u) to allow Chairman to enter into an agreement, MoU and organization, department with the prior approval of 10 the Controlling Authority any other legal instrument with any other; *and*
- (v) to do all other acts necessary for carrying out the purposes of this Act.

(3) The 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.

12. The Government shall be the Controlling Authority of the Board constituted or reconstituted under this Act.

Powers of the
Controlling
Authority.

13. (1) The Controlling Authority shall have the power to inspect and cause an inspection to be made, by such person or persons as it may direct, of the Offices, activities and funds of and the conduct of examinations by a Board, and to cause an enquiry to be made in any manner in respect of any matter concerning a Board, or the discharge of functions by the members, officers and employees of the Board.

(2) The Controlling Authority may at any time suspend a member, an officer or an employee of the Board on reasonable grounds given in writing.

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

(4) The Board shall report to the Controlling Authority the action taken on such communication.

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

(6) 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 or Regulations or Rules framed there under or in public interest, the Controlling Authority may, without prejudice to the foregoing provisions of this section, by order in writing, annul such proceedings:

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 that why such an order should not be made.

(7) The Controlling Authority may, from time to time, direct a Board to conduct its affairs and to perform its functions

in such a manner as may be specified.

(8) The Controlling Authority may require a board to furnish: —

- (a) any return, statement, estimate, statistics or other information regarding any matter under the control of the Board, *or*
- (b) a report of any such matter; *or*
- (c) a copy of any document in the charge of the Board; and the Chairman shall comply with every such requisition.

(9) Notwithstanding anything to the contrary contained in this Act, the Controlling Authority may –

- (a) place the services of any of the officers or other employees of any Board at the disposal of the Government or any other Board, on deputation, for such period and on such terms and conditions as determined in the deputation policy of the Government or any other policy in vogue:

Provided that such terms and conditions shall not be less favorable than those admissible to him immediately before his transfer;

- (b) make appointments on deputation in a Board against the posts of Chairman, Secretary and Controller from the Education Department or any other concerned department of the Government; and against any other post in any capacity from person in service of any other Board;
- (c) make regulations concerning efficiency and discipline of officers and other employees of a Board; *and*
- (d) the Controlling Authority may remove from service any employee of a Board:

Provided that no such employee

shall be removed from service without being given an opportunity of being heard and fulfillment of codal formalities as laid down by the Government:

Provided further that where the Controlling Authority has initiated any such proceedings against any such employee, no other person including the Board shall have the power to initiate any proceedings or take any steps in the matter.

Officers of the Board.

14. The following shall be the officers of a Board: —

- (a) the Chairman;
- (b) the Secretary;
- (c) the Controller of Examinations; *and*
- (d) such other officers as may be appointed by the Controlling Authority.

Appointment of the Officers of the Board.

15. (1) The officers of a Board shall be whole time officers and shall be appointed by the Controlling Authority on such terms and conditions as may be determined by the Controlling Authority.

(2) The Officers of the Board shall hold office during the pleasure of the Controlling Authority.

(3) Notwithstanding anything contained in subsection 2, an officer, if appointed on deputation as an officer of the Board, shall cease to hold office in the Board on the date of his retirement from service.

(4) The terms and conditions of service of the Chairman, Secretary, the Controller of Examinations and such other officers, and their powers and duties shall be such as may be prescribed by regulations with approval of the Controlling Authority.

Chairman.

16. (1) The Chairman shall be the principal executive and academic officer of the Board and shall, when present, preside at the meetings of:

- (a) the Board; *and*
- (b) the Committees of the Board.

(2) The Chairman shall be a whole time officer and shall be appointed by the Controlling Authority on such terms and conditions as prescribed by the Government.

(3) The Chairman shall hold office for a period of three years from the date of his appointment and may be re-appointed for another such term:

Provided that the Controlling Authority may at any time, review the work of the Chairman and if on such review it is satisfied that in the interest of the Board, or for any other sufficient cause, it is necessary to do so, it may, after giving the Chairman an opportunity of showing cause against the proposed action, reduce the term of office of the Chairman to such period as it may determine.

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

(5) 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 office of the Chairman as it may deem fit.

(6) The Chairmen may, in case of urgency, create a temporary post in the Board and may appoint against the post for a period not exceeding six months.

(7) In any emergency arising out of the administrative business of the Board and requiring, in the opinion of the Chairman, immediate action, the Chairman may take action as he may feel 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.

Employees of the
Board.

17. Subject to the provisions of this Act, the terms and conditions of appointment and service of the employees of a

Board, which includes the officers and staff appointed on regular basis against substantive posts in the Board, shall be such as may be prescribed by regulations with the approval of the Controlling Authority.

Powers and duties of other officers of the Board.

18. Subject to the provisions of this Act, the powers and duties of other officers of the Board shall be such as may be prescribed by the Board through its regulations.

Retirement from service.

19. An officer or an official of the Board shall stand retired from the Board as per the provisions of rules and policy specified by the Government for other Government servants, framed from time to time.

Committees of the Board.

20. (1) There shall have a Joint Academic Committee of the Boards, which shall serve all the Boards constituted or re-constituted under this Act.

(2) The Boards shall have the following committees, namely: —

- (a) the Finance Committee;
- (b) the Appointment Committee;
- (c) the Committee for Appointment of Paper Setters and Head Examiners;
- (d) the Committees of Courses; *and*
- (e) such other Committees as may be prescribed by regulations.

(3) In addition to the Committees mentioned in subsection (1 and 2), a Board may frame such committees or sub-committees as it may deem necessary.

(4) A committee may appoint such subcommittees as it may consider necessary.

Constitution, functions and duties of committees.

21. The constitution, functions and duties of committees shall be such as may be prescribed by regulations.

Power of a Board to make regulations.

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

Provided that —

- (a) a Board shall not propose draft of regulations 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;
- (b) 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; *and*
- (c) a Board shall not have the power to make any regulation or adopt any rules or regulations concerning efficiency and discipline of the officers/officials and other employees which is not in conformity with the rules made by the Government.

(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 appointment, pay, allowances, leave, promotion, retirement, etc. of such employees;

Explanation. — The terms and conditions of the services should be in conformity with rules applicable to Government servants carrying equivalent pay scales and other benefits.

- (b) the constitution of Pension or Provident Fund or both for the benefit of the officers and other employees of the Board;
- (c) The admission of institutions to the

privilege of recognition and 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 provided by regulations.

Power of a Board to make Rules. 23. A Board may make rules consistent with this Act and the regulations to provide for, —

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

Fund. 24. A Board shall have a fund to which shall be credited all its income, including income from fees, fines, services provided, registrations, endowments, grants in aid, benevolent fund, group insurance, contributions or any other fund so created.

Accounts and Audit. 25. (1) The accounts of the Board shall be maintained in such form and in such manner as may be prescribed by rules.

(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 the accounts of the Board duly audited together with the report of the auditor.

Pension and Provident Fund. 26. (1) The Board shall establish for the benefit of its employees such pension or provident fund or both, as may deem fit, in such manner and subject to such conditions as may be

prescribed by regulations.

(2) The 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 the Board and on the making of such declaration that the Act shall apply as if such Board were Government and the said fund were the Government provident fund.

Submission of
yearly reports
and returns.

27. A Board shall submit to the Controlling Authority, as soon as possible after the end of every calendar year but not later than the 31st March, a report on the conduct of its affairs for that year.

Members of the
Board
prohibited
from deriving
monetary
gains.

28. (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 the affairs of the Board:

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 to receive from the Board, remuneration in lump sum for writing, compiling or editing a book intended to be prescribed for an examination of the Board.

Bar against
membership.

29. No person who has any financial interest in any book prescribed by the 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 acquired any such interest.

Validations.

30. 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 an irregularity in the appointment of any member of the Board or the Committee.

Bar of Suit.

31. No act done, order passed or proceeding taken in good

faith by a Board in pursuance of the provisions of this Act shall be called in question in any court.

- Public Servants. 32. Members of a Board and its Committees, the officers and employees of the 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 done under the Act. 33. No suit for damages or other legal proceedings shall be instituted against the Government, the Controlling Authority, the Board, a committee, a member of a committee or an officer or employee of the 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 there-under.
- First Regulation. 34. Notwithstanding anything to the contrary contained in this Act, —
- (a) the regulations set out in the Schedule shall be deemed to be the First Regulations framed by the Board under Section 22 of this Act; *and*
 - (b) the Board may with approval of the Government amend the regulations mentioned in the First Schedule, which shall become a part of the same.
- Transitional provisions. 35. (1) From the date of commencement of this Act and till such time as the constitution of a Board under section 6 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) The Board shall exercise all powers and perform all duties of the committees of the Board till such time as the committees are constituted.
- Removal of difficulty. 36. The Government may, by order in writing, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.
- Application of Government rules and 37. In matters not expressly provided for in this Act and the regulations or rules made there-under, the Controlling Authority on the recommendations of the Board may make

regulations. applicable any rules or regulations as have earlier been framed or may hereafter be framed by the Government for its employees or for the earlier Board, to the Board, Chairman, members, officers or employees of the Board, by a notification in the official Gazette.

Repeal and Savings. 38. (1) The Balochistan Board of Intermediate and Secondary Education Ordinance, 1977 (Ordinance No. X of 1977) is hereby repealed.

(2) Notwithstanding anything to the contrary contained in this Act, everything done, action taken, jurisdiction or power conferred, recognition granted and any appointment, rules, regulations made or notification, order or notice issued legal or saved administrative proceedings or action taken under any of the provisions of the Balochistan Board of Intermediate and Secondary Education Ordinance, 1977 (Ordinance No. X of 1977) or earlier under the University of Balochistan Ordinance, 1970 (Balochistan Ordinance I of 1970) as the case may be, and the regulations, shall, if not inconsistent with the provisions of this Act, be continued and, so far as may be, deemed to have respectively been done, taken, conferred, granted, made and issued under this Act and the Regulations and Rules made thereunder.

SCHEDULE
THE FIRST REGULATIONS OF THE BOARD
(See Section 34)

1. Powers and duties of Chairman. The Chairman shall exercise control over the office of the Board 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:

When present, —

- (a) write confidential reports on the work of officers and employees of the rank of Superintendent B-17 and above;
- (b) recommend to the Board any disciplinary action that he considers necessary against officers mentioned in clause (a);
- (c) take disciplinary action against members of the establishment below grade 17; *and*
- (d) make appointment of supervisory staff, evaluators and other academic staff or Committee concerned for the conduct of examinations.

2. Powers and Duties of the Secretary. (1) The Secretary shall, subject to the control of the Chairman, be in-charge of the academic and administrative sector of the Board's office and cause the orders and decisions of the Board and the Chairman to be carried out.

(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 statements of accounts and budget estimates.

(4) All meetings of the Boards 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 prior 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 they and dues payable to the Board, and all sums received by the

Secretary, shall be credited without any delay to the account of the Board in 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) The Secretary shall perform such other duties as may be assigned to him by the Chairman.

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

(11) The post of the Secretary shall be a tenure post. The term of his appointment shall be for period of three years which may be renewed.

3. Duties and Powers of Controller of Examination. The Controller of Examinations shall, subject to the control of the Chairman, be in-charge of the examinations sector of the Board, and shall:

- (a) Make arrangements for the conduct of all examinations of the Board;
- (b) Conduct official correspondence of the Board relating to the examinations;
- (c) Supervise, under the control of Chairman, the issuance of all the result cards related to the results of the exams so conducted by the Board; *and*
- (d) Perform such other duties as may be assigned to him by the Chairman from time to time.

4. Constitution and Functions of Finance Committee. (1) The Finance Committee shall consist of, —

- (a) the Chairman of the Board;
- (b) the Director of Colleges & Higher Education, Government of Balochistan;
- (c) the Director of Schools, Government of Balochistan, Education Department;
- (d) the Additional Secretary (Dev.), Government of Balochistan, Education Department concerned or any nominee by the department concerned not below the rank of Deputy Secretary; *and*
- (e) one representative of the Finance Department Government of Balochistan not below the rank of Deputy Secretary (Grade-18).

- (2) The functions of the Finance Committee shall be, —
 - (a) to examine the annual budget and advise the Board thereon; *and*
 - (b) to review the financial position of the Board periodically and make recommendations to the Board for improving its finance.
- (3) The members of the Finance Committee, other than *ex-officio* members, shall hold office for two years.
- (4) The quorum for the meetings of the Finance Committee shall be three.

5. Constitution and Functions of Appointment Committee. (1) The Appointment Committee shall consist of, —

- (a) the Chairman of the Board;
- (b) the Vice-Chancellor of University or Dean of a faculty to be nominated by the Vice-Chancellor;
- (c) the Director of Colleges & Higher Education, Balochistan;
- (d) the Director of Schools, Government of Balochistan; *and*
- (e) the Additional Secretary (Dev.), Government of Balochistan, Education Department concerned or any nominee by the department concerned not below the rank of Deputy Secretary.

(2) The Appointment Committee shall recommend the appointment, confirmation and scale of pay of officers and employees of the Board of grade 17 and above.

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

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

6. Constitution and Function of the Committee for Appointment of Paper Setters and Head Examiners. (1) There shall be a Committee for the appointment of Paper Setters and Head Examiners which shall consist of, —

- (a) the Chairman of the Board;
- (b) the Controller of Examinations of the Board;
- (c) the Director of Colleges & Higher Education, Balochistan (in case of HSSC); *and*
- (d) the Director of Schools, Government of Balochistan (in case of SSC).

(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.

7. Committee of Courses. (1) There shall be Committee of Courses for each subject or a group of allied subjects included in the courses of studies organized by the Board.

(2) Each such Committee of Courses shall consist of the following, namely,

—

- (a) two teachers of the subject or subjects (Subject Specialist) from among the teachers of Colleges, nominated by the Chairman for intermediate level courses;
- (b) two teachers of the subject or subjects (Subject Specialist) from among the teachers of Secondary Schools, nominated by the Chairman for Second level courses; *and*
- (c) one expert having minimum Master's Degree and 20 years' experience of teaching in the subject or subjects, nominated by the Chairman;

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 five or may permit the nomination of suitable persons who are not teachers as members of a particular Committee of Courses.

(3) 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.

(4) Each Committee of Courses shall consider academic matters relating to the subject or subjects with whom it is concerned and shall recommend to the Board the course 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.

(5) Each Committee of Courses shall have a Convener who shall be nominated by the Chairman.

(6) The quorum for a Committee of Courses shall be three.

8. The Joint Academic Committee. (1) The Joint Academic Committee

shall consist of, —

- (a) all the Chairmen of the Boards of the province constituted or reconstituted under the Act;
- (b) the Director of Colleges & Higher Education, Government of Balochistan;
- (c) the Director of Schools, Government of Balochistan; and
- (d) one representative who should at least be an Associate Professor, each of the following groups of the degree colleges of the province, nominated by the Balochistan Boards Committee of Chairmen, namely,—
 - (i) Humanities and Social Sciences;
 - (ii) Natural Sciences;
 - (iii) Mathematics, Statistics and Computer Science;
 - (iv) Islamic Studies and Pakistan Studies;
 - (v) Languages; *and*
 - (vi) Commerce and DAE related Subjects;
- (e) The members to be nominated by the Controlling Authority are as follows, —
 - (i) two principals of the degree colleges maintained by Government, of whom one shall be woman;
 - (ii) once head of an Intermediate Colleges maintained by the Government;
 - (iii) two Principals or Headmasters/Headmistresses of schools, maintained by the Government, of whom one shall be a woman;
 - (iv) two teachers who should have at least 15 years teaching experience of Intermediate classes; and
 - (v) two teachers who should have at least 15 years teaching experience of secondary classes;

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

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

(4) The quorum for the meeting of the Academic Committee shall be one

third of the total number of members, a fraction be counted as one.

(5) the Academic Committee shall be headed by the Chairman Balochistan Boards Committee of Chairmen.

(6) The functions and powers of the Academic Committee shall be, —

(a) the Academic Committee shall have a general superintendence and control of, and the responsibility for the maintenance of the students of teaching and examinations; *and*

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

(i) determine the subject or subjects which shall be assigned to each committee of courses;

(ii) advise the Board on the qualifications of the teachers and examiners, their duties and conditions if appointment;

(iii) advise the Board on all academic scheme of the studies for an examinations, the number of subjects too 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 being pleasing in particular division; *and*

(iv) exercise such other powers and perform such duties as may be prescribed.

9. Ceasing to be Member of a Committee and Sub-Committee. 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. Recognition of Schools and Colleges. (1) The Board shall accord recognition, to the School and College examination to such schools or colleges 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/colleges, from the Director of Schools, Education Department concerned or any other authorized authority 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/college 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 schools/colleges or any other authorized authority is satisfied that the conditions of recognition have ceased to be fulfilled by any school/college Recognized by it, the Board may, after giving the management of the school/college an opportunity of being heard, cancel the recognition.

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

11. Audit. (1) The Board shall appoint a whole time Audit Officer as Auditor for the purpose of auditing the accounts and the bills to be paid from the funds of the Board.

(2) 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.

(3) 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.

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