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PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 06TH JUNE, 2018

NO.PAS/LEGIS-B-31/2018- The Ziauddin University Examination Board Bill, 2018 having been passed by the Provincial Assembly of Sindh on 24th May, 2018 and assented to by the Governor of Sindh on 06th June, 2018 is hereby published as an Act of the Legislature of Sindh.

THE ZIAUDDIN UNIVERSITY EXAMINATION BOARD ACT, 2018

SINDH ACT NO. XLI OF 2018

AN
ACT

to provide for the establishment of the Ziauddin University Examination Board;

WHEREAS it is desirable and expedient for Government of Sindh to provide best facilities in the field of education and to uplift the standard of education and to also provide a reliable compatible and credible system of evaluation by encouraging private sector under the public private partnership; Preamble.

AND WHEREAS the Ziauddin University already undertaking the responsibility of tertiary level education in various faculties has now agreed to offer and extend the services to cover secondary and higher secondary system of examination and evaluation;

AND WHEREAS the Government of Sindh feels prudent to establish an Examination Board in the private sector in the interest of education in the Province as a historic character to encourage educational values by initiating all possible steps;

It is hereby enacted as follows:-

Short title,
extent and
commencement.

1. (1) This Act may be called the Ziauddin University Examination Board Act, 2018.

(2) It shall extend to the whole of Province of Sindh.

(3) It shall come into force at once.

Definitions.

2. (1) In this Act, unless there is anything repugnant in the subject or context -

(a) "affiliated institute" means the educational institution affiliated to the Examination Board;

(b) "audit" means the procedure of audit as may be prescribed by rules;

(c) "Board of Directors" means the Board of Directors constituted under section 4;

(d) "Board of Governors" means the Board of Governors of the University;

(e) "budget" means the budget of the Examination Board;

(f) "certificate" means certificate or diploma or other appropriate credential awarded to candidates who are successful in the examinations;

(g) "certification" means the awarding of certificates or

diplomas or other appropriate credentials to candidates who are successful in the examinations;

(h) "Chairman" means the Chairman of the Board of Directors;

(i) "employee" means officers and other staff of the Examination Board;

(j) "examinations" means the examinations, tests and related means of assessment of educational achievements developed and administered by the Examination Board;

(k) "Examination Board" means the Ziauddin Examination Board established under section 3;

(l) "Government" means the Government of Sindh;

(m) "prescribed" means prescribed by the rules and regulations;

(n) Private Education Board Regulatory Committee means such committee established by the Government;

(o) "University" means the Ziauddin University established under the Ziauddin University Act, 1995 (Sindh Act No.VI of 1995); and

(p) "Trust" means the Dr. Ziauddin Hospital Trust.

(2) The expressions used but not defined in this Act shall have the same meaning as assigned to them under the Ziauddin University Act, 1995 (Sindh Act No. VI of 1995).

3. (1) The Ziauddin Examination Board shall be established by the University from such date and in such manner, as the University shall, in its sole discretion, prescribe.

Establishment
of the
Examination
Board.

(2) The Examination Board shall be fully autonomous a self-regulatory, with the freedom to achieve the objectives for which it is established.

(3) The University may, at its sole discretion, direct the Examination Board to offer the examinations to all affiliated private educational institutions on such terms and conditions as may be prescribed.

(4) The Examination Board is authorized to administer examinations at all academia levels of education upto higher secondary level or its equivalent.

(5) The Examination Board shall follow the curriculum and syllabi as approved by Government from time to time.

(6) The University may, in connection with the provisions of the Examination Board collaborate with Inter-Board Committee of Chairmen (IBCC) or its equivalent.

(7) The Examination Board is authorized to expand the provision and scope of its examinations in such manner, by such time and on such terms and conditions as may be prescribed by the University.

4. There shall be Board of Directors which shall consist of -

Board of
Directors.

(a) the Chairman to be appointed by the Chancellor of the University;

(b) one member from the Board of Governors to be nominated by the Chancellor of the University;

(c) three members from the field of education to be nominated by the Chancellor;

(d) Secretary School Education Department or his/ her nominee not below the rank of BPS-19 officer;

- (e) Secretary College Education Department or his/ her nominee not below the rank of BPS-19 officer;
- (f) Secretary Universities and Boards Department or his/ her nominee not below the rank of BPS-19 officer;
- (g) Director General of the Directorate of Private Education;
- (h) two Principals from the affiliated educational institution to be nominated by the Board of governors;
- (i) Head of the Inter-Board Committee of Chairmen (IBCC).

**Functions of the
Examination
Board.**

5. (1) The function of the Examination Board shall include but not be limited to the following, namely:-

- (a) the conduct of the examinations in English, Urdu and such other languages as the Examination Board may prescribe;
- (b) the development and administration of examinations at all academic levels of education upto higher secondary level or its equivalent to test the attainment of the objectives of the curriculum, for the purpose of enhancing student learning, and to do all such things that may be considered appropriate for the improvement of education in respect of teaching and

learning, institutional effectiveness and all things ancillary and incidental thereto;

- (c) the assessment of educational achievement through the examinations;
- (d) the certification of candidates who are successful in the examinations;
- (e) the doing of all acts, deeds and things to secure national and international recognition of the certificate; and
- (f) the registration of the educational institutions and professional training and development of their teachers and staff for the purpose of preparing candidates for the examinations and such other services as the University shall consider necessary.

(2) The methodology and standards for achieving all of the above shall be developed and reviewed by the University from time to time.

6. (1) There shall be a Board of Directors of the Examination Board, which shall be subject to the supervision of the Board of Governors. The Board of Governors shall have the power to delegate its such powers hereunder to such persons, group of persons or entities, from time to time, as it shall, in its sole discretion, prescribe;

Supervision of
the Examination
Board.

(2) There shall be a Chairman of the Examination Board to be appointed by the Board of Governors of the University on such terms and condition as determined by him.

(3) The Chairman shall act as the head of the Examination Board and shall have the following tier:-

- (a) Secretary;
- (b) Controller of Examination;
- (c) Audit Officer; and
- (d) Such other staff as per sanctioned strength to be approved by the Board of Directors of the Examination Board and shall be in accordance with the criteria set forth by the "Private Boards Regulatory committee" established by the Government.

(4) The terms and conditions of the above officers and staff shall be determined by the Board of Directors and shall be subject to clause (d) of sub-section (3) of section 6.

(5) The job description and responsibilities along with the duties of such officers and staff shall be determined by the Board of Directors in view of their counter-part working in the public sector Boards.

7. The Examination Board shall have the powers to charge fees, etc. within reasonable limits, for the provision of the examinations, or any part thereof, as may be prescribed by it.

Power to charge
fees, etc.

8. (1) The annual statement of income and expenditure in the shape of budget shall be prepared by the Audit Officer and the Secretary of the Board of Examination duly approved by the finance committee to be constituted by the Board of Governors.

Preparation of
budget.

(2) The annual budget and statement of income of expenditure so prepared and approved by the finance committee shall be presented before the Board of Directors which shall, with or without modification, place the same before the Board of Governors for final approval.

Appointment of auditor and audit of accounts.

9. The Board of Directors shall appoint an Auditor for audit of accounts of the Examination Board for each forth coming accounting year within thirty days of ending of each financial year.

Academic Committee.

10. (1) There shall be an Academic Committee to be constituted by the Board of Governors to ensure academic standard as prescribed.

(2) The Academic Committee shall consist of -

- (a) Chairman;
- (b) three members from the affiliated institutions to be nominated by the Board of Directors;
- (c) Director General or Director, Secondary Education;
- (d) Director General or Director College Education;
- (e) Director General or Director Private Schools.

Finance Committee.

11. There shall be a Finance Committee to oversee the financial matters and evaluate the budget prepared by the Audit officer for presentation before the Board of Directors. The members shall be nominated by the Board of Governors of the University provided that such committee shall have one representative of Universities and Boards Department.

Right of affiliated institution.

12. The affiliated institution shall have the right to send their students to the Board of the Examination in the respective field.

Efficacy of certification.

13. All certification by the Examination Board shall be evidence of the successful completion by the holder thereof of the appropriate level of education and shall be accorded full credit and recognition.

Indemnity and bar of jurisdiction.

14. No suit, prosecution or other legal proceedings shall lie against any person or authority for anything done or intended to be done in good faith under this Act.

Removal of difficulties.

15. (1) If any question arises as to the interpretation of any of the provisions of this Act, it shall be placed before the Board of Governors whose decision thereon shall be final.

(2) If any difficulty arises in giving effect to any of the provisions of this Act, the Board of Governors may issue such order not inconsistent with the provisions of this Act for removing the difficulty.

(3) Where this Act makes any provision for anything to be done but no provision or no sufficient provision has been made as respects the authority by whom, or at the time at which, or in the manner in which it shall be done, then, it shall be done by such authority, at such time, or in such manner as the University shall prescribe.

16. (1) The University may by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance. Rules and Regulations.

(2) The Board of Directors of the Examination Board may make regulations not inconsistent with the provisions of this Act or rules made thereunder.

17. (1) In the event of any grievance in relation to any examination enrolment, marks received in an examination or any other issue arising out of this Act, the affiliated institution or a student sitting in the examination may file an appeal before the Controller of Examination within thirty days of the cause having arisen. Appeal.

(2) An appeal against the order passed by the Controller of Examination shall lie before the Board of Directors whose decision thereon shall be final and binding.

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**