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THE ZIAUDDIN UNIVERSITY EXAMINATION BOARD ACT, 2018

SINDH ACT NO. XLI OF 2018

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THE ZIAUDDIN UNIVERSITY EXAMINATION BOARD ACT, 2018
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[06th June, 2018]

AN ACT to provide for 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:-

1. (1) This Act may be called the Ziauddin University Examination Board Act, 2018. **Short title, extent and commencement.**
 (2) It shall extend to the whole of Province of Sindh.
 (3) It shall come into force at once.
2. (1) In this Act, unless there is anything repugnant in the subject or context – **Definitions.**
 - (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 to Directors constituted under section 4;
 - (d) “Board of Governors” means the Board of Governors of the University;

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- (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 administrated 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).

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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 ¹[as the case may be].

²[(4) The Examination Board is authorized to administer examinations at all academia level of education up to higher secondary level or its equivalent, as per policy prescribed by the Government or the Chancellor of University or the Board of Governors or Board of Directors, as the case may be.]

²[(5) The Examination Board shall prescribe the course of study or curriculum or syllabi, for its examination in accordance with policy of Government or as approved by the Chancellor or Board of Governors, as the case may be. Efforts and arrangements shall also be made for conducting online examinations with entire online process.]

²[(6) The Board shall be a regular member of Inter-Board Committee of Chairman (IBCC) and maintain effective coordination and collaboration with IBCC and any other designated forum or body, as the case may be, for the development and betterment of education system.]

(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;

¹ Substituted words by Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Substituted sub-section by *ibid*.

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- (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;
- ¹[(i) Representative of Inter Board Chairman (IBCC), to be nominated by the Head of Committee;]
- ²[(j) Executive Director of the Examination Board.]

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

Functions of the Examination Board.

- (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;

¹ Substituted clause by Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Added new clause by *ibid*.

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- (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.

¹[(3) (i) The Chairman or any person nominated by the Chancellor of University or Chairman, as the case may be, shall be the head of Examination Board.

(ii) The Executive Director shall be whole time officer, to be appointed by the Chancellor in a manner as deem appropriate and assigned duties, as may be prescribed;

(iii) any other officer or staff, as consider essential.]

²[(4) The method of appointment, terms and conditions thereon of the officers and staff shall be determined by the Chancellor of University or Board of Governors or Board of Directors, as the case may be.]

¹ Substituted sub-section by Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Substituted sub-section by *ibid*.

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¹[(5) The job description containing responsibilities assignments and duties, whatsoever of the officers and staff shall be determined by the Chancellor of University or Chairman or Chairperson or Board of Directors, as the case may be, keeping in view the practice prevails in the public sector counterpart Boards.]

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| 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.

(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. | Preparation of budget. |
| 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. | Appointment of auditor and audit of accounts. |
| 10. | (1) There shall be an Academic Committee to be constituted by the Board of Governors to ensure academic standard as prescribed. | Academic Committee. |

²[(2) The Academic Committee shall consist of –

- (a) Chairman;
- (b) Executive Director;
- (c) Three members from the affiliated institutes to be nominated by the Chancellor of University, Chairman or Chairperson or the Board, as the case may be;
- (d) Director General or Director of the Directorate of College Education Sindh;

¹ Substituted sub-section Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Substituted sub-section by *ibid*.

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- (e) Director General or Director of the Directorate of School Education Sindh;
- (f) Director General or Director of Private Education Sindh.]

11. ¹[(1)] There shall be a Finance Committee to oversee the financial matters and evaluate the budget prepared by the Audit office 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. **Finance Committee.**

²[(2) There shall be other following committees in the Examination Board such as –

- (a) the Committee for appointment of Paper Setters and Head of Examiner;
- (b) the Committee for selection of courses;
- (c) the Committee for the inspection of the institutes;
- (d) the Committee for Information Technology (I.T);
- (e) any other committee or sub-committee as it deems necessary by the Chancellor, Chairman or the Board, as the case may be.

(3) The composition and terms of reference of the Committee mentioned hereinabove in sub-section (2) shall be determined by the Chancellor of the University, Chairman or the Board, as the case may be.]

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

¹ Renumbered as sub-section (1) by Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Substituted sub-section by *ibid*.

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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. **Indemnity and bar of jurisdiction.**
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. **Removal of difficulties.**
- (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 ¹[Act]. **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.
- ²[18. Services of the employees of the Examination Board shall be governed by the services rules of Examination Board.]

¹ Substituted word by Sindh Act No. XXIII of 2021, dated 04th August, 2021.

² Added new section by Sindh Act No. XXIII of 2021, dated 04th August, 2021.