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INTER-BOARDS COORDINATION COMMISSION ACT, 2023

ACT NO. XIII OF 2023

[13" April, 2023]

An
Act

An Act to re-constitute the Inter-Boards Committee of Chairmen as Inter-Boards
Coordination Commission

WHEREAS it is expedient to re-constitute and re-structure the Inter Boards Committee of
Chairmen as Inter-Boards Coordiante Commission, and for matters connected therewith and

ancillary thereto;

It is hereby enacted as follows:—

1. Short title, commencement and application.—(1) This Act may be called the Inter-Boards
Coordination Commission Act, 2023.

(2) It shall come into force at once.

(3) It shall apply to all boards of intermediate and secondary education and authorized
examining bodies, wherever they may be operating in the territorial jurisdiction of Pakistan as
members of the IBCC forum.

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

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“allied organizations” means the authorized organizations operating in
Pakistan dealing with education matters from secondary to higher secondary
levels in both public and private sectors having membership of IBCC;

“attestation” means attestation of a certificate or diploma or other valid
instrument made by IBCC after having been issued by the member examining
body or body authorized by the Government;

“BISE” means boards of intermediate and secondary education;

“Board of Governors” or “BoG” means Board of Governors of IBCC;

“Commission” or “IBCC” means Inter-Boards Coordination Commission
constituted under this Act;

“director” means director of IBCC;

“director general” means director general of IBCC;

“division concerned” means the division to which business of the IBCC stands allocated;

“equivalence” means equivalence of foreign and local qualifications decided and authenticated by IBCC;

Gj) “executive director” or “ED” means the executive director of IBCC, to Serve as full time administrative head of IBCC;

(ik) “forum” means the forum of IBCC comprising all its member boards, bodies or organizations, as the case may be;

() “member” means the member of the BoG or committee or sub-committees or forum of IBCC:

(m) “national coordinator” means the chairperson of any BISEs entrusted with

powers as such to convene and preside over the meeting of the IBCC forum;

(n) “prescribed” means prescribed by rules or regulations made under this Act:

(O) “regulation” means regulations made under this Act

(p) “rules” means rules made under this Act; and

(q) “secretariat” means a full-time office of IBCC established for its secretariat services under this Act.

3. Constitution of IBCC and its functions.—(1) The existing Inter-Boards Committee of Chairmen is hereby re-constituted and re-structured as the Inter-Boards Coordination Commission to act and deal with the issues relating to the standardization of examination, assessment, evaluation and allied matters connected there to at secondary and higher secondary school levels through coordination along-with recognition of local and foreign qualifications.

(2) The IBCC shall be a body corporate having perpetual succession and a common seal with powers to hold, purchase, sell or lease property both movable and immovable and may sue and be sued by its said name.

(3) The IBCC shall perform the following function, namely:—

(a) shall be a forum for the chairmen or chairpersons or chief executives of member examination boards and other allied member organizations to exchange information, and make recommendations to devise policy for unified implementation at the country level on matters relating to the development and promotion of the academic evaluation, examination, and assessment;

(b) authenticate equivalence, attestation and verification of certificates up to higher secondary levels and equivalent having been issued from local or foreign authorized institutions or examining bodies and shall assess deficient subjects, papers and qualifications through evaluation for issuance of equivalency and measurement thereof, as the case may be, up to higher secondary level including tests and assessments for admissions, scholarships etc.;

(c) promote curricular and co-curricular activities among member boards or organizations in viable ways and means;

(d) transform the examination system in the country by introducing modern assessment and examination techniques and assessment of boards and taking

steps as appropriate for the improvement of examination or assessment among the member boards;

(e) taking measures for capacity building of the teachers, paper setters, assessors, and examination staff for improvement of examination and assessment among the member boards;

(f) regulate foreign examination boards operating in the country;

(g) develop and promote national and international linkages with educational and examining bodies with respect to knowledge sharing, educational qualifications, personnel exchange, testing, assessment, and equivalence matters;

(h) shall be a forum at the national level to lay down principles of policy for professional capacity building through special studies or research to bring uniformity in examination and assessment at secondary and higher secondary levels throughout the country by adopting ways and means of firm coordination; and

(i) perform such other functions,, as may be incidental or conducive to the attainment of the above functions or objectives or needed to be performed in the public interest or referred by the Federal Government.

(4) Head office of IBCC shall be in Islamabad and it may establish its regional offices at such places in Pakistan and abroad as it may determine from time to time in accordance with the need in the public interest and as per set procedure to be defined and framed through relevant bodies.

(5) Notwithstanding anything contained in any other law for the time being in force or any contract or agreement of service, all the employees of Inter-Boards Committee of Chairmen existing immediately before the commencement of this Act shall stand transferred to the Inter-Boards Coordination Commission from the date of commencement of this Act.

(6) The legitimate Monetary benefits of employees of IBCC transferred under sub-section (5) shall not be less favorable as admissible to them prior to commencement of this Act and to the member BISE of IBCC forum from Provincial or Federal Government.

(7) Notwithstanding anything contained in any other law for the time being in force, the IBCC shall have academic, financial, and administrative autonomy to proceed further and implement the policy of the government through the division concerned in a broader perspective through coordination with members BISEs and organizations.

4. IBCC forum.—(1) The forum shall comprise the following members, namely:-

(a) national coordinator;

(b) executive director;

(c) Chairpersons of the BISEs;

(d) Chairpersons of the boards of technical education;

(e) Chairpersons of the textbook boards;

(f) heads of curriculum bureaus in Pakistan and administrative units thereof, national book foundation (NBF) and national curriculum council (NCC);

(g) representatives of authorized universities, institutions, and organizations of Federal or Provincial Governments nominated by them involved in the conduct of examinations and assessments at secondary and higher secondary levels; and

(h) any officer of the division concerned, not below the rank of deputy secretary.

(2) The director general shall be the secretary of the IBCC forum.

5. Appointment, functions and powers of national coordinator.—(1) The national coordinator shall, by notification in the official Gazette, be appointed by the division concerned on a rotation basis of respective province or group or board from amongst the chairpersons of BISEs having membership of IBCC forum for a period of one year to be nominated by the respective government or IBCC forum.

(2) Sequence of rotation shall be determined in alphabetical order of the name of province or group or board decided by IBCC forum.

(3) The national coordinator shall preside over the meetings of the IBCC forum,

6. Meetings of the IBCC forum.—(1) The meetings of the forum shall be held periodically in the prescribed manner.

(2) The meetings of the IBCC forum may be called by the executive director of IBCC in consultation with the national coordinator.

(3) Quorum for meetings of the IBCC forum shall be one-third of the total members and any fraction may be counted as one,

(4) In an emergency, the executive director of IBCC may call a meeting of IBCC forum or any committee in consultation with the national coordinator.

(5) In absence of the national coordinator IBCC forum, the executive director shall decide about the convenership of IBCC forum under intimation to the national coordinator IBCC forum and the division concerned.

7. Composition of Board of Governors.—Secretariat of IBCC shall operate through BoG, as a controlling body with the following composition, namely:-

(a) the secretary of the division concerned shall be the Chairman of BoG and in his absence, the executive director shall preside over the meeting of BoG;

(b) the executive director IBCC shall also be the member of the BoG;

(c) the provincial or area government education secretary of secondary or higher secondary education or his nominee shall be the members of BoG;

(d) any officer nominated by the division concerned not below the rank of deputy

secretary;

(e) any eminent professor nominated by a public sector university;

(f) an eminent educationist from the private or public sector to be nominated by

the executive director;

(g) Chairperson Federal Board of Intermediate and Secondary Education shall be the member of BoG

(h) an eminent educationist closely connected with the examination and assessment system to be nominated by the executive director; and

(i) the director general shall be the secretary of BoG.

8. Terms of the members of the Board of Governors.—(1) The member of BoG shall hold office for a term of three years extendable for only such one farther term, except ex-officio members of the BoG.

(2) A member shall, on the expiry of his term of office, be eligible for re-nomination or re-appointment subject to assent and on the recommendation of the Chairperson of BOG.

9. Meetings of the Board of Governors.—(1) The meetings of the Board of Governors shall be held at least once in a year and also as and when required in such manner and at such place and time as may be prescribed.

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

(3) Quorum for meetings of the Board of Governors shall be one-third of the total members and a fraction may be counted as one as, and when any such situation arises.

10. Functions of Board of Governors.—(|) The Board of Governors shall be the apex statutory body and shall exercise the following powers and functions, namely:-

(a) exercise general supervision over affairs of IBCC, including administrative, secretarial, financial, accounts, and budgetary matters. Investment of savings of IBCC in accordance with the defined policy of the Government and as amended from time to time;

(b) adopt agreed resolutions by the IBCC forum, provided such resolutions shall not be contrary to the provisions of this Act and legal instruments of member organizations or provisions of the Constitution of the Islamic Republic of Pakistan;

(c) create, abolish, re-designate, down-grade or upgrade any post along-with incumbents in view of the need of IBCC and to approve the appointment and promotion of employees from BPS-17 and above as recommended by the IBCC secretariat, assure legitimate service interests, career growth protection, and pensionary benefits of the employees as per their entitlement in accordance with Government policy;

(d) pass or allow internal budget from earned sources of IBCC and ratify expenditures incurred with the approval or sanction of executive director IBCC or someone authorized on that behalf, which may be placed before the BoG annually; and

(e) constitute such committees as may be required to address or determine any issue relating to administrative or financial and academic matters with assigning terms of reference to be carried out. The recommendations of administrative or financial issues shall finally be resolved by BoG and academic matters by the IBCC Forum.

(2) For the purposes of this Act, the executive director IBCC shall perform his functions as principal administrative and accounts officer in such manner as may be prescribed.

11. Functions of the division concerned.—The division concerned being controlling authority shall get executed its policies through the IBCC forum or BoG as within their domain, with the following powers, namely: -

(a) exercise general supervision over the affairs of IBCC and may obtain or ask for advice on any issue relating to and covered in the mandate of IBCC or its secretariat, BoG, or forum, as the case may be;

(b) examine the budget proposal for the grant of appropriate allocation to IBCC, ensure maintenance of financial discipline, and audit of accounts of IBCC as per normal procedures of the Federal Government through the Auditor General of Pakistan.

12. Officers and staff of IBCC.— (1) The IBCC shall consist of the executive director, director general, directors, and such other officers and staff as may be needed and prescribed from time to time to run the mandated activities of the MCC.

(2) The IBCC shall appoint such officers and staff on such terms and conditions and in such manner as may be prescribed.

(3) The serving officers and staff of Inter Boards Committee of Chairmen, existing as on the day of commencement of this Act, shall stand continued, protected, and regularized under this Act in the Inter-Boards Coordination Commission on their occupying positions.

13. Appointment, functions and powers of executive director of IBCC.— (1) The executive director shall be appointed by the division concerned on set criteria or the terms and conditions as may be prescribed:

Provided that the existing incumbent chief executive of Inter Boards Committee of Chairmen shall be the first executive director of newly reconstituted IBCC for a term of three years on his terms and conditions existing before commencement of this Act or appointment by transfer whichever deems appropriate to the concerned Minister in-charge.

(2) The executive director shall hold office for a term of three years and shall be eligible for re-appointment for a second term not exceeding three years:

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

(3) If at any time the office of executive director is vacant, or he/she is unable to perform his/her functions, temporarily or otherwise by reason of leave, illness, or other cause for a period not exceeding one year, the concerned division shall make such arrangements for carrying on the duties of executive director as it may think fit.

(4) The executive director shall be the chief executive officer of the IBCC who shall ensure the observance of provisions of this Act and the rules, regulations, and policy made there under.

(5) If an emergency arises out of the administrative business of BoG which, in the opinion of the executive director, requires that immediate action should be taken; the Executive Director may take such action as he deems necessary and shall report the action taken to the concerned division and to the BoG at its next meeting for approval.

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

14. Funds.—The IBCC shall operate accounts with any scheduled or Government owned bank to deposit its all kinds of receipts earned from the resources of IBCC to be maintained in accordance with the prescribed procedure and format. The annual budget from earned resources of IBCC shall be passed or- appropriated or reappropriated from the finance and planning committee to be constituted by the BoG of IBCC. The financial provisions and discipline of IBCC shall be supervised by the finance and planning committee, which shall seek grant in-aid and other allocations from the Government through the division concerned as per the prescribed procedure.

15. Annual audit of accounts.—(1) The accounts of IBCC, shall be audited through the Auditor General of Pakistan in accordance with the applicable prescribed procedure, for which, all statements of expenditure, relevant registers and records shall be maintained in such form and manners as prescribed or may be prescribed.

(2) The IBCC shall, at the time of the audit, produce all accounts, registers, documents, and other papers. which may be required by the auditors to assist in the scrutiny of accounts:

Provided that if the division concerned or BoG certifies that a particular document is secret, the auditor shall accept in lieu of such documents statement in respect thereof, duly certified by the authorized officer of the department:

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

16. Provident fund.—(1) The IBCC may create a provident fund for the benefit of its existing employees, in accordance with the provisions of the Provident Funds Act, 1925 (XIX of 1926).

(2) The salary or their remunerations and pension of the new incumbent employees of IBCC shall be determined by the BoG on such terms and conditions as may be prescribed.

17. Power to make rules.—The Board may, with the approval of the division concerned and by notification in the official Gazette, make rules to carry out the purposes of this Act,

18. Power to make regulations.— (1) The IBCC may, by notification in the official Gazette,

make regulations not inconsistent with the provisions of this Act and rules made thereunder to carry out purposes in respect of its internal matters under this Act.

19. Removal of difficulties.— If any difficulty arises in giving effect to any of the provisions of this Act, the Federal Government may, within one year of the commencement of this Act, make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing such difficulty.

20. Indemnity. No suit, prosecution, or other legal proceedings shall lie against any person for anything done or intended to be done in good faith under this Act or any rule or regulation made thereunder.

21. Repeal and saving.—(1) The erstwhile ministry of education's Resolution No.F.10-11/86-CF.I. dated the 30th day of June. 1987, hereinafter called as the repealed Resolution, is hereby repealed.

(2) Notwithstanding the repeal under sub-section (1).

(a)

(b)

everything done, actions taken, obligations or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or power conferred, endowments, bequests, funds or trusts created, donations or grants made, or exhibitions instituted and orders issued under any of the provisions of the repealed Resolution or the regulations and the rules made or deemed to have been made there-under, shall, if not inconsistent with the provisions of this Act, or the regulations or the rules made under this Act, be continued and, shall be deemed to have been respectively done, taken, incurred, acquired, appointed, authorized conferred, created, made. Instituted, granted and issued under this Act and shall have effect accordingly; and

any regulations or rules made or deemed to have been made under the repealed Resolution shall, if not inconsistent with the provisions of this Act be deemed to be regulations or rules made under this Act having regard to the various matters which by this Act have to be regulated or prescribed by regulations and rules respectively and shall continue to be in force until they are repealed, rescinded or modified in accordance with the provisions of this Act.

22. Act to override other laws. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force and any such law shall, to the extent of inconsistency, cease to have any effect on the commencement of this Act.