

**THE INTERMEDIATE AND SECONDARY EDUCATION
ORDINANCE, 1961**

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**THE INTERMEDIATE AND SECONDARY EDUCATION
ORDINANCE, 1961**

ORDINANCE NO. XXXIII of 1961

[21st September, 1961]

**An Ordinance to re-organise Intermediate and
Secondary Education in Bangladesh.***

WHEREAS it has become necessary and expedient to re-organise Intermediate and Secondary Education in Bangladesh in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and having received the previous instructions from the President, the Governor, in exercise of all powers enabling him in that behalf, is pleased to make and promulgate the following Ordinance, namely:-

CHAPTER I

PRELIMINARY

1. (1) This Ordinance may be called the ¹[* * *] Intermediate and Secondary Education Ordinance, 1961. Short title,
extent and
commencement

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once.

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

- (a) "Board" means the Board of Intermediate and Secondary Education, Dacca, established under sub-section (1) of section 3 and shall include a Board established under sub-section (1) of section 3A;

* Throughout this Ordinance, the words "Bangladesh" and "Government" were substituted for the words "East Pakistan" and "Controlling Authority" or "Provincial Government" respectively by section 2 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

¹ The words "East Pakistan" were omitted by section 3 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (b) “College” means an institution recognised for Intermediate standard and includes a college, having Intermediate and Degree classes and affiliated to the University of Dacca ¹[, Rajshahi or Chittagong] for Degree classes and recognised by the Board in respect of the Intermediate sections;

²[* * *]

- (d) “Chairman” means the Chairman of the Board;
- (e) “regulations” means regulations made by the Board under this Ordinance;
- (f) “notification” means a notification published in the *official Gazette*;
- (g) “Intermediate Education” means education pertaining to classes XI and XII and includes-
- (i) Arts;
 - (ii) Science;
 - (iii) Technology;
 - (iv) Commerce;
 - (v) Islamic Studies;
 - (vi) Humanities;
 - (vii) Home Economics;
 - (viii) Agriculture;
 - (ix) Industry;
 - (x) Military Science;
 - (xi) Nursing; and

¹ The comma and words “, Rajshahi or Chittagong” were substituted for the words “or Rajshahi” by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² Clause (c) was omitted by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (xii) Such other types of ¹[technical] and special education as may be determined by the Board, subject to the approval of the Government:

Provided that the Government may, by notification, declare any of the types of education referred to above not to be Intermediate Education for the purposes of this Ordinance;

- (h) “Secondary Education” means education pertaining to classes IX and X and includes-
- (i) general education;
 - (ii) education in Science subjects;
 - (iii) technical education;
 - (iv) industrial education;
 - (v) agricultural education;
 - (vi) commercial education;
 - (vii) health education;
 - (viii) education in Home Economics;
 - (ix) education for the physically handicapped;
 - (x) education for the mentally retarded and defectives; and
 - (xi) such other types of ²[technical] and special education as may be determined by the Board subject to the approval of the Government:

Provided that the Government may, by notification, declare any of the types of education referred to in sub-clauses (iv) to (x) not to be Secondary Education for the purposes of this Ordinance;

¹ The word “technical” was substituted for the word “vocational” by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word “technical” was substituted for the word “vocational” by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- ¹[(i) “Intermediate College” means an institution with classes XI and XII and includes Intermediate sections of Degree Colleges affiliated to any University established by or under any law for the time being in force and recognised by the Board in respect of Intermediate sections;]
- (j) “Secondary School” means an institution comprising classes IX and X in which Secondary Education is imparted;
- ²[(jj) “President” means the President of Bangladesh;]
- (k) “Principal” means the head of the teaching staff of an Intermediate or Degree College by whatever style he may be designated; and
- (l) “Headmaster” when used with reference to a Secondary School, means the head of the teaching staff, by whatever style he may be designated.

CHAPTER II

THE BOARD

Establishment of the Board of Intermediate and Secondary Education, Bangladesh

3. (1) Under this Ordinance, a Board shall be established for the organisation, regulation, supervision, control and development of Intermediate and Secondary Education in accordance with the provisions of the Ordinance.

(2) The Board shall, by the name of the Board of Intermediate and Secondary Education, Dacca, be a body corporate with perpetual succession and a common seal and shall have, subject to regulations, power to acquire and hold movable and immovable property, to transfer such property when held by it, to contract, and to do all other things necessary for carrying out the purposes of this Ordinance, and shall by the said name sue and be sued.

(3) The powers of regulation, supervision, control and development of Intermediate and Secondary Education shall vest in the Board of Intermediate and Secondary Education, Dacca.

¹ Clause (i) was substituted by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² Clause (jj) was inserted by section 4 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

¹[* * *]

(4) [Omitted by section 5 of the *Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977)*.]

²[3A. (1) Notwithstanding anything contained in section 3, the Government, if it thinks fit may establish, by notification in the *official Gazette*, one or more other Board or Boards in respect of such area or areas as may be specified in the notification, for the organisation, regulation, supervision, control and development of intermediate and secondary education in such specified area or areas in accordance with the provisions of this Ordinance.

Establishment
of other Board
or Boards

(2) A Board established under sub-section (1) may be called by such name as the Government may assign to it and shall be a body corporate with perpetual succession and a common seal, and shall have, subject to regulations, power to acquire and hold movable and immovable property, to transfer such property when held by it, to contract, and to do other things necessary for the purposes of this Ordinance, and may, by the said name, sue or be sued.

(3) On the establishment of a separate Board under sub-section (1), the Board of Intermediate and Secondary Education, Dacca, shall cease to have jurisdiction over any educational institution lying within the area specified in the notification under sub-section 1; and the powers of regulation, supervision, control and development of Intermediate and Secondary Education in such area shall vest in such separate Board.

(4) Such funds, properties - movable and immovable, assets and liabilities and records of the Board of Intermediate and Secondary Education, Dacca, as the Government may, by notification in the *official Gazette*, specify, shall vest in the Board established under subsection (1)].

¹ The proviso was omitted by section 5 of the *Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977)*.

² Section 3A was inserted by section 5 of the *East Pakistan Intermediate and Secondary Education (Amendment) Ordinance, 1962 (East Pakistan Ordinance No. XVI of 1962)*.

Composition of
the Board

4. The Board shall be constituted as follows:-

- (i) Chairman to be appointed by the ¹[President];
- ²(ii) one University Professor to be nominated by the Vice-Chancellor of-
 - (a) the University of Rajshahi in respect of the Board of Intermediate and Secondary Education, Rajshahi;
 - (b) the University of Rajshahi in respect of the Board of Intermediate and Secondary Education, Jessore;
 - (c) the University of Dacca in respect of the Board of Intermediate and Secondary Education, Dacca; and
 - (d) the University of Chittagong in respect of the Board of Intermediate and Secondary Education, Comilla;]
- ³[* * *]
- (iv) the Director of Public Instruction, Bangladesh, or an officer, not below the rank of an Assistant Director of Public Instruction, to be nominated by him;
- (v) the Director of Technical Education, Bangladesh, or an officer, not below the rank of an Assistant Director of Technical Education, to be nominated by him;
- (vi) one person to be nominated by the Government from among the Principals of the Intermediate Colleges for boys and girls;
- (vii) one person to be nominated by the Government from among the Headmasters of Secondary Schools for boys;
- (viii) one person to be nominated by the Government from among the Headmistresses of Secondary Schools for girls;

¹ The word "President" was substituted for the words "Controlling Authority" by section 6 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² Clause (ii) was substituted by section 6 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ Clause (iii) was omitted by section 6 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (ix) one Principal of a Degree College nominated by the Government;
- (x-xi) two persons devoted to the cause of education to be appointed by the ¹[President]; and
- (xii) one Inspecting Officer to be nominated by the Government.

5. The name of every person nominated or appointed as a member of the Board shall be published by notification as soon as possible, after his nomination or appointment, as the case may be.

Publication of names of members of the Board

6. (1) Subject to the provisions of this Ordinance, a nominated or appointed member of the Board, other than the Chairman shall hold office for a term of three years from the date on which his name is published by notification under section 5, and may, on the expiration of such term, be eligible for re-nomination or re-appointment.

Term of office of nominated or appointed members of the Board

(2) The Principal, Headmaster or Headmistress nominated by the Government under clause (vi) or clause (vii) or clause (viii) or clause (ix) of section 4, or a University Professor ²[nominated by the Vice-Chancellor concerned under clause (ii)] of section 4, shall cease to be a member as soon as he ceases to be Principal, Headmaster, Headmistress or University Professor, as the case may be.

³[(3) Any member of the Board may resign his membership by a letter addressed to the Chairman, and, in the case of the Chairman, he may resign his membership by a letter addressed to the President:

¹ The word "President" was substituted for the words "Controlling Authority" by section 6 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The words, brackets and figure "nominated by the Vice-Chancellor concerned under clause (ii)" were substituted for the comma, words, brackets and figures "; if nominated by the Vice-Chancellor of the University concerned under clause (ii) or clause (iii)" by section 7 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ Sub-sections (3), (4) and (5) were substituted for former sub-section (3), by section 7 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

Provided that the resignation shall not take effect until it is accepted by the President or the Government, as the case may be.

(4) The President or the Government may, at any time by order in writing, remove the Chairman or any member of the Board appointed or nominated by him or it from his office if the President or, as the case may be, the Government considers such removal necessary or expedient in public interest or in the interest of the Board.

(5) The President, in the case of a member nominated by the Vice-Chancellor of a University, and the Government, in the case of a member nominated by the Director of Public Instruction or the Director of the Technical Education, may, at any time by order in writing, remove such member from his office if the President or, as the case may be, the Government considers such removal necessary or expedient in public interest or in the interest of the Board.]

Disqualification
of membership
of the Board

7. (1) A person shall not be eligible for nomination or appointment as a member of the Board, if he-

- (a) has been adjudged by a competent Court to be of unsound mind;
- (b) is an undischarged insolvent;
- (c) being a discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part; or
- (d) has been convicted by a Court of an offence involving moral turpitude, unless an offence of which he was convicted has been pardoned or unless five years have elapsed since the date of his conviction.

(2) The nomination or appointment of a person who is, on the date of his nomination or appointment, subject to any of the disqualifications specified in sub-section (1) shall be invalid.

(3) If a nominated or appointed member of the Board becomes after his nomination or appointment, subject to any of the disqualifications specified in sub-section (1), his membership shall thereupon cease.

8. (1) When the office of a nominated or appointed member of the Board becomes vacant by resignation, death or otherwise, a new member shall be nominated or appointed in his place in the manner provided in the appropriate clause of section 4 and such nominated or appointed member shall hold office so long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred.

Filling up of casual vacancies

(2) Notwithstanding the expiration of the term of three years specified in sub-section (1) of section 6, a nominated or appointed member of the Board, other than the Chairman shall continue to hold office until the vacancy caused by the expiration of the said term has been filled in accordance with the provisions of this Ordinance.

9. The following shall be the officers of the Board-

Officers of the Board

¹[* * *]

(2) the Chairman;

(3) the Secretary;

(4) the Controller of Examinations; and

(5) such other officers as may be appointed by the Board.

10. (1) and (2) [*Sub-sections were omitted by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).*]

²[Inspection, etc.]

(3) The ³[Government, with the prior approval of the President,] shall have power to cause an inspection to be made

¹ Clause (1) was omitted by section 8 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The words and comma "Inspection, etc." in the marginal heading were substituted for the words "Controlling Authority" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The words and commas "Government, with the prior approval of the President," were substituted for the words "Controlling Authority" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

by such person or persons as ¹[it] may direct, of the offices, activities and funds and examinations conducted by the Board and cause an enquiry to be made in like manner in respect of any matter concerning the Board. ²[The Government shall] communicate to the Board the result of such inspection or enquiry and may advise the Board as to the action to be taken within a specified time. The Board shall report to the Government the action it proposes to take or has taken on such communication; where the Board does not within a reasonable time take action to the satisfaction of the Government, the Government may, after considering any explanation given by the Board, issue such direction as ³[it] thinks fit, and the Chairman shall comply with such directions.

(4) Without prejudice to the foregoing provisions of this section, the ⁴[Government, with the prior approval of the President,] may, by order in writing, annul any proceeding of the Board or any of the Committees if the Government is satisfied that such proceeding is not in conformity with this Ordinance:

Provided that before making any such order the Government shall, through the Chairman, call upon the Board or Committee concerned to show cause why such an order should not be made.

Appointment,
powers and
duties of the
Chairman

11. (1) The Chairman shall be a wholetime officer of the Board and shall be appointed by the ⁵[President] on such terms and conditions as the ⁶[President] may determine.

¹ The word "it" was substituted for the word "he" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The words "The Government shall" were substituted for the words "He will" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The word "it" was substituted for the word "he" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁴ The words and commas "Government, with the prior approval of the President," were substituted for the words "Controlling Authority" by section 9 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁵ The word "President" was substituted for the words "Controlling Authority" by section 10 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁶ The word "President" was substituted for the words "Controlling Authority" by section 10 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

(2) The Chairman shall hold office for a term of three years from the date of notification of his appointment and on the expiry of the term of office shall be eligible for reappointment.

(3) When the office of the Chairman falls vacant temporarily or otherwise, by reason of leave, illness or other cause for a period not exceeding one year, the ¹[President] shall, notwithstanding anything contained in sub-sections (1) and (2), make such arrangements for carrying on the duties of the office of the Chairman as he may think fit.

(4) The Chairman shall be the Principal Executive and Academic Officer of the Board and shall, when present, preside at the meetings of -

- (i) the Board;
- (ii) the Academic Committee;
- (iii) the Selection Committee;
- (iv) the Finance Committee; and
- (v) such other Committees of the Board at which he is present.

(5) It shall be the duty of the Chairman to ensure that the provisions of this Ordinance and the regulations are faithfully observed and carried out and he shall exercise all powers necessary for this purpose.

(6) 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 such action as he may deem necessary and shall report the action so taken to the Board at its next meeting for approval.

(7) The Chairman shall exercise such other powers as may be delegated by the ²[President], or prescribed by regulations.

12. (1) Officers of the Board, other than the Chairman shall be appointed by the Board in the manner prescribed by regulations.

Appointment of other officers and employees of the Board

¹ The word "President" was substituted for the words "Controlling Authority" by section 10 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word "President" was substituted for the words "Controlling Authority" by section 10 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

(2) All other employees of the Board shall be appointed by the Chairman in the manner prescribed by regulations.

Status, terms and conditions of services of officers and employees of the Board

13. The status, terms and conditions of service including rules for disciplinary action, for grant of leave and for retirement of the officers and the staff of the Board shall be such as may be prescribed by regulations.

Casual vacancies in the posts of the officers of the Board other than the Chairman

14. Temporary or casual vacancies in the posts of the officers other than the Chairman of the Board shall be filled up in the manner prescribed by regulations.

Conduct of meetings

15. The Chairman, or in the absence of the Chairman one member elected from among those present at a meeting of the Board, shall preside at every meeting of the Board, and shall be entitled to vote on any matter and shall have and exercise a second or casting vote in every case of equality of votes.

Restriction on voting

16. (1) No member of the Board shall vote on any matter coming before the Board in respect of which (otherwise than in the general application thereof to all Intermediate Colleges and Secondary Schools) he, or any Intermediate College or Secondary School of which he is a teacher, has any interest.

(2) The Chairman or the presiding member, as the case may be, shall decide any question under sub-section (1) arising in a meeting and his decision shall be final.

Executive body

17. The Board shall be its own executive.

Powers of the Board

18. (1) Subject to the provisions of this Ordinance, the Board shall have power to organise, regulate, supervise, control and develop Intermediate and Secondary Education within its jurisdiction.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the Board shall have the powers-

- (i) to prescribe courses of instruction for its examinations;
- (ii) to grant recognition to or to withhold or withdraw recognition from Intermediate Colleges and Secondary Schools after considering inspection reports from the Bangladesh Education Directorate in the case of

Secondary Schools and in the case of Intermediate Colleges after considering inspection reports from its own inspection officer or officers deputed in that behalf by the Board;

- (iii) to prescribe conditions governing admission of students to and transfer of students from and to Intermediate Colleges and Secondary Schools;
- (iv) to prescribe the manner and mode of inspection of Intermediate Colleges and Secondary Schools;
- (v) to cause inspection, if necessary, of any institution under its control by the officers of the Board or by any other person or persons it considers suitable;
- (vi) to hold, conduct and regulate examinations at the end of the Intermediate and Secondary stage or any other stage thereof;
- (vii) to publish the results of examinations held by the Board;
- (viii) to grant certificates to persons who have passed examinations held by the Board and to withdraw certificates from them;
- (ix) to arbitrate or arrange for arbitration in disputes between teachers and Governing Bodies or Managing Committees of Intermediate Colleges or Secondary Schools;
- (x) to submit to the Government its views on any matter with which it is concerned;
- (xi) to determine the number, designation and pay and allowances of the officers and staff of the Board, and to appoint such experts and consultants as it may consider necessary for the purposes of carrying out the provisions of this Ordinance;
- (xii) to regulate and decide all administrative matters including the creation and abolition of posts:
 - Provided that the Chairman shall have the power to create temporary posts for a period not exceeding six months;
- (xiii) to fix, demand and receive such fees as may be prescribed by regulations;
- (xiv) to hold and manage endowments and to institute and award scholarships, medals and prizes;
- (xv) to enter into and carry out contracts in exercise of powers and performance of duties assigned to it by this Ordinance and the regulations;

- (xvi) to make provisions for buildings, premises, furniture, apparatus, books and other means needed for carrying on its work; and
- (xvii) to do such other acts and things as it may consider necessary for the purposes of organisation, regulation, supervision, control and development of Intermediate and Secondary Education.

¹ [(2A) Notwithstanding anything contained in clauses (vi), (vii) and (viii) of sub-section (2), if it is not possible to hold and conduct examinations at the end of the Intermediate and Secondary stage or any other stage thereof due to pandemic, epidemic, act of God or for any other inevitable circumstances as determined by the government from time to time, the government may, by an order in the official Gazette, issue instructions for assessment and grant of certificates without holding and conducting examination or holding and conducting examination with short syllabus, in the manner prescribed in that Gazette, for the students in a particular year.]

(3) The Board may delegate any of its powers to the Chairman or any other officer of the Board or to a Committee or Sub-committee constituted under this Ordinance as it may deem fit and withdraw any such delegation:

Provided that no power to make any regulation shall be delegated under this sub-section.

Committees of
the Board

19. (1) The Board shall appoint the following Committees:-

- (i) Finance Committee;
- (ii) Selection Committee;
- (iii) Regulation Committee;
- (iv) Appeal and Arbitration Committee;
- (v) Academic Committee;
- (vi) Curricula Committee and Committee of Courses of Studies;
- (vii) Science Education Committee;

¹ Sub-section (2A) was inserted by section 2 of the Intermediate and Secondary Education (Amendment) Act, 2021 (Act No. 1 of 2021).

- (viii) Technical Education Committee;
- (ix) Industrial Education Committee;
- (x) Agricultural Education Committee;
- (xi) Commercial Education Committee;
- (xii) Physical Education Committee;
- (xiii) Girls' Education Committee;
- (xiv) Education in Home Economics Committee;
- (xv) Examination Committee;
- (xvi) Age Correction Committees;
- (xvii) Recognition Committee or Committees; and
- (xviii) such other Committee or Committees as the Board may consider necessary for the purposes of carrying out the provisions of this Ordinance.

(2) The composition, powers and duties of the Committees under sub-section (1) shall be prescribed by regulations.

20. (1) The budget meeting of the Board shall be held on or before the 31st March every year.

Meetings of the Board

(2) No business shall be transacted at any meeting of the Board unless a quorum of five members is present:

Provided that no quorum shall be necessary for a meeting adjourned for want of quorum.

CHAPTER III

FINANCE

21. (1) The Secretary shall present to the budget meeting of the Board a report on the work of the Board during the last preceding financial year, together with a budget estimate showing in the form prescribed by regulations, the anticipated income and expenditure of the Board during next succeeding financial year.

Annual report and budget estimate

(2) The budget estimate shall, when confirmed by the Board and within such period as may be prescribed by regulations, be forwarded to the Government for approval. Thereupon the Government will approve the budget estimate as submitted by the Board or ¹[it] will make such modifications in it as ²[it] considers necessary after consulting the Chairman.

Intermediate
and Secondary
Education Fund

22. (1) There shall be constituted a fund for the Board of Intermediate and Secondary Education, Dacca, constituted under sub-section (1) of section 3 to be called the Intermediate and Secondary Education Fund of the Board of Intermediate and Secondary Education, Dacca to which shall be credited-

³[* * *]

- (b) all fees realised under any of the provisions of this Ordinance;
- (c) all sums representing income from endowments or from property owned or managed by the Board for the purposes of this Ordinance; and
- (d) all other sums received by the Board from Government or any other source for any purpose provided for in this Ordinance.

⁴[(1a) There shall be constituted a separate fund for each Board constituted under sub-section (1) of section 3A to be called the Intermediate and Secondary Education Fund of that Board to which shall be credited;

- (a) all fees realised by such Board under any of the provisions of this Ordinance;

¹ The word "it" was substituted for the word "he" by section 11 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word "it" was substituted for the word "he" by section 11 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ Clause (a) was omitted by section 12 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁴ Sub-section (1a) was inserted by section 7 of the East Pakistan Intermediate and Secondary Education (Amendment) Ordinance, 1962 (East Pakistan Ordinance No. XVI of 1962).

- (b) all sums representing income from endowments or from property owned or managed by such Board for the purpose of this Ordinance; and
- (c) all other sums received by such Board from Government or any other source for any purpose provided for in this Ordinance.]

(2) The Intermediate and Secondary Education Fund of a Board shall vest in the Board, shall be held by it in trust for the purposes of this Ordinance and shall be administered by it.

(3) All moneys payable to the credit of the Intermediate and Secondary Education Fund shall forthwith be paid into a bank, approved by the Board, or into Government treasuries.

23. (1) No expenditure shall be incurred from the Intermediate and Secondary Education Fund except for the purposes of this Ordinance and unless such expenditure is provided for in a budget approved by the Government under section 21 or is provided for by reappropriation by the Board.

Application of
the Intermediate
and Secondary
Education Fund

(2) Subject to the provisions of sub-section (1), the Intermediate and Secondary Education Fund shall be applied to-

- (a) payment of the cost of audit;
- (b) payment of salaries and allowances to the Chairman and other officers and employees of the Board;
- (c) payment of all expenses connected with printing of papers, forms, documents, etc., required for carrying out the purposes of the Ordinance;
- (d) payment of allowances to members of the Board and Committees thereunder;
- (e) payment of remunerations to such persons as may be appointed by the Board in connection with the work of holding and conducting the Board's examinations and of publication of the results thereof;
- (f) payment of contingent and capital expenditure; and
- (g) payment of any other expenditure incurred by the Board in accordance with, and for the purposes of giving effect to, the provisions of this Ordinance.

- Accounts **24.** The Board shall keep accounts of all its receipts and expenditure in the manner and form prescribed by regulations.
- Audit **25.** (1) The accounts of the Board shall be submitted to the Government once every year and examined and audited by an auditor appointed by the Government.
- (2) It shall be the duty of the Board, and of every member, officer and servant thereof, to afford to the auditor every facility for the examination and audit of the accounts of the Board, and to comply with a requisition made by the auditor.
- Audit report **26.** (1) The auditor shall submit to the Government a report on the audit of accounts and send a copy of such report to the Board and thereupon the Board shall, within a period prescribed in this behalf by regulations, forward a copy of the report together with its observation thereon to the Government.
- (2) Subject to the provisions of section 28, the Government shall take such action on the audit report as it thinks fit.
- Disallowance **27.** The auditor shall-
- (a) disallow any payment which is in contravention of any law for the time being in force, and charge it against the persons making or authorising it;
 - (b) charge the amount of any deficiency or loss against the person by whose default or negligence such deficiency or loss resulted;
 - (c) charge any sum which could have been, but has not been brought into account against the person failing to account for it.
 - (d) in every case of disallowance and charge under this section, certify in writing the amount due from the person against whom the charge is made; and
 - (e) send a copy of such certificate to the Board and to the person concerned within 14 days from the date on which the report referred to in sub-section (1) of section 26 is submitted to the Board.

28. (1) Any person from whom an auditor has certified any sum to be due under section 27 may, within one month from the receipt by him of a copy of the certificate, appeal against such order to the Government. Appeal

(2) The Government shall, on such appeal, make such order as ¹[it] thinks fit, after giving the person making the appeal an opportunity of being heard and the decision of the Government on such appeal shall be final.

29. (1) Every sum certified to be due under section 27 from any person shall, within one month from the receipt by such person of a copy of the certificate, and unless within that period he makes an appeal under section 28, be paid by him into the Intermediate and Secondary Education Fund. Payment of certified sums

(2) The Board may direct that any sum not paid in accordance with the provisions of sub-section (1) or, if an appeal has been made under section 28, such sum as the Government may order to be due, shall be recovered-

(a) in the case of a servant of the Government or an officer or other employee of the Board, by deduction from his salary in accordance with such conditions as may be prescribed by regulations, or as a public demand; and

(b) in any other case as a public demand.

(3) The Deputy Commissioner of Dacca or such other Officer as the Government may specify shall, for the purpose of section 4 of the ²[* * *] Public Demands Recovery Act, 1913, be deemed to be the person to whom such demand is payable and he shall pay to the Board any sum recovered by him in respect of any such demand.

¹ The word "it" was substituted for the word "he" by section 13 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word "Bengal" was omitted by section 14 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

CHAPTER IV

MISCELLANEOUS

General conditions of service of the teachers of Intermediate Colleges and Secondary Schools

30. (1) An employee of a recognised Intermediate College or Secondary School shall be bound by the following general conditions of service, namely:-

- (a) he shall not take part in, or subscribe in aid of, or assist in anyway, any political movement, or any activities tending directly or indirectly to excite disaffection against the Government as by law established or to promote feelings of hatred or enmity between different classes of ¹[Bangladesh] citizens, or to disturb the public peace;
- (b) he shall not canvass or interfere or use his influence or stand as a candidate in any election to a local body or a legislative body in ²[Bangladesh].

(2) Any person, who contravenes any of the conditions of service as stated in sub-section (1), shall be liable to disciplinary action including removal from his post by an order of the authority which appointed such person on proceeding initiated against him.

(3) Any person aggrieved by an order of the authority referred to in sub-section (2) may appeal to the Chairman who may pass such order on appeal as he thinks fit and such order shall be final.

Certain persons to be deemed to be public servants

31. Every member of the Board and of every Committee constituted under this Ordinance, and every person appointed for carrying out the purposes of this Ordinance shall be deemed to be a public servant within the meaning of section 21 of the ³[* * *] Penal Code.

¹ The word "Bangladesh" was substituted for the word "Pakistan" by section 15 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word "Bangladesh" was substituted for the word "Pakistan" by section 15 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The word "Pakistan" was omitted by section 16 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

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

33. No act or proceedings taken under this Ordinance shall be invalid on the ground merely of - Validation

- (a) the existence of any vacancy in, or defect in the constitution of, the Board or any Committee constituted under this Ordinance;
- (b) any member of the Board having voted on any matter in contravention of the provisions of section 16; or
- (c) any defect or irregularity not affecting the merits of the cases.

34. (1) The Board shall establish for the benefit of its officers and other employees either Pension and Provident Funds or Contributory Provident Fund only, as it may deem fit in such manner, and subject to such conditions, as may be prescribed by regulations. When a Provident Fund is established, the Government may, by notification, declare that the provisions of the Provident Funds Act, 1925 shall apply to such Funds. Pension and Provident Fund or Contributory Provident Fund only

(2) In case the Board establishes a Contributory Provident Fund under sub-section (1) all employees of the Board shall subscribe to that Fund a sum equal to $8\frac{1}{3}$ per cent of his salary every month. The Board shall contribute an equal amount in respect of each subscriber every month.

(3) The terms and conditions of deposit of subscriptions and contributions to the Fund and withdrawals and advances from it shall be such as may be prescribed by regulations.

35. A permanent employee of the Board shall retire in the afternoon of the day on which he completes the sixtieth year of his age. Age of retirement

36. (1) The Board shall provide for the members of the staff meeting with untimely death or disabled by accident or illness during service, a gratuity equivalent to one month's pay for each completed year of his service under the employment of the Board. Gratuity

(2) The terms and conditions of gratuity under sub-section (1) shall be such as may be prescribed by regulations.

Members prohibited from entering into contract with the Board

¹[**37.** No member of the Board shall enter into any contract with the Board directly or through any other person in connection with the affairs of the Board.]

Bar against membership of the Board or Committee on the persons with financial interest in the affairs of the Board

38. No person who has any financial interest in any book prescribed by the Board as a course of study for any examination conducted by the Board or has a financial interest as a partner or otherwise in any firm which publishes, procures or supplies such book, shall be eligible to become a member of the Board or a Committee constituted under this Ordinance and continue as such after having acquired any such interest.

Regulations

39. (1) The Board ²[may, with the previous approval of the Government] make regulations for the purpose of carrying into effect the provisions of this Ordinance.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the Board may make regulations providing for all or any of the following matters, namely-

- (i) the powers and duties of the officers of the Board ³[* * *];
- (ii) the conduct of the meetings of the Board and of the Committees;
- (iii) the grant and withholding of certificates;
- (iv) the curricula and the courses of study to be framed and prescribed for such certificates;

¹ Section 37 was substituted by section 17 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The words and comma “may, with the previous approval of the Government” were substituted for the words “shall have the power to” by section 18 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The words “other than the Controlling Authority” were omitted by section 18 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (v) for granting or withholding recognition to Intermediate Colleges and Secondary Schools and for withdrawal of such recognition;
- (vi) the constitution, powers and duties of the Governing Bodies of non-Government Intermediate Colleges and Managing Committees of non-Government Secondary Schools;
- (vii) the terms and conditions of service of the teachers of non-Government Intermediate Colleges and non-Government Secondary Schools;
- (viii) the conditions under which candidates shall be admitted to the Examinations of the Board and shall be eligible for certificates;
- (ix) the manner and mode of inspection;
- (x) the fixing and receiving fees for admission to the examinations of the Board and for other purposes;
- (xi) the holding and conduct of all examinations of the Board;
- (xii) acquisition, possession and transfer of property by the Board, the conditions of such acquisition, possession and transfer or any other act referred to in sub-section (2) of section 3¹[or, as the case may be, in sub-section (2) of section 3A];
- (xiii) manner of appointment of the officers of the Board, other than the Chairman by the Board;
- (xiv) manner of appointment of employees of the Board, other than its officers, by the Chairman;
- (xv) status, terms and conditions of service including rules for disciplinary action, for grant of leave and for retirement of the officers and staff of the Board;
- (xvi) manner of filling up temporary and casual vacancies in the posts of the officers of the Board under section 14;

¹ The words, commas, brackets and letter “or, as the case may be, in sub-section (2) of section 3A” were added by section 18 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (xvii) form for showing anticipated income and expenditure of the Board and the period within which the budget estimate shall be forwarded to the Government;
- (xviii) the framing of an Accounts Manual or the prescription of the manner and form of keeping accounts of receipts and expenditure of the Board;
- (xix) period within which the copy or the audit report together with the observation of the Board shall be forwarded to the Government;
- (xx) manner and conditions of benefit from Pension and Provident Fund or Contributory Provident Fund only;
- (xxi) terms and conditions of gratuity;
- (xxii) travelling allowance and daily allowance of the members for attending meeting of the Board and Committees;
- (xxiii) reports, returns and statements to be furnished to the Government under ¹[sections 10 and 26]; and
- (xxiv) all other matters which are to be or may be prescribed by regulations.

(3) and (4) [*Omitted by section 18 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).*]

(5) Regulations made under this Ordinance shall ordinarily be published in the *official Gazette*.

First
Regulations

40. The regulations set out in the Schedule appended to this Ordinance, shall on the commencement of this Ordinance be the First Regulations of the Board and shall be deemed to have been framed by the Board under section 39.

Rules

41. The Committees appointed by the Board may, subject to the approval of the Board, make rules consistent with this Ordinance and the regulations-

- (a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum; and

¹ The words and figures “sections 10 and 26” were substituted for the word and figure “section 10” by section 18 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (b) providing for all matters solely concerning such Committees and not provided for by this Ordinance and the regulations.

42. (1) From the date of commencement of this Ordinance and till such time as the nominated and appointed members other than the Chairman are not nominated or appointed, the Chairman and the *ex-officio* members shall exercise all the powers and perform all the duties of the Board and its Committees constituted under this Ordinance.

Transitional provision

(2) On the nomination and appointment of all the members, the Board shall exercise all powers and perform all duties of the Committees constituted under this Ordinance up to the time the Committees are constituted.

43. If any difficulty arises with respect to the establishment of the Board or in connection with the first meeting of the members of the Board or otherwise giving first effect to the provisions of this Ordinance, the Government may, at any time before the first meeting of the Board, make any order consistent with the provisions of this Ordinance, which appears to ¹[it] to be necessary or expedient for the purpose of removing the difficulty.

Removal of difficulty

44. [*Repeals and saving.- Repealed by section 3 and the Second Schedule of the East Pakistan Repealing and Amending Ordinance, 1966 (East Pakistan Ordinance No. XIII of 1966).*]

45. No act done, order passed or proceedings taken by the ²[President or the Government] or the Board or by the Chairman or any other officer of the Board or by any Committee under this Ordinance, shall be called in question in any Court by a suit or otherwise.

Bar to civil suit

¹ The word "it" was substituted for the word "him" by section 19 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The words "President or the Government" were substituted for the words "Controlling Authority" by section 20 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

THE SCHEDULE**THE FIRST REGULATIONS OF THE BOARD**

Powers and
duties of the
Chairman

1. (1) The Chairman may forward any resolution or order of the Board, or any Committee constituted under this Ordinance to the ¹[President] with his recommendations thereon for such order as the ²[President] may deem fit and, pending the receipt of the order of the ³[President] on such resolution or order, the Chairman may withhold the execution of any such resolution or order.

(2) The Chairman shall be the chief academic and administrative officer of the Board and shall do all acts to ensure that the office and staff of the Board properly perform the duties entrusted to them and in particular he shall-

- (i) write confidential reports on the conduct, character and efficiency of the officers of the Board;
- (ii) recommend to the Board any disciplinary action that he considers necessary against the officers of the Board; and
- (iii) take such disciplinary action as he considers necessary against other employees of the Board subject to the right of appeal to the Board.

(3) The Chairman shall countersign travelling allowance bills of the officers of the Board (including his own) and members of the Committees constituted under this Ordinance.

(4) For the purpose of carrying out the provisions of this Ordinance, the Chairman shall have the power to inspect, or to cause an inspection to be made by an officer of the Board or

¹ The word "President" was substituted for the word "Governor" by Article 2 of the Bangladesh (Adaptation of East Pakistan Intermediate and Secondary Education Ordinance) Order, 1972 (President's Order No. 36 of 1972).

² The word "President" was substituted for the word "Governor" by Article 2 of the Bangladesh (Adaptation of East Pakistan Intermediate and Secondary Education Ordinance) Order, 1972 (President's Order No. 36 of 1972).

³ The word "President" was substituted for the word "Governor" by Article 2 of the Bangladesh (Adaptation of East Pakistan Intermediate and Secondary Education Ordinance) Order, 1972 (President's Order No. 36 of 1972).

such person or persons as he may consider suitable, into the affairs of any institutions under the jurisdiction of the Board and to cause an inquiry to be made in like manner, in respect of any matter concerning the Board or any institution recognised by, or seeking recognition of the Board.

(5) The Chairman shall appoint Paper-setters, Moderators, Translators, Head Examiners, Assistant Head Examiners, Scrutinisers and Tabulators in connection with the examinations of the Board after considering the recommendations of the Examination Committee.

(6) The Chairman may delegate in writing to the officers of the Board such of his powers as he considers necessary provided it is not inconsistent with the provisions of the Ordinance or the regulations made thereunder and may also withdraw in writing any, or all, of such delegations, without assigning any reasons.

2. (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 shall cause the orders and decisions of the Board and the Chairman to be carried out.

Powers and
duties of the
Secretary

(2) The Secretary shall exercise and perform the following powers and duties-

- (i) He shall take all possible steps to ensure that the funds of the Board are spent on the purpose for which they are provided.
- (ii) He shall cause to be prepared and submit to the Board for approval the annual statement of accounts and budget estimates.
- (iii) He shall convene all meetings of the Board and its Committees under the direction of the Chairman. While preparing the agenda for a meeting of the Board or a Committee, he shall carry out the directions of the Chairman given in this respect and no item shall be placed on such an agenda or be considered in the meeting without previous permission of the Chairman.

- (iv) He shall conduct the official correspondence of the Board under the authority of the Chairman except the correspondence relating to the conduct of examinations and shall record the minutes and maintain the records of the proceedings of the Board and its Committees.
- (v) All fees and dues payable to the Board, and all sums received by the Secretary, shall be credited without delay to the account of the Board in a Bank or Treasury approved by the Board.
- (vi) He shall be the disbursing officer for the employees of the Board. He shall be responsible for proper deduction and recoveries and see that such amounts are credited to the appropriate authorities or funds.
- (vii) He shall be the drawing officer jointly with the Chairman. The Secretary jointly with the Chairman, shall sign all cheques above ¹[Taka 500], and all cheques of ²[Taka 500] and below shall be signed by the Secretary alone.
- (viii) The Secretary shall be the custodian of the imprest cash ³[of Taka 2,500] of the Board and shall incur normal expenditure not exceeding ⁴[Taka 500] for each item at a time. For any unusual expenditure and any normal expenditure exceeding ⁵[Taka 500] prior approval of the Chairman shall have to be obtained by him before it is incurred.

¹ The word and figure “Taka 500” were substituted for the letters and figure “Rs. 250” by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The word and figure “Taka 500” were substituted for the letters and figure “Rs. 250” by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The words and figure “of Taka 2,500” were inserted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁴ The word and figure “Taka 500” was substituted for the letters and figure “Rs. 250” by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

⁵ The word and figure “Taka 500” was substituted for the letters and figure “Rs. 250” by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (ix) Subject to the conditions laid down in clause (viii), the Secretary shall draw and disburse all contingent and other bills.
- (x) He shall be the Controlling Officer for the purpose of travelling allowance in respect of classes III and IV employees of the Board.
- (xi) He shall perform such other duties as may be assigned to him by the Chairman.

(3) Notwithstanding anything to the contrary in this regulation, the Board may assign to any other officer or officers such duties of the Secretary as it may, from time to time, deem necessary.

3. (1) The Controller of Examinations shall, subject to the control of Chairman, be in charge of the examination sector of the Board and make all necessary arrangements for the holding and conduct of examinations of the Board.

Powers and
duties of the
Controller of
Examinations

(2) In particular and without prejudice to the generality of the foregoing provision, the Controller of Examinations shall exercise and perform the following powers and duties-

- (i) He shall receive and deal with the applications for admission to the examinations of the Board and carry on all correspondence connected with such examinations and issue necessary documents as admissible under the regulations;
- (ii) He shall be responsible for getting the question papers set in time, translated, moderated and printed and their safe custody and secrecy of the contents at all stages;
- (iii) He shall be responsible for-
 - (a) ¹[proper] distribution of question papers and examination materials to all examination centres in time,

¹ The word "proper" was substituted for the word "paper" by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (b) collection of all answer scripts, surplus examination materials and reports and other documents from all centres.
- (c) holding of the examiners' meetings, distribution of answer scripts to them and collection of the marked answer scripts together with mark sheets from all examiners.
- (d) distribution of the marked answer scripts to the Head Examiners, collection of marks from them and distribution of marks to the respective tabulators,
- (e) collection of tabulated results from the tabulators,
- (f) publication of results of the examinations in time, and
- (g) issue of certificates to the successful candidates in time ¹[:

Provided that the Board may authorise a Deputy Controller of Examinations to issue certificates;]

- (iv) He shall be responsible for ensuring and maintaining strict secrecy of all information regarding the examinations of the Board;
- (v) It shall be the duty of the Controller of Examinations to make recommendations to the Chairman on-
 - (a) the selection of centres of examinations including opening of new and closing of old centres of examinations where necessary, and
 - (b) such other matters as he may deem necessary and as may be required of him by the Chairman;
- (vi) He shall perform such other duties as may be assigned to him by the Chairman;
- (vii) He shall bring to the notice of the Chairman all cases of infringement of rules of examinations with full report for disposal;

¹ The colon (:) was substituted for the semi-colon (;) and the proviso was added thereafter by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (viii) The Controller of Examinations shall attend all meetings in which matters relating to the examinations of the Board are included in the agenda.

4. (1) The Academic Committee shall consist of-

Constitution of
the Academic
Committee

- (i) the Chairman (*ex-officio*);
- ¹[(ii) the University Professor nominated under clause (ii) of section 4;]
- ²[* * *]
- (iv) the Director of Public Instruction, Bangladesh or his nominee under clause (iv) of section 4;
- (v) the ³[Chairman], Bangladesh School Text Book Board or an officer of the Bangladesh School Text Book Board to be nominated by him;
- (vi) the Director of Technical Education or his nominee under clause (v) of section 4;
- (vii) one Inspector of Schools to be nominated by the Government;
- (viii) one Inspectress of schools to be nominated by the Government;
- (ix) two persons to be nominated by the Government from among the Principals of Degree Colleges maintained by the Government, one of them being a woman;
- (x) two persons to be nominated by the Chairman from among the Principals of Degree Colleges other than those maintained by the Government;
- (xi) two persons to be nominated by the Chairman from among the Principals of Intermediate Colleges maintained by the Government, one of them being a woman;

¹ Clause (ii) was substituted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² Clause (iii) was omitted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The word "Chairman" was substituted for the word "President" by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (xii) two persons to be nominated by the Chairman from among the Principals of Intermediate Colleges other than those maintained by the Government;
- (xiii) two persons to be nominated by the Government from among the Head Masters/Mistresses of Secondary Schools maintained by the Government, one of them being a woman.
- (xiv) four persons to be nominated by the Chairman from among the Head Masters/Mistresses of Secondary Schools other than those maintained by the Government; ¹[* * *]
- (xv) two specialists to be nominated by the Government including specialist in training of teachers ²;
- (xvi) the Inspector of Colleges of the Board, *ex-officio*;
- (xvii) the Inspector of Schools of the Board, *ex-officio*;
- (xviii) the Controller of Examinations, *ex-officio*;
- (xix) the Curriculum Officer of the Board, *ex-officio*.]

(2) Secretary of the Board shall be the Secretary of the Academic Committee.

Terms of office of the members of the Academic Committee

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

Quorum for the meeting

6. The quorum for a meeting of the Academic Committee is ³[nine].

Powers and duties of the Academic Committee

7. (1) The Academic Committee shall have the power of general regulation and supervision of, and the responsibility for, maintenance of the standards of teaching and examinations.

¹ The word “and” was omitted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² The semi-colon (;) was substituted for the full stop (.) and sub-clauses (xvi), (xvii), (xviii) and (xix) were added thereafter by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

³ The word “nine” was substituted for the word “seven” by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

(2) Without prejudice to the generality of the foregoing provision and subject to such conditions as may be prescribed by regulations, the Academic Committee shall exercise and perform the following powers and duties-

- (a) to be responsible for the maintenance of standards of teaching and examinations;
- (b) to determine the subject or subjects which shall be assigned to each Curricula Committee and Committee of Courses;
- (c) to advise the Chairman on the qualifications of the teachers and examiners; and
- (d) to advise the Board on all academic matters including the general scheme of studies for an examination, the number of subjects to be included in an examination, the value of each subject in respect of marks to be assigned to it, conditions to be fulfilled for passing an examination and for being placed in a particular division.

8. (1) There shall be a Curricula Committee and Committee of Courses for each subject or a group of allied subjects included in the courses of studies organised by the Board. Each such Committee shall consist of the following-

Curricula
Committee and
Committee of
Courses

- (i) the Chairman (*ex-officio*);
- (ii) two teachers of the subject at the Intermediate stage nominated by the Academic Committee;
- (iii) two teachers of the subject at the Secondary stage nominated by the Academic Committee;
- (iv) two persons having experience of Intermediate and Secondary education nominated by the Board;
- (v) one expert in the subject nominated by the Chairman; and
- ¹[(vi) the Curriculum Officer of the Board, *ex-officio*, who shall also act as the Secretary of the Committee:]

¹ Clause (vi) was substituted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

Provided that if in a subject the required number of teachers is not available, the Chairman may decide the number of members of the Curricula Committee and Committee of Courses for the subject concerned which may be less than nine and may permit the nomination of suitable persons, who are not teachers, as members of the particular Curricula Committee and Committee of Courses.

(2) The term of ¹[nominated] members of each Curricula Committee and Committee of Courses shall be two years.

(3) Each Curricula Committee and Committee of Courses shall consider academic matters relating to the subject or subjects with which it is concerned and shall recommend to the Academic Committee the courses of study and text-books to be prescribed as well as the conditions to be fulfilled for passing the relevant examination in the subject or subjects.

(4) Three members shall form the quorum of a meeting of the Curricula Committee and Committee of Courses.

Constitution and
function of the
Finance
Committee

9. (1) The Finance Committee shall consist of -

- (i) the Chairman (*ex-officio*);
- (ii) the Director of Public Instruction, Bangladesh, or an Assistant Director of Public Instruction nominated by him;
- (iii) two nominees of the Government; and
- (iv) the Secretary of the Board (*ex-officio*).

(2) Three members shall form the quorum for a meeting of the Finance Committee.

(3) The Finance Committee shall have the power-

- (a) to prepare the budget estimates of the Board and to revise it when necessary;
- (b) to recommend transfer of budget provision from one head to another by reappropriation during the year as and when necessary;

¹ The word "nominated" was substituted for the words "appointment of" by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

- (c) to recommend sanction of any special item of expenditure not provided for in the budget or special rate of travelling allowance to distinguished visitors or experts;
- (d) to review the financial position of the Board periodically and make recommendations to the Board for improving its finances;
- (e) to supervise the accounts of the Board from time to time and recommend appointment of internal auditors when necessary;
- (f) to prescribe the manner in which the budget of the Board shall be prepared and the accounts of the Board shall be kept in accordance with the regulations framed under the Ordinance;
- (g) to recommend changes in, and addition to, the regulation connected with financial matters;
- (h) to consider audit reports and to recommend action thereon; and
- (i) to consider any matter referred to it by Chairman and recommend action thereon.

(4) Members of the Finance Committee, other than the *ex-officio* members shall hold office for two years.

10. (1) The Selection Committee shall consist of -

(i) the Chairman (*ex-officio*);

¹[(ii) the University Professor nominated under clause (ii) of section 4;]

²[* * *]

(iv) the Director of Public Instruction or his nominee under clause (iv) of section 4];

(v) two nominees of the Government.

Constitution and
function of
Selection
Committee

¹ Clause (ii) was substituted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

² Clause (iii) was omitted by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

(2) The Selection Committee shall recommend the appointment and scale of pay of officers and employees of the Board whose scale of pay carry initial salary of ¹[Taka] 250 or more.

(3) The quorum for a meeting of the Selection Committee shall be three.

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

Cessation for membership of sub-committee

11. When a person ceases to be a member of a committee, he shall cease to be member of any sub-committee of which he is a member by virtue of his membership of that committee.

Recognition of Intermediate Colleges and Secondary Schools

12. (1) The Board shall accord recognition to the Intermediate Colleges in Bangladesh and permit introduction of standards and subjects of study in them for the Intermediate or Higher Secondary Examination of the Board, if it is satisfied, on receipt of reports of inspection, that the conditions prescribed for such recognition or permission were satisfactorily fulfilled. The Board may, if it considers necessary, arrange a special inspection of an Intermediate College by its Inspection Committee, or any officer appointed by the Chairman in that behalf.

(2) The recognition of any Intermediate College or of any standard or subject of study in it may be cancelled by the Board, if, on receipt of reports of inspection it is satisfied that conditions of recognition ceased to be fulfilled by the College.

(3) All Intermediate Colleges, whether they formed parts of the Degree Colleges or had separate entities as Intermediate Colleges affiliated to the Universities of Dacca and Rajshahi, immediately before the coming into force of this Ordinance, shall seek recognition as Intermediate Colleges to the Board of Intermediate and Secondary Education, Bangladesh, within one year of the coming into force of this Ordinance.

¹ The word "Taka" was substituted for the letters "Rs." by section 21 of the Intermediate and Secondary Education (Amendment) Ordinance, 1977 (Ordinance No. XVII of 1977).

(4) The Board shall accord recognition to Secondary Schools in Bangladesh if it is satisfied, on the basis of the inspection reports that conditions prescribed for recognition were satisfactorily fulfilled. The Board may, if it considers necessary, arrange a special inspection of a Secondary School by an officer or an expert or jointly by both.

(5) The recognition of any Secondary School may be cancelled by the Board, if, on the basis of a report received from the District Education Officer or other Inspecting Officer or from an officer of the Board deputed for inspection, it is satisfied that conditions of recognition have subsequently ceased to be fulfilled by the School.

The report of the District Education Officer or other Inspecting Officer shall be submitted through the Director of Public Instruction, Bangladesh.
