

# **SENATE OF PAKISTAN**



## **REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING**

**ON**

**“THE FEDERAL BOARD OF INTERMEDIATE AND SECONDARY EDUCATION  
(AMENDMENT) BILL, 2023”**

**PRESENTED BY**

**SENATOR IRFAN-UL-HAQUE SIDDIQUI**

## SENATE SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING ON "THE FEDERAL BOARD OF INTERMEDIATE AND SECONDARY EDUCATION (AMENDMENT) BILL, 2023" LAID IN THE SENATE SITTING HELD ON 24<sup>TH</sup> JULY, 2023 BY SENATOR PROF. DR. MEHR TAJ ROGHANI REFERRED BY THE HOUSE TO THE COMMITTEE FOR CONSIDERATION AND REPORT

I, Senator Irfan-ul-Haque Siddiqui, the Chairman of the Senate Standing Committee on Federal Education and Professional Training, have the honour to present, on behalf of Committee, this report on "The Federal Board of Intermediate and Secondary Education (Amendment) Bill, 2023" laid in the Senate sitting held on 24<sup>th</sup> July, 2023 by Senator Prof. Dr. Mehr Taj Roghani, referred by the House to the Committee for consideration and report.

2. The Composition of the Standing Committee is given as under:-

1. Senator Irfan-ul-Haque Siddiqui	Chairman
2. Senator Prof. Dr. Mehr Taj Roghani	Member
3. Senator Ejaz Ahmad Chaudhary	Member
4. Senator Fawzia Arshad	Member
5. Senator Jam Mahtab Hussain Dahar	Member
6. Senator Engr. Rukhsana Zuberi	Member
7. Senator Rana Maqbool Ahmad	Member
8. Senator Mushtaq Ahmad	Member
9. Senator Molvi Faiz Muhammad	Member
10. Senator Ahmed Khan	Member
11. Senator Khalida Sikandar Mandhro	Member
12. Senator Falak Naz	Member
13. Minister for Federal Education and Professional Training	Ex-Officio Member

3. The Committee in its meeting held on 3<sup>rd</sup> August, 2023, discussed the Bill. The following Members attended the meeting;

1. Senator Irfan-ul-Haque Siddiqui	Chairman
2. Senator Jam Mahtab Hussain Dahar	Member
3. Senator Engr. Rukhsana Zuberi	Member
4. Senator Rana Maqbool Ahmed	Member
5. Senator Molvi Faiz Muhammad	Member
6. Senator Prof. Dr. Mehr Taj Roghani	Member
7. Senator Mushtaq Ahmed	Member
8. Senator Fawzia Arshad	Member

4. The Committee took up the Bill. The Chairman Committee, Senator Irfan-ul-Haque Siddiqi asked Senator Prof. Dr. Mehr Taj Roghani to brief the Committee about the Bill. She briefed the Committee that in 2016, the honourable Supreme Court in one of its judgments, defined 'Federal Government' as 'Prime Minister and the Cabinet'. It placed the responsibility of decision-making on the former two components of the Federal Government. Consequently, for smooth functioning of the Federal Government, the Federal Cabinet vide its notification no. 419/19/2107 dated 18<sup>th</sup> November, 2017 decided that all the Ministries/Divisions in consultation with the Ministry of Law and Justice make amendments in their rules to replace the Federal Government with the word 'appropriate authorities', thus, empowering them to take decisions.

5. She added that the ambit of Federal Government has been enhanced and the Prime Minister and Cabinet are already overburdened. Since the Head/Secretary of controlling Ministry/Division can take decisions, it was need of the hour to empower the head of the FBISE for decisions through this amended Bill.

6. The Chairman Committee inquired the Chairman, Federal Board of Intermediate and Secondary Education, if they had any objection to the proposed amendment Bill. Qaiser Alam, the Chairman, FBISE supported the Bill.

7. Thereafter, after discussion, the Committee decided to put the Bill for the voting. All the Members gave their votes in favour of the Bill, consequently, the Bill was unanimously passed.

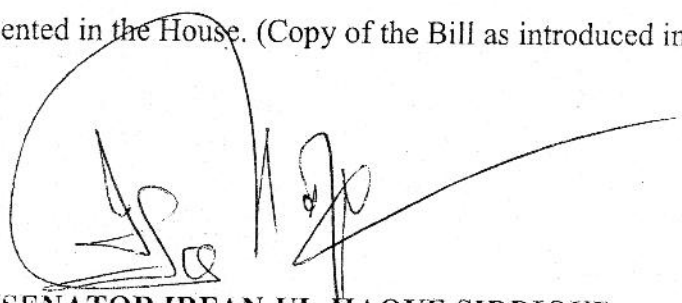
*Therefore, the Committee recommends that the House may pass the Bill as it was introduced in the Senate.*

8. In view of above recommendations, the Committee also gave approval for presentation of report in the House. Hence, this report is presented in the House. (Copy of the Bill as introduced in the Senate is annexed).



(ABDUL RAZIQUE)

Secretary Committee



(SENATOR IRFAN-UL-HAQUE SIDDIQUI)

Chairman Committee

**INTRODUCED ON 24.07.2023.**  
**[AS INTRODUCED IN THE SENATE]**

**A**  
**BILL**

*further to amend the Federal Board of Intermediate and Secondary Education Act, 1975*

**WHEREAS** it is expedient further to amend the Federal Board of Intermediate and Secondary Education Act, 1975 (LXVIII of 1975) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.** - (1) This Act may be called the Federal Board of Intermediate and Secondary Education (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Substitution of section 2, Act LXVIII of 1975.-** In the Federal Board of Intermediate and Secondary Education Act, 1975 (LXVIII of 1975), hereinafter referred to as the said Act, for section 2, the following shall be substituted, namely:-

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

- (a) "Affiliated" means affiliated by the Board ;
- (b) "Board" means the Federal Board of Intermediate and Secondary Education;
- (c) "Chairman" means Chairman of the Board;
- (d) "College" means an institution within the jurisdiction of the Board and affiliated by it for Intermediate Education, and includes a college having Intermediate and Degree classes and affiliated to a University for the Degree classes;
- (e) "Committee" means a committee constituted under this Act;
- (f) "Controlling Ministry/Division" means the Federal Secretary or the Head of Controlling Ministry/Division;
- (g) "Head of an institution" means the principal of a college or the headmaster or headmistress of a school;
- (h) "Headmaster" and "headmistress" include the principal of a school;
- (i) "Institution" means a college or a school;
- (j) "Intermediate college" means an institution affiliated for imparting Intermediate Education, and includes an institution imparting both Intermediate Education and Secondary Education;
- (k) "Intermediate education" means Education pertaining to class XI and class XII;
- (l) "Prescribed" means prescribed by regulations;
- (m) "Principal" means head of a college;

- (n) "Regulations" means regulations made under this Act;
- (o) "School" means an institution within the jurisdiction of the Board and affiliated by it only for imparting Secondary education;
- (p) "Secondary Education" means education pertaining to class IX and class X and such other Classes, to be classes of secondary education, as may be declared by the Controlling Ministry/Division administering the Board; and
- (q) "Secretary" means Secretary of the Board."

**3. Amendment of section 4, Act LXVIII of 1975.**— In the said Act, in section 4, the expression "the Federally Administered Tribal Areas," shall be omitted.

**4. Amendment of section 5, Act LXVIII of 1975.**— In the said Act, in section 5,

- (i) in clause (c), the expression "in the Federal Government", shall be omitted; and
- (ii) in clause (l), the expression "the administration of the Federally Administered Tribal Areas" shall be omitted.

**5. Amendment of section 6, Act LXVIII of 1975** - In the said Act, in section 6, in sub-section (1), for the expression "Federal Government", the expression, "controlling Ministry / Division administering the Board" shall be substituted.

**6. Amendment of section 8, Act LXVIII of 1975.**— In the said Act, in section 8, in sub-section (2),-

- (i) in paragraph (e), for the expression "Federal Government", the expression, "controlling Ministry/Division administering the Board" shall be substituted;
- (ii) in paragraph (f), for the expression "Federal Government", the expression, "Board" shall be substituted; and
- (iii) in paragraph (o),-
  - (a) for the expression "Federal Government", occurring in the first line the expression, "controlling Ministry / Division administering the Board" shall be substituted; and
  - (b) the expression, "or which the Federal Government or any Provincial Government or a educational institution may refer to it for its advice" shall be omitted.

**7. Amendment of section 9, Act LXVIII of 1975.**— In the said Act, in section 9, for the expression, "Federal Government", wherever occurring, the expression "controlling Ministry / Division administering the Board" shall be substituted.



**8. Amendment of section 11, Act LXVIII of 1975,-** In the said Act, in section 11,-

- (i) in sub-section (3), for the expression, "Federal Government", the expression "controlling Ministry/Division administering the Board" shall be substituted; and
- (ii) in sub-section (5), the expression, "Federal Government and to the" shall be omitted.

**9. Amendment of section 13, Act LXVIII of 1975.-** In the said Act, in section 13, in sub-section (2), in the proviso for the expression, "Federal Government", the expression "controlling Ministry/Division administering the Board" shall be substituted.

**10. Amendment of section 15, Act LXVIII of 1975.-** In the said Act, in section 15,-

- (i) in sub-section (3), in the proviso for the expression, "Federal Government", the expression, "controlling Ministry/Division administering the Board" shall be substituted; and
- (ii) in sub-section (4) for the expression, "Federal Government", the expression, "controlling Ministry/Division administering the Board" shall be substituted.

**11. Amendment of section 17, Act LXVIII of 1975.-** In the said Act, in section 17, in sub-section (1), for the expression, "Federal Government", the expression, "controlling Ministry/Division administering the Board" shall be substituted.

### **STATEMENT OF OBJECTS AND REASONS**

The Federal Board of Intermediate and Secondary Education (FBISE) is an autonomous body, functioning under Ministry of Federal Education and Professional Training. In the light of Honourable Supreme Court M/S Mustafa Impex judgment 2016, the Federal Cabinet vide its decision No. 419/19/2017 dated 8<sup>th</sup> November 2017, inter alia, decided that all Ministries and Divisions should in consultation with Law and Justice Division, make amendments in respective Acts/Rules and replace the word Federal Government with the appropriate authorities, however, until now, no such amendment has been made in the under-discussion Act.

Moreover, as per afore-cited judgment, the ambit of Federal Government has been enhanced and now, the Federal Government means Prime Minister and Cabinet, and that makes cabinet over-burdened with the decisions to be made, which can also be taken by the Head/Secretary of controlling Ministry/Division, and thus, a need has been felt to bring this amendment bill to replace the expression Federal Government with the appropriate authorities, as the same would help in smooth and speedy functioning of Federal Government organizations in more effective and efficient manner.

2. This Bill is aimed to achieve the above-said objective.

**SENATOR PROF. DR. MEHR TAJ ROGHANI**  
**MEMBER-IN-CHARGE**