

**The Punjab School Education Board
(Amendment) Act, 2017
(Principal Act, 1969)**



**PUNJAB SCHOOL EDUCATION BOARD
SAHIBZADA AJIT SINGH NAGAR (MOHALI)**

THE PUNJAB SCHOOL EDUCATION BOARD ACT
ARRANGEMENT OF SECTIONS

Sections	Pages
1. Short Title and Commencement	1
2. Definitions	2-3
3. Establishment and incorporation of the Board	3
4. Constitution of the Board	3-4
4A. Suspension of the Board	4
5. Term of office of Chairman, Vice-Chairman and member	5
6. Qualification for appointment of Chairman and Vice - Chairman	5-6
7. Filling of vacancies	6
8. Disqualifications	6-7
9. Circumstances under which a member shall vacate office	7
10. Resignation	7
10A. Removal of a members including chairman and Vice Chairman	7-8
11. Headquarters of the Board	8
12. Meetings of the Board	8
13. Officers of the Board	8
14. Powers and duties of the Chairman and Vice-Chairman	9
15. Appointment of Secretary and other employees, their terms and conditions of service	9-10
16. Admission of institutions to privileges of the Board	10
17. Powers and functions of the Board	10-13
18. Powers of Board to set up committees and councils	13-15
19. Constitution of the Board Fund	15-16
20. Delegation	16
21. Control of the state Government over the Board	16-17
22. Protection for acts done etc. in good faith	17
23. Bar of jurisdiction of courts	17
24. Powers of Board to make regulations	17-18
25. Repeal and savings	18

**THE PUNJAB SCHOOL EDUCATION BOARD ACT 1969,
(AMENDMENT) ACT 1987, (AMENDMENT) ACT, 2000,
(AMENDMENT) ACT 2005, (AMENDMENT) ACT 2008,
(AMENDMENT) ACT 2011 AND (AMENDMENT) ACT 2013
(AMENDMENT) ACT 2016, AND (AMENDMENT) ACT 2017**

Received the assent of the Governor of Punjab on the 25th November, 1969 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement, Part 1, of the 28 November 1969.

* The amendment Act of 1987 received the assent of the Governor of Punjab on 17th April, 1987 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 22nd April, 1987. **

The amendment Act of 2000 received the assent of the Governor of Punjab on 6th April, 2000 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 10th April, 2000. ***

The amendment Act of 2005 received the assent of the Governor of Punjab on 29th November, 2005 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 7th December, 2005. ****

The amendment Act of 2008 received the assent of the Governor of Punjab on 16th April, 2008 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 5th May, 2008. *****

The amendment Act of 2011 received the assent of the Governor of Punjab on 16th March, 2012 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 17th April, 2012. *****

The amendment Act of 2013 received the assent of the Governor of Punjab on 4th December, 2013 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 11th December, 2013. *****

The amendment Act of 2016 received the assent of the Governor of Punjab on 22nd December, 2016 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 23rd December, 2016 and *****

The amendment Act of 2017 received the assent of the Governor of Punjab on 22nd December, 2017 and first published in the Punjab Govt. Gazette (Extraordinary), Legislative Supplement Part 1, of the 2nd January, 2018.

AN ACT

to provide for the establishment of Board of School Education in the State of Punjab.

further to amend the Punjab School Education Board Act, 1969.

Be it enacted by the Legislature of the State of Punjab in the Sixty-eight Year of the Republic of India as follows:-

1 ***** (1) This Act may be called the Punjab School education Board (Amendment) Act, 2017.

Short title and Commencement

1. For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1969, Page. 1082

*Vide the Punjab School Education Board (Amendment) Act, 1987

**Vide the Punjab School Education Board (Amendment) Act, 2000.

***Vide the Punjab School Education Board (Amendment) Act, 2005

****Vide the Punjab School Education Board (Amendment) Act, 2008

*****Vide the Punjab School Education Board (Amendment) Act, 2011

***** Vide the Punjab School Education Board (Amendment) Act, 2013

***** Vide the Punjab School Education Board (Amendment) Act, 2016

*****Vide the Punjab School Education Board (Amendment), Act 2017

(2) It shall come into force on and with effect from the date of its publication in the official Gazette.

2.

In this Act, unless there is anything repugnant in the Subject or context -

Definitions

*(a) "affiliated" with its grammatical Variations used with reference to an institution means affiliated or deemed to be affiliated to the Board for the purposes of admission to the privileges of the Board;

*(aa) "Board" means the Punjab School Education Board, established under section 3;

(b) "Chairman" means the Chairman of the Board;

(c) "Examination" means an examination conducted by the Board;

*(d) "Head of the Institution" means Headmaster or Principal or any other principal academic officer, by whatever designation called of an affiliated institution.

*(e) "Institution" means an institution imparting school education in or outside the State

(f) "Member" means a member of the Board and includes the Chairman and Vice Chairman thereof;

*(ff) "Plus two scheme" means the scheme of education where under education is imparted for two additional successive classes immediately following matriculation;

(g) "Prescribed" means prescribed by regulations made by the Board under this Act.

*(h) Omitted.

*(i) "School education" means all education from the first class to the twelfth class," immediately preceding the stage leading to entry to the first degree of a University-established by law in India and includes plus two scheme but does not include technical education.

(j) "Secretary" means the Secretary of the

*Vide the Punjab School Education Board (Amendment) Act, 1987

			Board;
		*****	(jj) Omitted.
			(k) "State" means the State of Punjab;
			* (l) "Text Book" means any book or other printed material prescribed, recommended or otherwise approved by the Board for study in any affiliated institution.;
			(m) "Vice-Chairman" means the Vice-Chairman of the Board.
Establishment and Incorporation of the Board	3.	(1)	There shall be established for the purpose of this Act a Board to be known as the Punjab School Education Board.
		(2)	The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of the Act, to acquire, hold or dispose of property, both movable and immovable and to contract, and may by the name sue and be sued.
Constitution of the Board	4.	(1)	The Board shall consist of a *****Chairman, Vice-Chairman and the following members. a) ex-officio members, namely:- *** (i) Vice Chancellors of all the universities or their representatives, established or that may be established by law in the State.;
			(ii) Secretary to Government in the Department of Education or an officer of that Department not below the rank of a Deputy Secretary nominated by him;
			(iii) Director of Public Instruction (Colleges), Punjab;
			(iv) Director of Public Instruction (Schools), Punjab;
			(v) Director, State Council of Educational Research and Training, Punjab.;
			***(vi) Director General, School Education, Punjab;
		(b)	seven members to be nominated by the State Government out of the following categories of persons, namely:-
		(i)	One member from amongst the District Education Officers and Circle Education Officers;
		(ii)	Two members from amongst the Principals of Colleges affiliated to the universities

*Vide the Punjab School Education Board (Amendment) Act, 1987.

***Vide the Punjab School Education Board (Amendment) Act, 2005.

*****Vide the Punjab School Education Board (Amendment) Act, 2017

- (iii) established by law in the State.
- (iii) one member from amongst the lecturers of Colleges affiliated to the universities established by law in the State;
- (iv) one member from amongst the Heads of Senior Secondary Schools affiliated to the Board;
- (v) one member from amongst the Heads of High Schools affiliated to the Board.
- (vi) one member from amongst the School lecturers and teachers who are State or National awardees;
- (c) one eminent scholar or writer or scientist, as may be nominated by the State Government; and
- (d) the Legal Remembrancer, Punjab or the Advocate General, Punjab as may be nominated by the State Government.

Provided that the Legal Remembrancer, Punjab if nominated as ex-officio member by the State Government, may depute his nominee not below the rank of a Deputy Legal Remembrancer and Deputy Secretary to Government of Punjab to represent him on the Board and

*** (e) three members of the Punjab Legislative Assembly, to be nominated by the State Government.

(2) ***** The Chairman and the Vice-Chairman shall be appointed by the State Government upon such terms and conditions as it may think fit.

(3) * Omitted.

(4) The appointment of the ***** Chairman and Vice Chairman and the nomination of every member shall be notified by the State Government in the Official Gazette.

If the State Government is satisfied that the Board is not functioning properly or abusing its powers or is guilty of corruption or mismanagement, it may suspend the Board and make such arrangement for the functioning of the Board, as it may deem appropriate.

Provided that the Board shall be re-constituted within a period of six months from the date of its

Suspension of the Board ***4-A

*Vide the Punjab School Education Board (Amendment) Act, 1987

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

Term of office of *****Chairman, Vice- Chairman and members *****5

suspension.

(i) The term of office of the *****Chairman and Vice-Chairman shall be three years from the date of notification, issued under sub-section (4) of section 4, which in special circumstances, may further be extended for a period, not exceeding three years; Provided that the extension granted under this sub-section shall not exceed one year at a time;

Provided further that no person appointed as *****Chairman or Vice Chairman, as the case may be, shall continue as such, beyond the age of sixty-five years.

***** in the second proviso, for the words "sixty-five years" the words "sixty-six years" shall be substituted; and

(ii) after sub-section (1) the following sub-section shall be inserted namely:-

"(1-A) Notwithstanding anything contained in this section, all actions taken or orders made by the Chairman prior to the commencement of the Punjab School Education Board (Amendment and Validation) Act, 2011 (hereinafter referred to as the amending Act), shall for all purposes be deemed to be valid as if the term of the office of the Chairman was extended with effect from the 2nd day of the June, 2011 under the provision made by the amending Act and no such action or order made shall be called in question on this ground."

(2) The term of office of a nominated member shall be two years from the date of his nomination, which may further be extended for a period of two years.

(3) Notwithstanding anything contained in sub-section (1) the term of office of an officer of the State Government, sent on deputation, as *****Chairman or Vice - Chairman shall be such, as may be fixed by the State Government, but it shall in no case, exceed three years.

No person shall be appointed as *****Chairman or Vice Chairman unless:-

***** (a) he has served the Central Government or State Government or both on gazetted post for a period of not less than fifteen years;

or

****Vide the Punjab School Education Board (Amendment) Act, 2008
*****Vide the Punjab School Education Board (Amendment) Act, 2011.
*****Vide the Punjab School Education Board (Amendment) Act, 2017

- (b) he has an experience of teaching in any school, college or University established by law in India, or partly in one and partly in any other of the aforesaid institutions for a period of not less than twenty years, out of which he should have served as Principal of a College or Registrar or Head of the Department of such a University for a period of not less than one year.**

Provided that nothing in this clause shall apply to an officer who is serving under the State Government and is sent on deputation as *****Chairman or Vice-Chairman.

Filling of vacancies 7. (1)

If a vacancy occurs in the office of member of the Board through death, resignation, removal, disqualification or otherwise, the vacancy shall be filled in the manner provided in section 4.

(2)

Any person appointed or nominated to fill the vacancy shall notwithstanding anything in section 5, hold office for the unexpired portion of the term of his predecessor.

Disqualifications ****8 (1)

A person shall be disqualified for being appointed or nominated or for continuing as a member if:-

- (a) he is or at any time has been adjudicated insolvent or has suspended payment of his debts or has compounded with his creditors.
- (b) he is of unsound mind and stands so declared by a competent court;
- (c) he is or has been convicted of any offence, which in the opinion of the state Government involves moral turpitude;
- (d) he has been removed or dismissed from the service of any State Government or Central Government or a Corporation owned or controlled by any State Government or Central Government; or
- (e) he directly or indirectly, whether by himself or by his partner or by any person or body of person in trust for him or for his benefit or on his account, has or had any share or interest in-

(i) any book published for use in an institution;

(ii) a firm engaged in printing, publishing or preparation of any

**Vide the Punjab School Education Board (Amendment) Act, 2000

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

book meant for use in an institution
or

(iii) a contract with the Board:

Provided that the disqualification referred to in sub-clause (i) shall cease after the expiry of a period of ten years from the date on which the book in question was published.

(2) If any question, dispute or doubt arises as to whether or not any person is eligible for membership of the Board or has incurred any disqualification, whether before or after becoming a member, it shall be determined by the State Government, whose decision shall be final.

9.

If a member:-

Circumstances under which a member shall vacate office

- (a) ceases to have the qualifications or ceases to hold the office by virtue of which he became member;
- (b) becomes subject to any disqualification referred to in section 8; or
- (c) absents himself, without permission of the Chairman from three consecutive meetings of the Board, the State Government shall declare his office to be vacant.

***10

A member including *****Chairman and Vice-Chairman may resign his office by tendering resignation to the State Government and the seat of such member including Chairman and Vice-*****Chairman, shall become vacant on the date of acceptance of the resignation by the State Government.

Resignation

***10(A)

The State Government may, by notification in the official Gazette remove any member including *****Chairman and Vice-Chairman, but other than an official member if:

Removal of a member including Chairman and Vice-Chairman*****

- a) he has become subject to any of the disqualifications specified in sub-section (1) of section 8;
- b) he willfully refuses to carry out of provision of this Act.
- c) he abuses the powers vested in him or is guilty of misconduct.
- d) he remains absent without leave of the Board for more than three consecutive meetings of the Board without sufficient cause; or

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

e) it appears to the State Government that his continuation in the office is detrimental to the public interest.

Headquarters of the Board

11. The Board shall have its headquarters at such place as may be notified by the State Government from time to time.

Meeting of the Board

12. 1) *****The Chairman or in his absence the Vice-Chairman may, at any time, and shall at the prescribed intervals or on receipt of requisition signed by not less than one-third of the members and stating the business to be brought before the Board, call a meeting of the Board in the prescribed manner.

(2) *****The Chairman, or in his absence the Vice-Chairman, shall preside at every meeting of the Board.

(3) All questions at a meeting of the Board shall be decided by the votes of the majority or the members present and voting;

Provided that in the case of equality of votes, the *****Chairman, or the Vice-Chairman when presiding, shall in addition to his vote as a member, have a casting vote.

(4) One-third of the total membership shall form a quorum at a meeting of the Board;
Provided that if a meeting is adjourned for want of quorum no quorum shall be necessary at the next meeting for transacting the same business.

(5) A copy of the proceedings of every meeting of the Board shall be sent to the state Government by the Secretary as soon as may be after the meeting is held.

(6) No act done, or proceedings take, under this act by the Board shall be invalid merely on the ground of the existence of any vacancy amongst members, or by reason of defect or irregularity in its constitution or any irregularity in procedure not affecting the merits of the case.

Officers of the Board

13. There shall be the following officers of the Board namely :

(a) the Chairman;

(aa) Omitted

(b) the Vice Chairman;

(c) the Secretary; and

(d) such other officers as may be appointed by

Powers and duties
of the Chairman
and Vice-
Chairman*****

- the Board.
14. (1) The Chairman shall be the administrative head of the Board.
- (2) The Chairman shall exercise all powers necessary and be responsible for carrying out the provisions of this Act and the regulations made there under.
- * (3) "In any emergency arising out of the Administrative business of the Board, which in the opinion of the Chairman requires immediate action, the Chairman shall with the approval of the State Government, take such action, as he deems necessary and thereafter report the action so taken to the Board at its next meeting.
- Provided that in respect of the matters, which are related directly to the conduct of examinations and date-bound court cases, the Chairman may take such action, as he deems necessary, without the prior approval of the State Government, but he shall place the matter in the next meeting of the Board for its approval."

***** (4) The Vice-Chairman shall assist the Chairman in all matters, administrative and academic, shall discharge such duties and exercise such powers as may be delegated to him by the Chairman, and shall in the latter's absence exercise all the powers of the Chairman.

Appointment of
Secretary and
others employees
their terms and
conditions of
service.

- ***** 15 (1) The State Government shall appoint the Secretary of the Board, who shall be an officer from the Indian Administrative Services (IAS) or the Punjab Civil Services (PCS), not below the rank of Additional Secretary.
- (2) The Secretary shall be-
- (a) The principal Executive Officer of the Board and shall-
 - (i) Authenticate all orders and decisions of the Board; and
 - * (ii) Represent the Board in all legal proceedings except where the Board resolves otherwise.
 - (b) Entitled to be present and to speak at any meeting of the Board; and
 - (c) responsible for
 - (i) The presentation of the annual estimates and statement of accounts, including the balance-sheet to the Board;
 - (ii) The custody of the Board fund and ensuring

*Vide the Punjab School Education Board (Amendment) Act, 1987

***Vide the Punjab School Education Board (Amendment) Act, 2017

that all moneys of the fund are expended for the purpose for which they are granted or allotted;

- (iii) Keeping the minutes of the meetings of the Board and furnishing a copy thereof to the state Government and
- (iv) discharging such other functions as may be prescribed.

(3) The Board may appoint such other employees as may be considered necessary for carrying out the provisions of this Act and the regulations made thereunder, on such terms and conditions of service as may be prescribed.

16 (1) Any institution, in or outside the State, may apply to the Board for being admitted to the privileges of the Board and the Board may, subject to such conditions and restrictions as may be prescribed, admit such institution to the privileges of the Board.

Admission of Institutions to privileges of the Board

*(2) Any institution affiliated to the Punjab University, Chandigarh, the Punjabi University Patiala, or the Guru Nanak Dev University, Amristar, affiliation of which has not been withdrawn or cancelled by the concerned University before the commencement of the Punjab School Education Board (Amendment) Act, 1987 shall be deemed to be an institution affiliated to the Board for plus two scheme and shall be subject to all the provisions of this Act and the regulations made thereunder.

*(3) Where the Board is satisfied that its privileges are being abused by any affiliated institution or that the prescribed conditions or restrictions are not being complied with by such institution, the Board may withdraw its privileges from the institution, and thereupon the institution shall cease to be an affiliated institution:

Provided that before withdrawing the privileges the Board shall require the institution to show cause why such action should not be taken and consider any explanation which may be furnished by it.

17 (1) Subject to the provisions of this Act, the Board shall exercise and perform the following powers and functions, namely :

Powers & Functions of the Board

***** (i) Prescribe the syllabi and courses of studies in consultation with the state council of

*Vide the Punjab School Education Board (Amendment) Act, 1987

*****Vide the Punjab School Education Board (Amendment) Act, 2017

Educational Research and Training (SCERT),
Punjab

*******(1-A)**

No other authority (by whatever name it may be called), except the Board, shall be competent to perform the functions, as mentioned in clause (iii) of sub-section (I) of section 17 of this Act.

Provided that an authority, approved and authorized by the Government of India to which institutions situated in the State of Punjab are affiliated, shall also be competent to perform the said functions."

- (ii) Organize research for grading of textual vocabulary and arrange for regular revision of text books and other books;
- (iii) Hold examinations for School education, publish the results of such examinations and grant certificates to the persons, who have passed such examinations:
- (iv) admit to the examinations, on the prescribed conditions, candidates, who have pursued the prescribed courses of instructions, whether in affiliated institutions or otherwise. However, any change in the prevalent conditions shall be made with the prior approval of the State Government;
- (v) cause enquiries to be made through such agency and in such manner, as may be prescribed regarding the conditions prevailing in an institution before it is admitted to the privileges of the Board and require such agency to inspect affiliated institutions and submit a report to the Board as to how for the conditions and restrictions on which the institution was admitted to privileges of the Board, are being complied with;
- (vi) Prescribe penalties for misconduct pertaining to examinees, examiners and other persons engaged in the conduct of examinations.
- (vii) Appoint examiners and supervisory staff and fix their remuneration;
- (viii) Lay down conditions and restrictions for

*****Vide the Punjab School Education Board (Amendment) Act, 2013

admission off candidates to the examinations:

- (ix) Organize and provide lecturers, demonstrations, educational tours, exhibitions, seminars and symposia and take such other measures, as may be necessary to raise and promote the quality and standard of school teaching and education;
 - (x) Submit annual audited accounts and balance sheets together with the report of the Board to the State Government not later than the 30th September of the next year and publish such accounts and balance sheets in the official Gazette;
 - (xi) Give grants to State Council of Educational Research and Training for educational activities and research work;
 - (xii) Institute and award scholarships, medals and prizes;
 - (xiii) Fix, demand and receive such fees and other charges, as may be prescribed;
 - (xiv) Hold any property and receive bequests, donations, endowments, trusts and transfer of any property of interest therein or right thereto;
 - (xv) Prescribe measures for the intellectual, Physical, moral and ethical promotion and for social welfare of students in affiliated institutions and the conditions of their residence and discipline;
 - (xvi) Encourage sports and health-building activities;
 - (xvii) Take measures for the welfare of teachers of affiliated institutions and employees of the Board; and
 - (xviii) Do such other acts and things, as it may deem fit for the purpose of carrying out the provisions of this Act.
- (2) Subject to the provisions of this Act, the Board shall exercise and perform the following powers and functions with the prior approval of the State Government, namely :-
- (a) Arrange for the preparation, writing, compilation, printing, publishing and sale

of text books, other educational material and undertake the publication of any other educational work , book or periodicals. However, copy right of any material developed, published, printed by the Board, shall vest with the State Government; and

- (b) Prescribe conditions for affiliation of institutions in terms of teachers and their qualifications, curriculum, equipments, buildings and other educational facilities.

Powers of Board to set up committees and councils

*18. (1)

The Board shall for the purpose of carrying out the provisions of this Act and the regulations made there under set up the following committees and Councils, namely :-

*(a) Finance committee consisting of :-

(i) The Chairman

***** (ia) Omitted

(ii) The Vice-Chairman

(iii) The Secretary to Government in the Department of 'Education or an officer of that Department not below the rank of a Deputy Secretary nominated by him;

(iv) The Secretary to Government in the Department of Finance or an officer of that Department not below the rank of Deputy Secretary nominated by him;

*** (iv-a) The Director General, School Education, Punjab; and

*** (v) Three persons selected by the members from amongst themselves.

* (b) Examination committee consisting of :

(i) The Chairman;

***** (ia) Omitted

(ii) The Vice-Chairman;

*** (iii) Two persons to be nominated by the Board from amongst its members, out of whom one shall be a Vice-Chancellor or his representative

*** (iv) The Secretary to Government in the Department of Education or an officer of that Department, not below the rank of a Deputy Secretary to be nominated by him;

*** (v) The Director General, School Education,

*Vide the Punjab School Education Board (Amendment) Act, 1987

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

Punjab;

***(vi)The Director of Public Instruction (Secondary Education); and

***(vii)The Director of Public Instruction (Elementary Education).

*(c) Academic council consisting of:-

(i) The Chairman;

***** (ia) Omitted

(ii) The Vice-Chairman;

***(iii)The Director General, School Education, Punjab;

***(iv)Omitted.

(v) The Director, State Council of Educational Research and Training, Punjab;

(vi) The Director of Languages, Punjab;

(vii) The Director, Punjab State University Text Book Board;

(viii) Five heads of affiliated Institutions to be nominated by the Board for a period not exceeding one year.

(ix) Five teachers of affiliated institutions having at least ten years experience as such to be nominated by the Board for a period not exceeding one year.

(x) Three outstanding academicians to be nominated by the State Government for a period not exceeding one year; and

(xi) The Secretary of the Board who shall also function as Secretary of the academic council.

*(2) The Finance committee shall examine all financial matters pertaining to the Board including the budget estimates and the annual accounts and balance sheets.

*(3) The examination committee shall consider the appointment of paper setters and examiners and shall recommend measures to improve the mode of evaluation and conduct of examinations.

*(4) The academic council shall be the academic body of the Board and shall;

(i) Lay down guide lines for the maintenance of academic standards in the affiliated institutions;

*Vide the Punjab School Education Board (Amendment) Act, 1987

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

**Constitution of
the Board fund**

- (ii) Approve the syllabi for various classes and examinations;
 - (iii) Lay down policy and procedure for the conduct of examinations; and
 - (iv) Advise the Board in the matters of granting affiliation and all other academic matters.
- * (5)** The Board may, for the purpose of carrying out the provisions of this Act and the regulations made thereunder, set up in addition to the committees and council referred to in sub-section (1), such committees or councils as it may think fit or as may be prescribed.
- (6)** The quorum and the manner of transacting the business of a committee and that of a council shall be such as may be prescribed.
- (19)** (1) There shall be constituted a Fund to be known as the Board Fund to which shall be credited :-
- * (a)** All fees, sale proceeds of text-books, Penalties, Royalties and charges levied by the Board;
 - (b)** All bequests endowments, donations grants or contributions made to the Board by the State Government or any other Government, person, body or authority;
 - (c)** All rents and profits from the property vested in the Board; and
 - (d)** All money received by or on behalf of the Board from any other source.
- (2)** All moneys at the credit of the Board shall be kept in the State Bank of India or such other Bank as the State Government may direct :
Provided that the Board may invest such moneys as are not required by it for immediate expenditure, in any of the Government securities or place them in fixed deposit in the State Bank of India.
- (3)** Subject to the provisions of this Act, The Board fund may be applied only for purpose of payment of the charges and expenses connected with or incidental to the several matters specified in this Act and the regulations made thereunder and for any other purpose for which powers and conferred or duties imposed on the Board by or under this Act.

***(4)** The net savings, if any, shall be utilised by the Board for the development of School Education and raising the standard thereof.

***** (5)** The accounts of the Board shall be audited annually by such agency and on payment of such fees, as may be specified by the State Government and a copy of the annual audited accounts, balance sheet and annual administrative reports shall be submitted by the Board to the State Government each year by such date as the state Government may specify and as soon as possible, shall be laid before the House of the State Legislature.

Delegation

20 (1) The Board may, by regulations delegate :-

(a) Any of its powers, except the power to make regulations, to any officer or committee of the Board; or

(b) Any of the powers vested by this Act in any officer of the Board to any other officer or committee thereof

(2) the officer or committee to whom such delegation is made shall, exercise such powers subject to such restrictions and conditions as may be prescribed.

*****21** (1) The State Government shall exercise superintendence, direction and control over the Board and its officers and may call for any information which it may consider necessary.

Control of the State Government over the Board

(2) If the State Government is of the opinion that the Board is not functioning properly in accordance with the provisions of this Act, and is abusing its powers or there is mismanagement, it may, by notification in the official Gazette, supersede the Board.

Provided that the period of supersession shall, in no case, exceed one year.

(3) When the Board is superseded under sub-section (2), the following consequences shall ensue, namely :-

(a) All members of the Board and its committees including the *****Chairman and the Vice-Chairman, shall, from the date of notification, vacate their offices :

(b) All powers, duties and functions, which under the provisions of this Act or any regulations made thereunder, are exercised by the Board or any committee thereof by the Chairman or by any other officer of the Board, shall be exercised and performed by such person (hereinafter referred to as

***Vide the Punjab School Education Board (Amendment) Act, 2005

*****Vide the Punjab School Education Board (Amendment) Act, 2017

the administrator), as may be appointed by the State Government in this behalf.

Provided that the administrator may, subject to the control of the State Government, delegate any of its powers, duties or functions to such other person, as he may think fit; and

(c) All properties, including the Board Fund vested in the Board, until it is re-constituted, vest in the administrator

(4) The State Government may, at any time appoint a committee consisting of such persons, as it may think fit to enquire into and report on any policy, administrative, financial or any other matter which the State Government may think fit in the interest of school education and functioning of Board. The State Government may, after considering the report of such committee, issue such directions to the Board, as it may think fit, and the Board shall comply with such directions.

(5) Copyright of all material developed, printed, published by the Board, shall vest with the State Government.

(6) The State Government may get any material pertaining to School education, published or printed from any agency as it may consider appropriate in public interest.

No suit, prosecution or other legal proceedings shall lie against the state Government, the Board or any of its committees or any member of the Board or a committee or the administrator appointed under section 21 or any other person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any regulation, order or direction made there under.

No order or decision made by the Board or any of its committees of the administrator appointed under section 21, in exercise of the powers conferred by or under this Act shall be called in question in any court.

Subject to the provisions of this Act, the Board may make regulations for carrying out the provisions of this Act and a copy of the regulations so made shall be submitted to the state Government.

In particular, and without-prejudice to the generality of the foregoing power, the Board may

Protection for acts done etc. in good faith 22.

Bar of jurisdiction of courts 23.

Powers of Board to make regulations *24 (1)

(2)

*Vide the Punjab School Education Board (Amendment) Act, 1987

make regulations providing for all or any of the following matters, namely :-

- (a) the procedure in accordance with which the meetings of the Board shall be convened under sub-section (1) of Section 12;
- (b) the other officers referred to in sub-section (3) of section 15 which the Board may have and the terms and conditions of service of such officers and the Secretary of the Board;
- (c) the courses of instruction, text books and other books of study for purpose of imparting school education and the holding and conduct of examinations including the appointment of examiners and their duties and powers;
- (d) the conditions on which candidates shall be admitted to the examinations and the fees to be paid by him.
- (e) the Penalties for misconduct to which examinees, examiners and other persons engaged in the conduct of examinations shall be subjected;
- *(f) the measures for the intellectual, physical, moral and ethical promotion and for social welfare of students in affiliated institutions and the conditions of their residence and discipline;
- *(g) the committees or councils which may be set up by the Board under sub-section (5) of section 18 and the maximum number of members the quorum of all committees and councils setup under the aforesaid sub-section and the manner in which they shall transact their business:
- (h) the Control, administration, custody and management of the board Fund;
- (i) the powers, duties and functions to be exercised or performed by the officers of the Board; and
- (ii) Any other matter which is to be or may be prescribed.

Repeal and savings

*****25 (1)

The Punjab School Education Board (Amendment) Ordinance, 2013 (Punjab Ordinance No. 7 of 2013), is hereby repealed.

(2)

Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the principal Act, as amended by this Act.

*Vide the Punjab School Education Board (Amendment) Act, 1987

*****Vide the Punjab School Education Board (Amendment) Act, 2013