

43. Upon the establishment of the Board, the Madrasah Education Board functioning immediately before the commencement of this Ordinance, hereinafter referred to as the dissolved Board, shall stand dissolved, and upon such dissolution,-

Dissolution of
the Madrasah
Education
Board, etc.

- (a) all assets, rights, powers, authorities and privileges, and all property, movable or immovable, cash and bank balances, funds, investments and all other interests and rights in, or arising out of, such property of the dissolved Board subsisting immediately before its dissolution shall stand transferred to, and vested in, the Board;
- (b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for, the dissolved Board before its dissolution, shall be deemed to have been incurred, entered into, or engaged to be done by, with or for, the Board;
- (c) services of all officers and employees of the dissolved Board shall, notwithstanding anything contained in any contract or agreement or in the terms and conditions of service, stand transferred to the Board and they shall be deemed to be officers and employees of the Board appointed by it on the same terms and conditions of service as were applicable to them in the dissolved Board unless such terms and conditions are altered, not being to their disadvantage, by the Board;
- (d) all suits and other legal proceedings instituted by or against the dissolved Board before its dissolution shall be deemed to have been instituted by or against the Board.

THE SCHEDULE

The First Regulations of the Board

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

Powers and
duties of the
Chairman

(2) The Chairman shall do all acts to ensure that the officers and employees of the Board properly perform the duties entrusted to them and, in particular, he shall-

- (a) write confidential reports on the conduct, character and efficiency of the officers of the Board;
- (b) recommend to the Board any disciplinary action that he considers necessary against any officer of the Board; and
- (c) 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 and members of the Board (including his own) and members of the Committees appointed under the Ordinance.

(4) For the purpose of carrying out the provisions of the Ordinance, the Chairman shall have the power to inspect, or cause an inspection to be made by an officer of the Board or such person or persons as he may consider suitable, into the affairs of any Madrasah affiliated to, or which has made an application for affiliation to, the Board and to cause an enquiry to be made in like manner in respect of any matter concerning the Board.

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

¹[* * *]

(7) 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.

¹ Sub-regulation (6) was omitted by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

2. (1) The Registrar shall, subject to the control of the Chairman, be in charge 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 Registrar

(2) The Registrar shall exercise and perform the following powers and duties, namely:-

- (a) he shall take all possible steps to ensure that the funds of the Board are spent on the purposes for which they are provided;
- (b) he shall cause to be prepared and submit to the Board for approval the annual statement of accounts and budget estimates;
- (c) he shall convene all meetings of the Board and Committees under the direction of the Chairman. While preparing the agenda for meeting of the Board or a Committee, he shall carry out the direction 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;
- (d) he shall conduct the official correspondence of the Board under the authority of the Chairman except the correspondence relating to the conduct of examination and shall record the minutes and maintain the records of the proceedings of the meetings of the Board and the Committees;
- (e) all fees and dues payable to the Board, and all sums received by the Registrar, shall be credited without delay to the account of the Board in a scheduled bank approved by the Board or in the Government Treasury;
- (f) he shall be the disbursing officer of the employees of the Board and shall be responsible for proper deduction and recoveries and see that such amounts are credited to the appropriate head of account of the Madrasah Education Fund;
- (g) he shall be the drawing officer and shall, jointly with the Chairman, sign all cheques above Taka 500; and all cheques of Taka 500 and below shall be signed by the Registrar alone;

- (h) he shall be the custodian of the imprest cash of Taka 2,500 of the Board and shall incur normal expenditure not exceeding Taka 500 for each item at a time. For any unusual expenditure and any normal expenditure exceeding Taka 500, prior approval of the Chairman shall have to be obtained before it is incurred;
- (i) subject to the conditions laid down in clause (h), he shall draw and disburse all contingent and other bills;
- (j) he shall be the controlling officer for the purpose of travelling allowance in respect of the employees of the Board;
- (k) 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 Registrar as it may, from time to time, deem necessary.

**Powers and
duties of the
Controller of
Examinations**

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

(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, namely:-

- (a) 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;
- (b) he shall be responsible for-
 - (i) getting the question papers set in time, translated, moderated and printed and their safe custody and secrecy of the contents at all stages;
 - (ii) proper distribution of question papers and examination materials to all examination centres in time;

- (iii) collection of all answer scripts, surplus examination materials and records and other documents from all centres;
 - (iv) holding of the examiners' meetings, distribution of answer scripts to the examiners and collection of the marked answer scripts together with marks sheets from all examiners;
 - (v) distribution of the marked answer scripts to the Head Examiners, collection of marks from them and distribution of marks to the respective Tabulators;
 - (vi) collection of tabulated results from the Tabulators;
 - (vii) publication of results of the examination in time; and
 - (viii) issue of certificates and diplomas to the successful candidates in time;
- (c) ¹[he shall sign all Dakhil and Alim certificates and diplomas:]

Provided that power to issue certificates may be delegated to a Deputy Controller of Examinations or Assistant Controller of Examinations by the Board;

- (d) he shall be responsible for ensuring and maintaining strict secrecy of all information regarding the examinations of the Board;
- (e) he shall place the recommendations of the Examination Committee before the Chairman on-
 - (i) the selection of centres of examinations including opening of new and closing of old centres of examinations where necessary, and
 - (ii) such other matters as he may deem necessary and as may be required of him by the Chairman;
- (f) he shall perform such other duties as may be assigned to him by the Chairman;

¹ The words and colon "he shall sign all Dakhil and Alim certificates and diplomas:" were substituted for the words and colon "he shall sign all Dakhil, Alim and Fazil certificates and diplomas:" by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

- (g) he shall bring to the notice of the Chairman all cases of infringement of rules of examinations with full report for disposal;
- (h) he shall attend all meetings in which matters relating to the examinations of the Board are included in the agenda.

**Constitution
Powers and
Functions of the
Academic
Committee**

- 4.** (1) The Academic Committee shall consist of -
- (a) the Chairman, *ex-officio*;
 - (b) the Assistant Director of Public Instruction, In-charge of Madrasah Education, *ex-officio*;
 - (c) the Director of Technical Education or the officer nominated by him under clause (c) of section 4, *ex-officio*;
 - ¹[(d) Chairman, National Curriculum and Text Book Board or an Officer to be nominated by him;]
 - (e) the person nominated by the Government under clause (e) of section 4, *ex-officio*;
 - (f) the person nominated by the Government under clause (f) of section 4, *ex-officio*;
 - (g) two persons to be nominated by the Chairman from amongst the Principals of non-Government Madrasahs;
 - (h) one person to be nominated by the Government from amongst the Principals of Government degree colleges;
 - (i) one person to be nominated by the Chairman from amongst the Superintendents of non-Government Madrasahs; and
 - (j) three specialists to be nominated by the Government including specialist in training of teachers.
- (2) The Registrar of the Board shall be the Secretary of the Academic Committee.
- (3) The members of the Academic Committee, other than the *ex-officio* members, shall hold office for a period of two years.

¹ Clause (d) was substituted by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

(4) The quorum for a meeting of the Academic Committee is five.

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

(6) Without prejudice to the generality of the provisions of sub-regulations (5) the Academic Committee shall exercise and perform the following powers and duties, namely:-

- (a) it shall maintain standards of teaching and examinations;
- (b) it shall determine the subject or subjects which shall be assigned to each Curricula and Courses of Studies Committee;
- (c) it shall advise the Chairman on the qualifications of the teachers and examiners;
- (d) it shall 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.

5. (1) There shall be a Curricula and Courses of Studies Committee 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:-

Constitution and Functions of the Curricula and Courses of Studies Committees

- (a) the Chairman, *ex-officio*;
- (b) two teachers of the subject at the ¹[Alim] stage nominated by the Academic Committee;
- (c) two teachers of the subject at the ²[Dakhil] stage nominated by the Academic Committee;

¹ The word “Alim” was substituted for the word “Kamil” by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

² The word “Dakhil” was substituted for the word “Fazil” by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

- (d) two persons having experience of Madrasah education nominated by the Board;
- (e) one expert in the subject nominated by the Chairman; and
- (f) the Registrar of the Board, *ex-officio*:

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 and Courses of Studies Committee 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 and Courses of Studies Committee.

(2) The members of the Curricula and Courses of Studies Committee, other than the *ex-officio* members shall hold office for a period of two years.

(3) The Curricula and Courses of Studies Committee 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 at a meeting of the Curricula and Courses of Studies Committee.

Constitution and Functions of the Finance Committee

- 6.** (1) The Finance Committee shall consist of-
- (a) the Chairman *ex-officio*;
 - (b) the Assistant Director of Public Instruction, In-charge of Madrasah Education, *ex-officio*;
 - (c) one member to be nominated by the Board;
 - (d) two persons to be nominated by the Government;
 - (e) the Registrar of the Board, *ex-officio*, who shall be member-Secretary.

(2) Three members shall form the quorum at 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 re-appropriation during the year as and when necessary;
- (c) to recommend sanction of any special item of expenditure not provided for in the budget estimate 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 lay down the manner in which the budget of the Board shall be prepared and accounts of the Board shall be kept in accordance with the regulations;
- (g) to recommend changes in, and addition to, the regulations connected with financial matters;
- (h) to consider audit reports and to recommend action thereon; and
- (i) to consider any matter referred to it by the Chairman and recommend action thereon.

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

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

- (a) the Chairman, *ex-officio*;
- (b) the Assistant Director of Public Instruction, In-charge of Madrasah Education, *ex-officio*;
- (c) two persons to be nominated by the Government; and
- (d) the Chairman of the Board of Intermediate and Secondary Education in Bangladesh nominated by the Government under clause (d) of section 4, *ex-officio*.

Constitution and
Functions of the
Selection
Committee

¹[(2) The Selection Committee shall recommend the appointment of the Officers of the Board.]

(3) Three members shall form the quorum at a meeting of the Selection Committee.

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

(5) Subject to the provisions of this regulation, the Chairman shall form a Selection Committee consisting of not less than five members including the senior officers of the Board for selection of persons for appointment and promotion of employees of which he is the appointing authority.

Appointment of Sub-Committee, etc.

8. (1) A Committee may constitute a Sub-Committee and assign to it such functions as it may deem fit.

(2) 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.

Affiliation, etc., of Madrasahs

²[9. (1) The Board shall grant affiliation to Ibtedayee Madrasah, Dakhil Madrasah and Alim Madrasah if it is satisfied on receipt of reports of inspection from the Directorate of Secondary and Higher Education or from the Directorate of Primary and Mass Education, as the case may be, that the conditions prescribed for such affiliation are satisfactorily fulfilled.

(2) The authorities of Ibtedayee Madrasah and Dakhil Madrasah shall not open the next higher class without prior permission of the Board.

(3) The affiliation of any Ibtedayee Madrasah or Dakhil Madrasah or Alim Madrasah or recognition of a group of courses of studies may be cancelled by the Board and the permission already accorded shall be withdrawn if, on receipt of reports of inspection, it is satisfied that the conditions necessary for affiliation or permission have ceased to be fulfilled.

¹ Sub-regulation (2) was substituted by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

² Regulation 9 was substituted by section 5 of the Madrasah Education (Amendment Act, 2006 (Act No. XLIV of 2006).

(4) Inspection report in respect of Dakhil Madrasah shall be submitted through the Regional Deputy Director of Education concerned.]

10. (1) All Madrasahs imparting Madrasah education up to Dakhil, Alim, Fazil or Kamil standard immediately before the commencement of the Ordinance shall seek affiliation to the Board within six months from the date of such commencement.

Madrasahs to seek affiliation

(2) A Madrasah established after the commencement of the Ordinance may make application for affiliation to the Board at least six months before the ensuing session.

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