

**A  
Bill**

*to amend the Khyber Pakhtunkhwa Educational Testing and Evaluation Agency Ordinance, 2001*

**WHEREAS** it is expedient to amend the Khyber Pakhtunkhwa Educational Testing and Evaluation Agency Ordinance, 2001 (Khyber Pakhtunkhwa Ordinance No. VIII of 2001), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

**1. Short title and commencement.**--- (1) This Act may be called the Khyber Pakhtunkhwa Educational Testing and Evaluation Agency (Amendment) Act, 2022.

(2) It shall come into force at once.

**2. Amendment of section 4 of the Khyber Pakhtunkhwa Ordinance No. VIII of 2001.**--- In the Khyber Pakhtunkhwa Educational Testing and Evaluation Agency Ordinance, 2001 (Khyber Pakhtunkhwa Ordinance No. VIII of 2001), hereinafter referred to as the said Ordinance, in section 4, in sub-section (1), for clause (d), the following shall be substituted, namely:

“(d) performing such other functions, as may be assigned it by the Chief Minister of Khyber Pakhtunkhwa, to be notified in the official Gazette by Higher Education, Archives and Libraries Department of Government.”

**3. Amendment of section 5 of the Khyber Pakhtunkhwa Ordinance No. VIII of 2001.**--- In the said Ordinance, in section 5,-

(a) in sub-section (3), in clause (b), the words “and regulations” shall be deleted; and

(b) for sub-section (4), the following shall be substituted, namely:

“(4) The Board may conduct its business in the manner as it deem appropriate.”

**4. Amendment of section 6 of the Khyber Pakhtunkhwa Ordinance No. VIII of 2001.**--- In the said Ordinance, in section 6,-

(a) for sub-section (1), the following shall be substituted, namely:

“(1) There shall be an Executive Director of the Agency, who shall be posted from amongst the PMS/PAS officers in Basic Pay Scale 19 or above.”;

(b) in sub-section (2), for clause (c), the following shall be substituted, namely:

“(c) appoint, with the approval of the Board, where necessary, staff and such other persons as mentioned in section 11 of this Ordinance, in accordance with the policies and procedures approved by the Board so as to ensure highest intellectual, professional and moral qualities in the persons appointed;” and

- (c) after sub-section (3), the following new sub-sections shall be added, namely:

“(4) Subject to the fulfillment of requirements of the relevant law, for the time being in force, the Executive Director may hire advisors and consultants, where he deems necessary.

(5) Notwithstanding anything contained in this Ordinance, the Board may, where it deem appropriate, post various civil servants against the posts of the Agency, for the purpose of its efficient performance.”.

**5. Amendment of section 7 of the Khyber Pakhtunkhwa Ordinance No. VIII of 2001.**--- In the said Ordinance, in section 7,-

- (a) for sub-section (1), the following shall be substituted, namely:

“(1) There shall be a Board of Governors, which shall consist of the following:

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|-----|--|---------------|
| (a) | Chief Minister of Khyber Pakhtunkhwa;  | Chairman      |
| (b) | Minister for Higher Education;   | Vice-Chairman |
| (c) | Secretary to Government, Higher Education, Archives and Libraries Department;    | Member        |
| (d) | Secretary to Government, Law, Parliamentary Affairs and Human Rights Department; | Member        |
| (e) | Secretary to Government, Health Department;                                      | Member        |
| (f) | Managing Director, Khyber Pakhtunkhwa Information Technology Board;              | Member        |
| (g) | Vice-Chancellor of the University of Engineering and Technology (UET);           | Member        |

- (h) Chairman of one of the Boards of Intermediate and Secondary Education (by rotation, to be nominated by the Chairman); Member
- (i) one nominee of the Chief Minister of Khyber Pakhtunkhwa; Member
- (j) one professional person of eminence in Computer Technology or Education to be nominated by the Higher Education, Archives and Libraries Department of Government; and Member
- (k) Executive Director. Member-cum-Secretary.”; and

- (b) after sub-section (1), as so substituted, the following new sub-section shall be inserted, namely:

“(1A) In case of the non-availability of Minister for Higher Education, the Advisor or Special Assistant to the Chief Minister, as the case may be, to be nominated by the Chief Minister, shall attend the meetings of the Board.”.

**STATEMENT OF OBJECTS AND REASONS.**

It is desirable to amend the Khyber Pakhtunkhwa Educational Testing and Evaluation Agency Ordinance, 2001, for strengthening and restructuring the Board of Governors to make the process of disposal of cases more expedient and for the better service delivery in the public interest. Hence, this Bill.

Peshawar,  
dated the  
30 / 08 / 2022

  
MINISTER-IN-CHARGE