

The Intermediate and Secondary Education Ordinance, 1961 (East Pakistan Ordinance)

(Ordinance NO. XXXIII OF 1961)

An Ordinance to re organise Intermediate and Secondary Education in Bangladesh. ¹♣

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

Short title, extent and commencement 1. (1) This Ordinance may be called the ²[* * *] Intermediate and Secondary Education Ordinance, 1961.

(2) It extends to the whole of Bangladesh.

(3) It shall come into force at once.

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

(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;

(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 ³[, Rajshahi or Chittagong] for Degree

classes and recognised by the Board in respect of the Intermediate sections;

4[* * *]

(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

(xii) Such other types of ⁵[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 ⁶[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;

⁷[(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;

⁸[(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

**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.

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

**Establishment
of other
Board or
Boards**

10[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.

(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)].

**Composition
of the
Board**

4. The Board shall be constituted as follows:—¹⁴

(i) Chairman to be appointed by the ¹¹[President];

¹²[(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;]

¹³[* * *]

(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;