



PRIVATE SCHOOLS REGULATORY AUTHORITY  
GOVERNMENT OF KHYBER PAKHTUNKHWA

Dated Peshawar the, 20.03.2018

**NOTIFICATION**

**No. MD/PSRA/Rules&Regulations/2017-18.** In exercise of the powers conferred upon him by Section-30 of the Khyber Pakhtunkhwa Private Schools Regulatory Authority Act 2017, the Regulatory Authority is pleased to make the following regulations, namely, the Khyber Pakhtunkhwa Private Schools Regulatory Authority Regulations, 2018.

**1. Short Title and Commencement.** - (1) These regulations may be called the Khyber Pakhtunkhwa Private Schools Regulatory Authority Regulations, 2018.

(2) They shall extend to the whole of the Province.

(3) They shall come into force at once.

**2. Definitions.** - In these regulations, unless the context otherwise requires, the following shall be expressed as: -

(a) "Academic Year" means at least 240 days. The Private Schools in consultation with parents can plan for extra days or as may be determined by the Department;

(b) "Act" means the Khyber Pakhtunkhwa Private Schools Regularity Authority Act 2017;

(c) "Board(s)" means, the Board(s) of Intermediate & Secondary Education in the Province.

(d) "Capitation fee" means any kind of donation or contribution or payment, by whatever name, other than the fee approved by the Regulatory Authority;

(e) "Case" means a particular matter under consideration and includes all documents necessary for to enable disposal of the matter.

(f) "Department" means the Elementary and Secondary Education Department of the Province;

(g) "Director (Finance & Administration)" means Director (Finance & Administration) of the Regulatory Authority;

(h) Director (Registration & Fee Regulations) means Director (Registration & Fee Regulations) of the Regulatory Authority;

- (i) Director (Operations) means Director (Operations) of the Regulatory Authority;
- (j) "Director" means the Director, Elementary and Secondary Education of the Khyber Pakhtunkhwa;
- (k) "District" means a revenue district notified under the West Pakistan Land Revenue Act 1967 (XVII of 1967);
- (l) "Guardian", in relation to a child, means a person having the care and custody of that child and includes a natural guardian or guardian appointed or declared by a court of a statute and guardian in case of orphan;
- (m) "In charge" in relation to a school means and includes every owner, headmaster, principal, manager or In Charge of administration or of teaching and any person responsible for the management and conduct of the affairs of the School, by whatever name called;
- (n) "Parent" means either the natural or step or adoptive father or mother or guardian of a child;
- (o) "Province" means, the Province of Khyber Pakhtunkhwa.
- (p) "Schedule" means a schedule appended to these regulations;
- (q) "Secretary" means Secretary of the Department;
- (r) "Selection Authority" means a committee of the Regulatory Authority on the recommendations of which any appointment is made on a post in connection with affairs of the Regulatory Authority; and

3. **Boards to transfer record and information.** - (1) With repeal of the Khyber Pakhtunkhwa Registration and Functioning of Private Educational Institutions Ordinance 2001 (XXVII of 2001), functions assigned to Boards in the Khyber Pakhtunkhwa as Regulatory Authority for Schools stand automatically ceased.

(2) No Board shall receive or process any application for registration of a School and shall not issue registration against an application for registration pending in that Board on the date of repeal of the Khyber Pakhtunkhwa Registration and Functioning of Private Educational Institutions Ordinance 2001 (XXVII of 2001).

(3) All applications for registration of a School pending in a Board shall be transferred to a person designated by the Managing Director for the purpose by the concerned Board within thirty days of coming into force of these regulations.

(4) A school may continue to function till decision on its pending application. The Regulatory Authority will make a final decision on the pending applications not later than sixty days of coming into force of these regulations.

(5) All Boards shall transfer record of registration and compiled information regarding Schools registered by them to the Regulatory Authority within thirty days of coming into force of these regulations.

(6) Subject to the Act and the regulations, a School registered by a Board shall be deemed to have been registered under these regulations.

**4. Unregistered Schools to function for one hundred and eighty days.** -All Schools operating without registration on the date of coming into force of the Act shall be allowed one hundred and eighty days to apply for registration with the Regulatory Authority.

**5. Registration of Schools by the Regulatory Authority.** -(1)The Regulatory Authority, on the recommendations of a committee to be notified by the Regulatory Authority in this regard, to be called "Norms and Standards Committee", which shall determine minimum mandatory requirements for establishment of a School or continuation of an existing School or change of category of a School, as the case may be.

(2) The committee referred to in sub-rule (4)(1) shall have the following composition:

Sr.#	Description	Status
1	Managing Director	Chairperson
2	Director, Elementary and Secondary Education	Member
3	One representative of the department not below the rank of a Deputy Secretary	Member
4	Representative of the Higher Education Department of the Government not below the rank of a Deputy Secretary	Member
5	one representative of the Directorate of Curriculum and Teacher Education (DCTE), Khyber Pakhtunkhwa	Member
6	one elected Member from Parents	Member
7	one Chairman of a Board, to be nominated by the chairperson	Member
8	one elected members of the Regulatory Authority to be nominated by the Regulatory Authority	Member
9	Director (Operations) of the Authority	Member / Secretary

(3) The norms and standards shall, inter alia, include the following:



- I. physical infrastructure including but not limited to land, building, sufficient open space for sports and other physical activities during school hours, libraries, laboratories, water & sanitation, electricity, boundary wall, toilet, classroom-teacher ratios, classroom-students ratios, health and safety of students in normal and disastrous situations as well as security measures in place;
- II. Establishment of standard canteen, ensure hygienic food for the students/staff inside the premises of the schools on subsidized rates, and to discourage the sub-standard vendors outside the gate selling food items. Authority may carry out periodic and surprise inspections through Halal Food Authority KP or any other concerned authority.
- III. student-teacher ratios;
- IV. minimum qualifications for teaching and non-teaching staff of a School;
- V. scheme of studies and curricula to be followed by a School;
- VI. system of examinations and assessments to be followed by a School;
- VII. minimum number of working days / instructional hours and minimum number of working hours per week for teachers and holiday norms;
- VIII. internal mechanism of a School to ensure conduct and completion of curriculum in the prescribed time and systemic corrective measures to set things right in case of delays and failures;
- IX. no student to be subjected to physical torture or mental harassment, by way of correction or punishment or otherwise;
- X. admission policy to be merit-based, rational and non-discriminatory;
- XI. managers of a School to be fit and proper persons(a person is said to be a fit and proper person for the purpose of management of a School if he does not suffer from any of the infirmities listed in rule (7) or a contagious disease);
- XII. maintenance of record and registers of the School including student cumulative record showing performance history of the student;
- XIII. maintenance of a non-dormant commercial bank account of the School;



- XIV. Wherever applicable, registration with the relevant taxation department i.e. FBR, KPRA, E&T department etc.
- XV. Audit mechanism through chartered account.
- XVI. observance of holidays and vacations;
- XVII. recoding of date of birth of a student;
- XVIII. uniform of the students;
- XIX. accounting policies and procedures to be followed by the Schools;
- XX. disciplinary fines to be imposed by the School administration on the students; and
- XXI. ban on entry and use of tobacco, alcohol, energy and fizzy drinks, pornographic material, other drugs, arms and ammunition in a School.

(4) No school shall be opened or operated or registered unless it fulfills the norms and standards determined by the Norms and Standards Committee and approved by the Regulatory Authority.

(5) The Regulatory Authority shall register Schools which fulfill the notified norms and standards and apply for registration and pay the requisite fee for the purpose.

(6) If a School, functioning on the date of coming into force of these regulations, does not fulfill the norms and standards on the date these are notified by the Regulatory Authority, it shall ensure fulfillment of these norms and standards, at its own expense, not later than twenty-four months from the date of notification of the norms and standards.

(7) In case a schools fails to fulfill the notified norms and standards within the period specified in sub-rule (6), its registration will be suspended for a period of two months during which it will not be allowed to admit new students to the School and will be required to fulfill the applicable norms and standards.

(8) If a School fails to fulfill the applicable norms and standards before expiry of suspension of its registration, the Regulatory Authority may allow deregistration of the School.

(9) The order regarding deregistration of a School shall be a speaking order and shall be issued by the Managing Director and will also specify arrangements for shifting of students from the deregistered School into other Schools or public sector educational institutions.

(10) No School shall be deregistered unless reasons for deregistration are communicated to the management of the concerned School and an opportunity of showing cause against the proposed action is given to it.

(11) No School shall continue to function after it is notified to be deregistered.

(12) A company, trust, firm, association of persons or sole beneficial owner of a deregistered School shall be prohibited from establishing or participating in the establishment of any other school under any name or in any other locality of the Province. The Regulatory Authority shall maintain a list of such prohibited persons and entities.

(13) Different norms and standards may be determined for different categories of Schools but norms and standards for any category shall not be below the minimum mandatory requirements to establish a School or continue running an existing School or change in category of a School.

(14) The minimum norms and standards shall also apply to public sector schools.

(15) No loan or grant shall be given to a School from the Provincial Consolidated Fund or local fund of any other provincial entity or any cooperation arrangement will be made with a School which does not fulfill the applicable norms and standards.

**6. Procedure for registration of a school. -(1) District Scrutiny Committee. - (1)**

There shall be a separate District Scrutiny Committees for male and female schools in each district with the following composition:

**For Boys schools**

S#	Description	Status
1	District Monitoring Officer (IMU)	Chairperson
2	Deputy District Education Officer (Male)	Member/ Secretary
3	One Principal of High/Higher Secondary School nominated by DEO (M).	Member
4	Nominee of the Deputy Commissioner	Member
5	Nominee of the Private Schools from the concerned District to be nominated by the elected Private Members of concerned region of the Authority	Member

**For Girls schools**

S#	Description	Status
1	District Monitoring Officer (IMU)	Chairperson
2	Deputy District Education Officer (Female)	Member/Secretary
3	One Principal of High/Higher Secondary School nominated by DEO (F)	Member
4	Nominee of the Deputy Commissioner (Preferably Female)	Member



5	Nominee of the Private Schools from the concerned Districts to be nominated by the elected Private Members of concerned region of the Authority	Member
---	---	--------

(2) In case of a School which imparts co-education, it shall fall within jurisdiction of the District Education Officer (Male) concerned.

(3) The District Scrutiny Committee, on intimation of e-filing of an application for registration or change of category or relocation or merger of a School or verification of continued fulfillment of the applicable norms and standards or on specific instructions of the Registration and Inspection Committee, shall proceed to determine the correctness of the facts relating to a School after physical verification and such scrutiny and inquiry as it may deem necessary.

(4) The District Scrutiny Committee shall have the powers to examine documents, require documents to be produced, receive statements on oath and direct the applicant to file affidavits.

(5) The District Scrutiny Committee shall, at any time,

- (a) enter and inspect any School, whether registered or not;
- (b) inspect, photocopy, print out, or copy onto disk any documents (whether held in electronic or paper form) related to the School;
- (c) collect any document described in sub-rule (5) (b), whether in its original form or as an electronic or paper copy after giving acknowledgment receipt duly signed by the chairman of the scrutiny committee; and
- (d) talk with students, teachers and any other persons employed in the school or not, as the case may be, as the scrutiny committee may be deemed necessary.

Provided that no inspection shall be conducted if the total available members of the District Scrutiny Committee for the inspection are less than three

(6) Report of the Committee shall be prepared by the Deputy District Education Officer concerned and signed by all the members present in the inspection.

(7) The Chairperson of the District Scrutiny Committee shall electronically forward report and final recommendations of the Committee to the Registration and Inspection Committee for further action.

(8) Recommendations of the District Scrutiny Committee shall be laid down on the basis of decision of the majority, however, if any member of the District Scrutiny Committee



has different opinion from the majority, his views shall be recorded in the proceedings of the inspection.

(9) If the Chairperson of the District Scrutiny Committee has reasonable grounds to believe that report and final recommendations of the District Scrutiny Committee do not truly and completely reflect the facts, he may personally undertake such inspection, order another scrutiny or inquiry as he may deemed appropriate and may add his findings and recommendations to the report and recommendations of the Committee and forward both to the Registration and Inspections Committee for decision.

(10) If the Registration and Inspection Committee has just and equitable reasons that, before final disposal of an application, report and recommendations of the District Scrutiny Committee comprising all of its members is in interest of justice, it may direct the District Scrutiny Committee to undertake such inspection, scrutiny or inquiry as it may found essential within such timeframe as it may determine;

Provided on no ground whatsoever final disposal of an application be delayed the maximum period determined for disposal of an application.

(11) Any Committee or Sub-Committee of the Regulatory Authority or the Chairperson or the Managing Director or the Regulatory Authority may require the District Scrutiny Committee to undertake such inspection, scrutiny or inquiry in respect of any matter pertaining to functions of the Regulatory Authority within such period as may be specified in the request to proceed in the matter.

(12) The District Scrutiny Committee may dispose of the request under sub-rule (11) by doing the needful through one or more of its members or the full Committee.

(13) Members and Chairperson of the District Scrutiny Committee shall be entitled to such honoraria and other payments as may be determined by the Regulatory Authority.

(14) There shall be a combined district secretariat of the District Scrutiny Committee comprising such employees of the Regulatory Authority as may be determined by the Regulatory Authority.

(15) The Chairperson of the District Scrutiny Committee, if satisfied on enough ground that some act or omission has been made or is likely to be made by a private schools or in connection with anything directly or indirectly relating to a private School which, in his opinion, may constitute a contravention of the Act or the regulations framed there under, he shall have the power to take sue moto action or on the direction of the Regulatory Authority, as the case may be, he may direct one or more members of the Committee to undertake such inspection, scrutiny or inquiry as may be necessary to ascertain facts relating thereto and

recommend action.

(16) If any report or recommendation made on behalf of the District Scrutiny Committee, other than the one referred to in sub-rule (15), discloses a contravention of the Act or the regulations of regulations, the Chairperson of the District Scrutiny Committee shall proceed in accordance with sub-rule (17) and (18).

(17) If the matter requires urgent action, the Chairperson of the District Scrutiny Committee will issue an interim order containing such direction as may be necessary in the circumstances.

(18) If facts ascertained or discovered under sub-rule (15) and (16) require imposition of fine or initiation of other action, the Chairperson of the District Scrutiny Committee shall issue a notice to the In Charge of the concerned School intimating him the proposed action and reasons there for and requiring him to show cause against the said action and be personally heard, if so desired by the said In Charge, within such period or on such date or dates as may be specified by the Chairperson of the District Scrutiny Committee.

(19) Violation of fundamental right of due process shall not be alleged merely because of failure of the In Charge of a School to show cause against the action proposed against him or his failure to appear for personal hearing.

(20) The Chairperson of the District Scrutiny Committee shall pass final recommendation to the Regulatory Authority, after taking action under sub-rule (18).

(21) The Director Operation of the Regulatory Authority shall pass final order on the recommendations made under sub-regulations (20) and in case the order involve imposition of fine on the School which shall be paid within seven working days of issuance of the final order. Late payment may entail late payment surcharge as may be determined Regulatory Authority. Other punitive action or corrective measures, as the case may, mentioned in the final order, shall also be ensured by the in charge of the concerned school within stipulated time mentioned in the final order.

(22) Review petition against a final order imposing fine or other punitive or corrective actions or refusal to fine or take punitive action or sufficiency or otherwise of the action ordered, as the case may be, shall lie before the order issuing authority and a revision before the Managing Director.

(23) Preference of a review or revision petition against the final order will not be sufficient cause to refuse or delay payment of fine or the late payment surcharge thereon.

(24) For the purpose of clarity, the requirement of consultation with the Government for constitution of a District Scrutiny Committee under subsection (2) (j) of section (8) stands



fulfilled with approval of these regulations which provide for composition and other matters relating to a District Scrutiny Committee.

(25) The committee shall make arrangements for on-line filing of applications for registration, renewal of registration, change in category of a School and other allied matters.

7. **Fee regulation by the Regulatory Authority.** - (1) The Regulatory Authority shall establish Fee Regulation Committee with the following composition:

Sr.#	Description	Status
1	Managing Director	Chairperson
2	Director, Elementary and Secondary Education, Khyber Pakhtunkhwa	Member
3	Director Registration & Fee Regulations of the Regulatory Authority	Member
4	One representative of the department not below the rank of a Deputy Secretary	Member
5	One elected member of the Regulatory Authority to be nominated by the Regulatory Authority	Member
6	one nominated member of the Regulatory Authority to be nominated by the Regulatory Authority	Member
7	Deputy Director Fee Regulations	Member / Secretary

82013  
(2) The committee shall devise criteria for categorization of Schools, maximum fee to be charged from student in each category and minimum remuneration payable to a teacher of a School, matters relating to fee concession, expenditure-sharing or fee-payment arrangements of the Schools with the public sector, annual increases in fee and all other matters related to or ancillary with.

(3) Recommendations of the committee shall be implemented after approval of the Regulatory Authority.

(4) The committee while determining fair and reasonable fee for a category of Schools after taking into consideration all relevant factors and shall endeavour to ensure that:

- I. not-for profit schools are allowed reasonable revenue surplus for growth and development of the School and for-profit Schools are not prohibited to earn reasonable profit on their investments;
- II. students and parents are not subjected to exploitative profiteering through fees disproportionate to the services and facilities being offered in consideration thereof;
- III. collection of money or any other thing of value for publications, sports, cultural events, co-curricular activities, libraries,



laboratories, tours, fairs, exhibitions, competitions, examinations etc. does not become source of profit or financial gain for the School and are approximately not in excess of the actual cost of the activity or the service;

- IV. no School or person is allowed to demand or receive capitation fee at the time of admission or afterwards;
- V. a School is not allowed to suggest or force students and their parents to purchase stationery, books, uniforms or any other thing from a particular outlet or entity;
- VI. a School shall disclose its facilities and fee in its prospectus and shall indicate approximate cost of completion of a class or course including class or lecture materials, books, special clothing, safety equipment, tools, and other items that are or may be required by the School to be bought or provided by the students and expenditure on other items;
- VII. a School is not allowed to demand or receive fee in excess of the fee approved by the Regulatory Authority and, if received, shall refund the excess amount;
- VIII. facilities allowed to a student at the time of admission shall not be subsequently withdrawn or reduced except with prior approval of the Regulatory Authority;
- IX. subject to reasonable grounds, fee increase will be allowed only once during an academic year and shall be announced one month prior to start of an academic year under intimation to the Regulatory Authority.;
- X. students or their parents are not required to pay fee in advance except for a single calendar month;
- XI. fee of one thousand rupees a month or more is not allowed to be received in cash by the School and is compulsorily required to be deposited into bank account of the School;
- XII. fine to students for reasons of discipline shall not be treated as income of the School and shall be spent for welfare of students of the School during the year in which it is received;
- XIII. admission fee shall not be demanded or received under any name

whatsoever;

- XIV. refundable deposits to the tune of Rs. 10,000/- or above of students shall be deposited into interest-bearing accounts and shall be refunded within one month of becoming due along with interest earned thereon.
- XV. The School shall not charge more than half of the tuition fee from the 2nd /3rd children of the same parent.
- XVI. The authority while determining the fee structure, fee during the school vacations, sibling policy and transportation facility, including safety of the students during transportation shall observe the directions given in the PHC judgment W.P. No 2093-P/2018 dated Peshawar 08-11.2017.

(5) Revenue surplus of a not-for-profit School shall be used for betterment of the School and welfare of the students enrolled therein and shall not be appropriated for personal gain or private benefit of a person, natural as well as legal. A not-for-profit School shall not out-source its management or operations to another entity.

20/3 (6) On coming into force of these regulations, a School shall not increase fees without prior written approval of the Regulatory Authority beyond 10%.

(7) Subject to prohibition of capitation fee and admission fee, a School may continue to receive fees being collected by it immediately before coming into force of these regulations.

(8) No increase in fee shall be allowed to a School unless fees being collected by it immediately prior to coming into force of these regulations is declared reasonable by the Fee Regulation Committee. Increase in fee may be allowed only after the fee rates applicable on the date of coming into force of these regulations become, in the opinion of the Fee Regulation Committee, reasonable but no increase beyond 10%.

(9) School shall continue to receive fee approved by the Regulatory Authority during pendency of its review or revision petition against any order so challenged.

(10) A School shall not refuse to issue school-leaving certificate to a student who is debarred to attend the School for his failure to pay the prescribed fee provided that the arrears are covered in the security deposited in to the school. Payment of fee in default will not be a condition-precendent for issuance of the school-leaving certificate.

(11) Management of a School will intimate the District Education Officer concerned of the fact of debarring a student to attend the School on account of failure to pay the prescribed

fee and the concerned District Education Officer will make necessary arrangements for free and compulsory education of the student.

(12) Fee concession for siblings shall not be less than 50% of the fee. Siblings means children having common parents, step parents or guardians.

(13) If two or more siblings apply for admission in a School, admission will not be refused except with prior permission of the District Education Officer concerned and for reasons to be recorded in writing.

(14) Any dispute regarding fee concession on siblings' basis shall be determined by the District Scrutiny Committee whose decision shall be final.

(15) All registered Schools shall be divided into two broad categories, namely, Schools established for profit and Schools established for charitable purposes.

(16) A School may apply to the Fee Regulation Committee if it intends to raise fee giving details of proposed fee increase, reasons thereafter, audited accounts of the School for the preceding two years, proposed increase in remuneration of teachers to accompany the increase in fee rate and other information or documents deemed necessary for an early decision on the application or as may be required to be submitted by the Fee Regulation Committee.

(17) The Committee on Fee Regulation, after such inquiry and, if necessary, hearing, pass an appropriate order on the application. The order shall be passed within one month of receipt of the application.

(18) If In Charge of a School is aggrieved of order of the Committee on Fee Regulation, he may prefer a review to the same Committee and a revision to the Managing Director.

(19) All proceedings regarding increase in fee shall be finalized not later than two months before commencement of an academic year.

#### **8. Minimum remuneration payable to and minimum qualifications of the teachers.-**

(1) The Committee on Fee Regulation will also recommend, for approval of the Regulatory Authority, minimum remuneration payable to and minimum qualifications and training programs for teachers of the Schools.

(2) While firming up its recommendations regarding minimum remuneration payable to teachers of a particular category of Schools and other matters mentioned in the sub-rule (1), the committee will duly consider all relevant factors and will ensure that:

- I. profession of teaching in a School does not convert into exploitation of teachers and remuneration recommended is almost comparable with the remuneration of persons of similar



qualifications and skill sets elsewhere than in a School;

- II. teachers in schools are brought at par with teachers of public sector schools so far as entrustment of duties regarding examinations and assessments are concerned and for the purposes of assignment of performance of non-teaching duties;
- III. remuneration to the teachers is disbursed through payee's account only;
- IV. teachers of the Schools are afforded opportunities of continuous professional development through use of public sector training facilities and programmes;
- V. suitable action is taken promptly in case of delayed disbursement of remuneration to the teachers or refusal to pay the remuneration;
- VI. any substantial increase in fee by the School is followed by an increase in remuneration of a teacher;
- VII. minimum qualifications and trainings of the teachers are such that they are fairly equipped with knowledge and skills to efficiently perform their functions as teachers; and
- VIII. teachers are employed through written contract and not otherwise.

(3) Any person aggrieved of the any matter relating to minimum remuneration payable to and minimum qualifications of the teachers of the Schools may prefer a review to the Fee Regulation Committee and a revision to the Managing Director.

**9. Unauthorized closure of a School prohibited.** -(1) A registered School shall not be closed, temporarily or permanently, or a class or course therein shall not be discontinued except with prior approval of the Registration and Inspection Committee.

(2) The Registration and Inspection Committee shall not accord approval for closure of a School or discontinuation of a class or course therein if adequate arrangements for adjustment of students enrolled in the School or class or course are not made.

(3) If the Registration and Inspection Committee accords approval for closure of a School or discontinuation of a class or course therein, the order conveying such approval will contain arrangements made for continued education of the students enrolled in the School or class or course.

(4) Before determining an application for grant of approval to closure of a School or a class or course therein, the Registration Committee may require submission of such information and documents and undertake such inquiry and examination as it may deem appropriate.

(5) The Registration and Inspection Committee shall not pass final approval for closure of a School or discontinuation of a class or course therein unless the In Charge of the School is provided an opportunity of showing cause against the proposed action including an opportunity of personal hearing if the In Charge so desires.

(6) If the Registration and Inspection Committee refuses to give the prior approval for closure of the School or discontinuation of a class or course therein, the In Charge of the School shall continue to run the School, class or course, as the case may be.

**10. Grievance redressal mechanism of the Regulatory Authority.** - (1) there shall be a Complaints Committee of the Regulatory Authority with the following composition:

	Description	Status
1	Director (Operations)	Chairperson
2	One member of the Regulatory Authority to be nominated by the Chairperson.	Member
3	One elected member from Private members	Member
4	Any other member at the discretion of the Chairperson	Member
5	Director (Fee Regulation)	Member Secretary

(2) Any person having any grievance in respect of any matter falling within jurisdiction of the Regulatory Authority may submit a complaint, in writing or electronically, to the Complaints Committee for necessary action. Grievance means violation of any of the provisions of the Act, regulations, regulations, or valid executive instructions relating to a School or the Regulatory Authority.

(3) The complainant shall adequately disclose his identity. No action shall be taken on anonymous or pseudonymous complaints.

(4) All complaints shall be registered and a registration number will be provided to the complainant after verification of his disclosed identity.

(5) For the purpose of deciding a matter arising out of a complaint, the Complaints Committee may cause such verification and call for such information as it may consider

necessary including recording of statements and examination of record or deputing someone to perform such functions on its behalf.

(6) The complaint shall be disposed off not later forty working days of its filing, after affording adequate opportunity to the concerned parties, through a speaking order thereby indicating the authority before whom a revision petition can be filed.

(7) If complaint relates to a matter requiring urgent action, such as denial of admission or demand of capitation fee, the Complaint Committee may, in its discretion, issue interim orders and grant a relief deemed appropriate in circumstances of the case.

(8) If the grievance involves criminal proceedings such as violence, child abuse, corporal punishment, extortion, the Complaint Committee may guide and facilitate the complainant in initiation of action in accordance with law.

(9) If a complaint is received by the Complaints Committee which, in its opinion, is required to be decided by some other authority, it shall send the complaint to the concerned authority under intimation to the complainant.

(10) There shall be maintained an online register of complaints having details of complaints received, decided, pending, forwarded, action taken and other necessary details and an annual report in respect of complaints.

(11) If a person is aggrieved of an order or direction of the Complaints Committee, he may prefer a review petition to the same authority within thirty days of coming into knowledge of the order or direction passed by the complaint committee.

(12) A revision petition may be filed to the Managing Director against order on review petition within thirty days of coming into knowledge of the order or direction in question.

(13) The revision petition may be filed by post or in person or electronically.

(14) The Managing Director shall dispose off the review petition not later than thirty day of the filing of the petition after affording adequate opportunity to the petitioner and the complainant party and convey final decision to the parties petitioner in writing as well as place the same on the Regulatory's Authority website.

(15) An electronic database shall be maintained in respect of all review and revision petitions on the website of the Regulatory Authority in public domain.

(16) For the purpose of determination of a complaint or review petition or a revision petition or any other matter, the Managing Director, Director (Operations), Chairperson of the



District Scrutiny Committee or any other authorized person shall have all the powers of a civil court under the Code of Civil Procedure, 1908, (V of 1908), in respect of the following matters:

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring production of documents;
- (c) receiving witnesses on affidavit, and
- (d) issuing commissions for the examination of witness or documents.

**11. The Regulatory Authority to call for information and record.**-(1) A person acting on behalf of the Regulatory Authority may direct In Charge of a School to render such information or provide such record as may reasonably be related to performance of functions of the Regulatory Authority in the manner as may be specified in the written direction.

(2) The In Charge of the concerned School shall provide the information and record in accordance with direction given to him.

(3) If provision of the information and record called for under sub-rule (1) is not possible or permitted by law, the In Charge will communicate reasons for non-provision of the information or non-production of record.

(4) The reasons given under sub-rule (3) shall be examined by the concerned Director Operation. If the Director Operation find the reasons frivolous, he may through a written order, direct the In Charge of the School to provide the information or the record.

**12. School leaving certificate to be valid.** -Subject to any applicable law, regulations and regulations, a school leaving certificate issued to a student by a registered School shall be valid for all purposes in public sector educational and other institutions.

**13. Absence of a student to be reported.** -In Charge of a School shall comply with policy instructions to be issued by the Regulatory Authority from time to time regarding report of incidence of absence of a student enrolled in that School in such manner and subject to such terms and conditions as may be specified by the Regulatory Authority.

**14. Affiliation of a School with a Board.** -(1) Board shall not affiliate any school to which no objection certificate has not been issued by the Regulatory Authority.

(2) A School deregistered by the Regulatory Authority shall be de-affiliated by the concerned Board from the date of deregistration of the School.

(3) Notwithstanding anything contained in sub-rule (1), a School affiliated with a Board on the date of coming into force of these regulations shall be deemed to have been validly affiliated till such time the Regulatory Authority has not deregistered it.

**15. Order for admission of a student.** -(1) The Chairperson of the concerned District Scrutiny Committee may require a School to admit a student in the School.

(2) The In Charge of a School shall not refuse admission of a students otherwise valid grounds of rejection in written shall be given; referred to in sub-rule (1) provided there exists a seat for admission, the student fulfils the merit for admission and the Chairperson of the District Scrutiny Committee assures payment of fee approved by the Regulatory Authority for the class in which the student is required to be admitted.

(3) Any dispute regarding merit of the student for admission shall be determined by the concerned Chairperson of the District Steering Committee whose decision shall be final and binding on the In Charge of the School.

**16. Accounts of a School.** -(1) A School shall maintain its accounts in accordance with the policies and procedures approved by the Regulatory Authority.

(2) A School shall keep the registers, accounts and records within the premises of the School.

(3) A School shall not destroy its accounting records upto a period of twenty years from the year to which the accounting records of a year.

(4) Notwithstanding anything contained in sub-rule (3), accounting records of a School and vouchers relating to various items or receipts and expenditure shall be preserved by that School until the audit of accounts is over and objection, if any, raised is settled. Thereafter the record shall be kept in safe place for 20 years.

(5) all financial transactions of the school shall be through banking channels authorized by the State Bank of Pakistan.

(6) fee of a student exceeding Rs.1,000 per month shall be collected selected banks and salary of wages to the teachers and other staff shall be also be made through banks.

**17. Annual report of a School.** -A School shall prepare and disseminate key information in the form of its annual report which shall entail information on enrollment, staff, facilities,

performance of the School especially examinations results both internal and external and other allied matters.

**18. Untrue performance reports prohibited.** - A School shall not, directly or indirectly, prepare or communicate false performance reports of its students.

**19. A School to have system of internal examinations and assessments.** -(1) A School shall have a system of internal examinations and assessments.

(2) A School shall make its system of internal examinations and assessments free from malpractices.

**20. Appearance in examinations and assessments.** -(1) Students of Schools shall appear in all its external examinations if so required by or prevail under a provincial law.

(2) Students and teachers of Schools shall appear in external assessments if so required by or under a provincial law.

**21. Parent's right to information and entry.**-(1) Parents shall have right to enter a School and request In Charge of that School to provide such information as may reasonably enable them to satisfy themselves regarding quality of education being given to and welfare of their children enrolled or to be enrolled in that School.

(2) Any incidence in which entry is denied to a parent or information called for is unduly delayed, denied or withheld shall be reported to the concerned Chairperson of the District Scrutiny Committee, along with reasons thereof, within three working ~~days~~ <sup>(24)</sup> of occurrence of the incident, by the In Charge of the concerned School.

(3) the parent to whom information called has been delayed or denied or wrongly provided, as the case may be, he has the right to report the matter to the District Scrutiny Committee or the Director Operation of the Regulatory Authority as he may deem appropriate. The Chairperson of the District Scrutiny Committee shall investigate the matter and will forward his finding to the Director Operation, who shall pass final order in writing and will communicate the same to the parties.

**22. Naming of a School.** -(1) In Charge of a School may select any suitable name for his School and the name so selected shall be intimated to the Regulatory Authority along with in the application for registration of that School.



(2) In Charge of a School may change the name with prior concurrence of the Regulatory Authority.

(3) the Regulatory Authority will convey its view about the renaming within fourteen working days and in case not response is conveyed upto thirty days of sending of request, the proposed name shall be deemed to have been approved by the Regulatory Authority.

(4) If In Charge of the School proposes name of any existing school or educational institution, as the case may be, he has to produce documentary proof to the Regulatory Authority he has lawfully been authorized by the concerned management of the existing school or educational institution, or the or chain of Schools, as the case may be, to use name of his school.

(5) The Regulatory Authority shall act on behalf of the Government in the matter of naming a school after a national or international figure.

(6) The Regulatory Authority shall not withheld permission for naming a School after a national or international figure except in cases where such naming is feared to encourage parochial, racial, tribal, religious and sectarian prejudices among the citizens or is otherwise inappropriate. Reasons for refusal to permit naming after a national or international figure shall be communicated to the applicant in writing.

(7) No school shall be named at the name of a foreign school or educational institution unless the school is not affiliated with the said school or educational institution.

**23. Aid to Schools.** -(1) The Regulatory Authority may plan and execute schemes to aid Schools and students enrolled therein.

(2) The Regulatory Authority may propose inclusion of students enrolled in the Schools in the scheme of provision of free textbooks or other benefits extended to students of public sector schools.

(3) The Regulatory Authority may prepare and execute programmes aiming at sharing of facilities of playgrounds, libraries, laboratories and other facilities by public and private schools.

(4) The Regulatory Authority may undertake or finance research for innovative ideas to ensure provision of free and compulsory quality education up to age of 16 years in the Khyber Pakhtunkhwa.

(5) The Regulatory Authority may suggest business models for provision of loans and subsidies to the Schools from its own fund or through commercial banks, etc.

**24. Rewards for best-performing Schools and teachers.** - (1) The Managing Director shall cause a list of all Schools prepared and published, each year, in the Province showing their relative ranking based, inter alia, on results of the examinations and assessments, facilities and faculties of the Schools or other reasonably relevant factors, data, information, analysis as may fairly be indicative of their performance.

(2) The objective criteria for ranking of Schools shall be devised and made public by the Regulatory Authority.

(3) Based upon the ranking referred to in sub-rule (1) read with sub-rule (2), the Regulatory Authority may give awards, from the Fund, for the best performing Schools.

(4) The Regulatory Authority may also recommend performance awards for the best performing Schools for scholarship from the Provincial Consolidated Fund or the District Funds of the District Governments in the Province.

(5) The Regulatory Authority may determine objective criteria for performance evaluation of teachers of the Schools in the Province and it may cause evolution of teachers, each year, and grant of rewards and prizes on the basis of the performance so evaluated.

**25. No employment of a foreign national.** -No foreign national shall be employed by a School except with prior written approval of the Regulatory Authority.

**26. Submission of information to the Department.** -The Regulatory Authority shall submit any information required to be submitted by the Department.

**27. Fees to be received by the Regulatory Authority.** - (1) The Regulatory Authority will charge the following fees at the rates given hereunder:

School	Application processing fee	Inspection Fee	Renewal Fee
1	2	3	4
Charging fee up to Rs.500 per month	Rs. 500	Rs. 4000	Rs. 500
Charging fee more than Rs. 500 and up to Rs.1000 per month	Rs. 700	Rs. 6000	Rs. 700
Charging fee more than Rs. 1000 and up to Rs. 1500 per month	Rs.900	Rs. 7000	Rs. 900
Charging fee more than Rs. 1500 and up to Rs.2000 per month	Rs. 1000	Rs. 8000	Rs. 1000
Charging fee more than Rs. 2000 and up to Rs.2500 per month	Rs. 1200	Rs. 9000	Rs. 1200
Charging fee more than Rs. 2500 and up to Rs.3000 per month	Rs. 15000	Rs. 10000	Rs. 1500

School	Application processing fee	Inspection Fee	Renewal Fee
1	2	3	4
Charging fee more than Rs. 3000 and up to Rs.3500 per month	Rs. 2000	Rs. 12000	Rs. 2000
Charging fee more than Rs. 3500 and up to Rs.4000 per month	Rs. 2500	Rs. 13000	Rs. 2500
Charging fee more than Rs. 4000 and up to Rs.4500 per month	Rs. 3,000	Rs. 15000	Rs. 3,000
Charging fee more than Rs. 4500 and up to Rs.5000 per month	Rs. 3500	Rs. 16000	Rs. 3500
Charging fee more than Rs. 5000 and up to Rs.6000 per month	Rs. 4000	Rs. 18000	Rs. 4000
Charging fee more than Rs. 6000 and up to Rs.7000 per month	Rs. 4200	Rs. 20,000	Rs. 4200
Charging fee more than Rs. 7000 and up to Rs.8000 per month	Rs.4500	Rs. 22,000	Rs.4500
Charging fee more than Rs. 8000 and up to Rs.9000 per month	Rs. 4800	Rs. 23000	Rs. 4800
Charging fee more than Rs. 9000 and up to Rs.10000 per month	Rs. 5000	Rs. 25000	Rs. 5000
Charging fee more than Rs. 1000 and up to Rs.11000 per month	Rs. 6000	Rs. 27500	Rs. 6000
Charging fee more than Rs. 1100 and up to Rs.12000 per month	Rs. 7000	Rs. 30,000	Rs. 7000
Charging fee more than Rs. 12000 and up to Rs.13000 per month	Rs. 8000	Rs. 32500	Rs. 8000
Charging fee more than Rs. 13000 and up to Rs.14000 per month	Rs. 9000	Rs. 35000	Rs. 9000
Charging fee more than Rs. 14000 and up to Rs.15000 per month	Rs. 10,000	Rs. 37,500	Rs. 10,000
Charging fee more than Rs. 15000 and up to Rs.16000 per month	Rs. 11,000	Rs. 40000	Rs. 11,000
Charging fee more than Rs. 16000 and up to Rs.17000 per month	Rs. 12,000	Rs. 425000	Rs. 12000
Charging fee more than Rs. 17000 and up to Rs.18000 per month	Rs. 13,000	Rs. 45,000	Rs. 13000
Charging fee more than Rs. 18000 and up to Rs.19000 per month	Rs. 14,000	Rs.47,500	Rs. 14,000
Charging fee more than Rs. 19000 and up to Rs.20000 per month	Rs. 15,000	Rs. 50,000	Rs.15,000
Charging fee more than Rs. 20000 and up to Rs.25000 per month	Rs. 17,000	Rs. 55,000	Rs. 20,000
Charging fee more than Rs. 25000 and up to Rs.30000 per month	Rs. 20,000	Rs. 65,000	Rs. 20,000
Charging fee more than Rs.30000 per month	Rs. 25,000	Rs. 75,000	Rs. 25,000



(2) Inspection of a School will be a mandatory for registration of a new School or renewal of certificate of a registered School or change of category of a School or shifting of premises of a School or addition of class(s) or subjects in a School or merger of Schools or for any other purpose, as the case may be to be determined by the Regulatory Authority.

(3) The Regulatory Authority may impose any other fee and determine its rates after inviting public objections and considering the objections so raised.

(4) Total estimated fees will not, to the extent feasible, less than total estimated expenditure of the Regulatory Authority during a financial year.

(5) Fee, for the purpose of column 1 of the table in sub-rule (1), means the highest fee being charged by a School from its students.

**28. Violations and penalties. - (1)** The violations and penalties under the Act, the regulations and the regulations shall be as follows:

Sr.#	Violation	Penalty
1	2	3
1	Opening or operating a School without registration with the Regulatory Authority	A fine of rupees two hundred thousand in case of high, higher secondary School and intermediate college or an institution of equivalent level; and rupees fifty thousands in case of a Montessori, kindergarten, a tuition academy or centre, primary, lower middle and middle schools or an institution of equivalent level.
2	Violation of any other provision of the Act	A fine of rupees twenty thousands
3	Violation of any other provisions of regulations or regulations made under the Act	A fine of rupees ten thousands
4	Any subsequent violation in respect of matters listed against serial number 1 to 3 of in column 2 of this table	A fine of double the amount of fine noted against each violation in column 3 of this table
5	Any subsequent violation in respect of matters listed against serial number 1 to 3 of in column 2 of this table after first ten violations	A fine of three times the amount of fine noted against each violation in column 3 of this table

**29. Recovery of fines as arrears of land revenue. -(1)** If after fifteen days of a fine becoming due and the defaulter does not pay the sum due, the Chairperson of the District

Scrutiny Committee shall require the defaulter to show cause that why the sum due, along with costs, may not be recovered as arrears of land revenue under the Land Revenue Act.

(2) If cause acceptable to the Chairperson of the District Scrutiny Committee is not shown within the stipulated period, the matter shall be reported to the Director (Operations).

(3) The Director (Operations) shall request the concerned Collector to effect recovery as arrears of land revenue.

(4) The Collector may entrust the matter to another Revenue Officer for recovery of the sum so requested to be recovered as arrears of land revenue.

(5) Any inefficiency in effecting recovery as arrears of land revenue shall be reported to the Chief Secretary of the Government for initiation of suitable disciplinary action against those alleged to be inefficient by the Director (Operations) in the matter of recovery of recoverable amounts of the Regulatory Authority.

**30. Transitional arrangements.** -(1) Government may, without recommendation of the Regulatory Authority, post such persons born the cadre of Pakistan Administrative Service (PAS) or Provincial Management Service (PMS) of the Province holding posts in connection with affairs of the Province on posts in connection with affairs of the Regulatory Authority provided such persons possesses the requisite qualifications and are otherwise eligible to be appointed on those posts.


(2) Persons appointed under sub-rule (1) without competitive process and recommendation of the selection Regulatory Authority shall draw salary of their basic pay scales and the permissible as they were drawing in their previous posting as well as other allowances allowed by the Regulatory Authority.

(3) Pending election in the prescribed manner, the Chairperson may require representative organization of the Schools to elect persons to represent the Schools as elected members of the Regulatory Authority for a period not exceeding one hundred and eighty days.

(4) For a period not exceeding one hundred days from the date of coming into force of these regulations, such arrangements may be made by the Managing Director for financial management of the Regulatory Authority as may be deemed necessary and in public interest.

**31. Standing Operative Procedure and instructions to be issued by the Regularity Authority.** -Subject to provisions of the Act and the regulations, the Regulatory Authority shall be empowered to issue Standing Operative Procedures and instructions in the light of policy guidelines rendered by the August Peshawar High Court Peshawar vide judgment dated 8-11-

2017 in W.P NO 2093-P/2016 and any such directions by the competent forum from time to time for matter not exclusively mentioned in these regulations to enforce provisions of the Act.

  
(SYED ZAFAR ALI SHAH)  
MANAGING DIRECTOR KP-PSRA  
Government of Khyber Pakhtunkhwa

**Endst: of even No. and dated.**

Copy Forwarded for information to the;

1. PSO to Chief Minister, Khyber Pakhtunkhwa.
2. Director E&SE, Peshawar.
3. Director DCTE, Abbottabad.
4. Director PITE, Peshawar.
5. Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority, Peshawar.
6. Project Director (IMU), Khyber Pakhtunkhwa.
7. All the Deputy Commissioners Khyber Pakhtunkhwa.
8. PSO to Chief Secretary, Khyber Pakhtunkhwa.
9. PSO to Inspector General of Police Khyber Pakhtunkhwa.
10. All the Chairmen BISEs, Khyber Pakhtunkhwa.
11. All the District Education Officers (M/F) Khyber Pakhtunkhwa.
12. All Members of the Regulatory Authority.
13. All the DMOs in Khyber Pakhtunkhwa.
14. PS to Additional Chief Secretary (FATA), FATA Secretariat, Peshawar.
15. PS to Secretary, Elementary & Secondary Education Department.
16. PS to Secretary to Governor, Khyber Pakhtunkhwa.
17. PS to Secretary Information and Public Relations, Peshawar.
18. Master File.

  
MANAGING DIRECTOR KP-PSRA  
Government of Khyber Pakhtunkhwa