

DRAFT

**Government of Khyber Pakhtunkhwa
Department of Elementary and Secondary Education
Rules Under The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary
Education Act, 2017**

NOTIFICATION

No.-----

In exercise of the powers conferred by Section 8 of The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017 (No. ____ of 2017) the do hereby make the following rules, namely:-

PART I - PRELIMINARY

1. Short Title and Commencement: -

- (1) These rules may be called the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Rules, 2018.
- (2) They shall come into force from the date of publication in Khyber Pakhtunkhwa Government Gazette.

2. Definitions: -

- (a) “**Act**” means The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017;
- (b) “**Capitation fee**” means any kind of donation or contribution or payment, by whatever name, other than the fee notified by the Government or the local authority;
- (c) “**Child**” means a child of either sex whose age at the beginning of the school year is not less than five years and not more than sixteen years and within the age limit prescribed for admission in class 1 to class 10th;
- (d) “**Disadvantaged child**” means a child who belongs to a socially and economically disadvantaged class, or to any other group having disadvantage owing to social, or such other reasons including disability or who belongs to such a parent whose annual income is less than the limit which the Government may, by notification, specify;
- (e) “**Education**” means teaching and training of mind and character by attendance in regular school education, madrassa education, vocational training and special education in the class room and school setting, or non-formal education or the education prescribed for a child or category of children by the Government;

- (f) **“Free education”** implies that the Government or a local authority shall not charge any fee or expense for providing education including expenditure on text books, stationery, school bags, and transport and the Government shall endeavour to remove financial barriers that may prevent a child from completing ten years’ education;
- (g) **“Government”** means Government of the Khyber Pakhtunkhwa;
- (h) **“Local authority”** means a local government, an autonomous or semiautonomous body or authority of the Government, a public-sector organization or body having administrative control over a school or empowered by or under any law to function as a local authority;
- (i) **“Notification”** means a notification issued by the Elementary and Secondary Education Department, Government of Khyber Pakhtunkhwa;
- (j) **“Parent”** means the father or mother of a child and also includes a person declared to be a guardian of such child, as defined in Guardian and Wards Act, 1890 (Act No. VIII of 1890), or any other person declared by any Court as guardian;
- (k) **“Prescribed”** means prescribed by rules or law;
- (l) **“Pupil Cumulative Record”** means record of the progress of the child based on comprehensive and continuous evaluation.
- (m) **“Rules”** means the rules made under the Act or rules notified by the Government;
- (n) **“School”** means primary school, middle school and higher education school in the public and private sectors with all sections including Early Childhood Education and includes:
- (i) a school owned or controlled by the Government or a local authority;
 - (ii) a school receiving aid or grant to meet whole or part of its expenses from the Government, Federal Government or a local authority;
 - (iii) a school not receiving any kind of aid or grant from the Government, Federal Government or a local authority; and
 - (iv) a Deeni madrassa or any school providing religious education recognized by the Government;
- (o) **“Screening procedure”** means the method of selection for admission of a child at nursery level or any other initial level, in relation to another child other than a random method;
- (p) **“Secondary education”** means primary, middle and secondary education, including all sections, up to 10th class in a school;
- (q) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

3. **Applicability of these Rules:-** These rules shall be applicable to all Provincial Government and Private sector schools which come under the purview of Elementary and Secondary Education department, Government of Khyber Pakhtunkhwa.

PART II

4. **Free and Compulsory Primary and Secondary Education:-**

- (1) No child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing the school education.
- (2) Where a child above five years of age has not been admitted in any school or though admitted could not complete his or her secondary education, then, he or she shall be admitted in a class appropriate to his or her age.
- (3) Where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training, in such manner, and within such time limits, as may be prescribed by the Government.
- (4) A child admitted to secondary education shall be entitled to free education till completion of secondary education even after sixteen years.
- (5) Where in a school, there is no provision for completion of elementary or secondary education, a child shall have a right to seek transfer to any other school for completing his or her elementary or secondary education.
- (6) Where a child is required to move from one school to another, within the Province or Country, for any reason whatsoever, such child shall have a right to seek transfer to any other school for completing his or her elementary or secondary education.
- (7) For seeking admission in such other schools, the Principal, Head Teacher or Incharge of the school where such child was last admitted, shall immediately issue the transfer certificate and any delay in producing school leaving certificate shall not be a ground for either delaying or denying admission in other school. The Head Teacher or Incharge of the school delaying issuance of transfer certificate shall be liable for disciplinary action under the service rules applicable to him or her.

5. **Sharing of financial and other responsibilities:-** The Government and local authority shall have concurrent responsibility for providing funds to schools in the public and private sector for carrying out the purposes of the Act.

6. **Access, Areas, or Limits of a School:-**

- (1) The area or limits of a neighbourhood within which a school has to be established by the Government shall be :-

- (a) in respect of children in classes from pre-school to 5, a school shall be established within walking distance of 1.5 km of the neighbourhood;
 - (b) in respect of children in classes from 6 to 8, a school shall be established within walking distance of 2 km of the neighbourhood; and
 - (c) in respect of children in classes from 9-10/12, a school shall be established within a walking distance of 6 km of the neighbourhood.
- (2) The Government shall endeavour to upgrade existing government and aided schools in a phased manner with classes from 1 to 4 to include classes from 5 to 10 and in respect of schools which start from class 5 onwards, to add classes from 1 to 4 wherever required, taking into account the availability of such classes in the existing schools in the neighbourhood.
- (3) In places with difficult terrain, risk of landslides, floods, lack of roads, or an area prone to any other natural disasters, and in general danger for young children in the approach from their homes to the school, the Government shall locate the school or alternative learning centres in such a manner as to avoid such dangers, by reducing the area or limits specified under these rules.
- (4) For children from small hamlets, as identified by the Government or the local authority, where no school exists within the area or limits of a neighbourhood specified under these Rules, the Government shall make adequate arrangements, such as free transportation and residential facilities for providing elementary education in a school or alternative learning centre(s), with multi-grade skills/ teacher training, in relaxation of the area or limits specified in these Rules.

7. Admission of Children Belonging to Disadvantaged Groups:-

- (1) All schools as so specified under the Act shall ensure that no child admitted from within the neighbourhood be segregated from the other children in classrooms nor shall their classes be held at places and timings different from the classes held for other children.
- (2) The schools shall ensure that children admitted shall not be discriminated against compared to the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, the use of laboratories, libraries and Information and Communication Technology facilities, extra-curricular activities and sports.
- (3) Where in a school, there is no provision for completion of elementary and secondary education, a child shall have the right to seek a transfer to any other school or, where a child is required to move from one school to another, either within Khyber Pakhtunkhwa or outside, such child shall have the right to seek a transfer to any other government or aided school for completing his or her elementary and secondary education.

(4) No school or person shall, while admitting a child, collect any capitation fee and subject the child or his or her parents or guardian to any screening procedure. Contravention of the same shall be liable for punishment under the Act.

(5) No child shall be subjected to physical punishment, abuse or mental harassment.

8. Children with Disabilities and Special Needs :- The Government shall, in the prescribed manner, provide or cause to be provided suitable education to a child suffering from disability or is a special child.

9. Pre-School Education:- The Government or the local authority may establish a kindergarten school or childcare centre in a local area or consolidate or merge such schools or centres for providing free pre-school education and early childhood care for the children above the age of three years until they join a school for education.

10. Responsibility of Private School for Free Education:-

(1) For a private sector school:

(a) 10 percent of total children in a private school will be given a fee waiver;

(b) The school will not force the parents/guardians to buy textbooks, uniforms, stationary and other required material for school to be bought from a specific vendor.

11. Terms and Conditions of Appointment and Service of Teachers:-

(1) No person shall be appointed as a teacher unless he/she possesses the prescribed qualifications.

(2) Where the persons having the prescribed qualifications are not available, the Government may, by notification, relax the prescribed qualifications, for a period not exceeding two years. The teacher so appointed shall acquire such qualifications within a period of two years.

12. Duties to be Performed By Teachers:-

(1) The head of the of a school and all other teaching staff in public and private setups shall effectively carry out his/her responsibilities and shall enforce discipline amongst the students and teachers.

(2) A teacher including the head shall perform the following duties, namely:

(a) maintain regularity and punctuality in attending the school, classes, curricular and co-curricular activities and impart such in the students too;

(b) complete the curriculum within the specified time;

- (c) assess the learning abilities of every child and supplement additional instructions, if any, as required;
 - (d) complete the curriculum, assessments, and teaching minutes within the specified time;
 - (e) try to improve children's ability to build knowledge, potential and talent. He/she shall be geared towards life-long learning for children;
 - (f) conduct learning through activities, discovery and exploration in a child-friendly and learner - centered manner;
 - (g) keep the child free of fear, trauma and anxiety and help the child to express his/her views freely;
 - (h) shall not practice rote learning and book oriented- listed fact testing;
 - (i) hold regular meetings with parents and share with them the relevant information about the child;
 - (j) perform such other duties as may be prescribed;
 - (k) take care of all round development of the child;
 - (l) build-up child's knowledge, potential and talent;
 - (m) adopt learning through activities, discovery and exploration in a child friendly and child-centered manner.
- (3) A teacher committing default in performance of duties specified in these rules shall be liable to disciplinary action under the applicable service laws however before taking such disciplinary action, reasonable opportunity of being heard shall be afforded to such teacher.

13. Other Teachers Related Matters :-

- (1) Every child completing his/her education shall be awarded a proper certificate, in such form and in such manner, as may be prescribed.
- (2) The grievances, if any, of a teacher, shall immediately be redressed in such manner as may be prescribed.

14. Pupil-Teacher Ratio :-

- (1) Government shall ensure that the prescribed Pupil-Teacher Ratio, is maintained in each school within one year from the date of notification of these Rules or as may be prescribed from time to time.

- (2) Government shall ensure that vacancies of teachers in a school shall not exceed ten percent of the total sanctioned strength and such vacancy shall be filled within four months.
- (3) No teacher shall be deployed for any non-educational purposes other than the Population Census, disaster relief duties or duties relating to election.

15. Curriculum and Evaluation Procedure :-

- (1) The curriculum and the evaluation procedure for education shall be laid down by an academic authority to be specified by Government, by notifications.
- (2) The academic authority, while laying down the curriculum and the evaluation procedure under sub-section (1), shall take into consideration the following, namely:-
 - (a) conformity with the values enshrined in the Constitution;
 - (b) take care of all round development of the child;
 - (c) build-up child's knowledge, potential and talent;
 - (d) development of physical, mental and social abilities to the fullest extent;
 - (e) learning through activities, discovery and exploration in a child friendly and child-centered manner;
 - (f) comprehensive and continuous evaluation of child's understanding of knowledge and his or her ability to apply the same.

16. Implementation And Monitoring Of Child's Right To Education :-

- (1) Any person having any grievance relating to the rights of a child under the Act and these Rules may make a written complaint to Government.
- (2) Government shall inquire into complaints relating to child's right and take appropriate action.
- (3) After receiving the complaint under sub-section (1), Government shall decide the matter within the period of one month after affording a reasonable opportunity of being heard to the parties concerned.

17. Inspections and Directions:-

- (1) In addition to the routine quality assurance of the schools and education of different levels, the prescribed authority shall inspect or cause to be inspected a school for purposes of ascertaining that the Act and the Rules have been and are being complied with.
- (2) The Government may issue such guidelines and give such directions to a local authority, as it deems fit, for effective implementation of the Act and the Rules.

- (3) A school shall provide such information as the Government or the Prescribed authority may require.

18. Award of Certificate:-

- (1) The Certificate of completion of elementary education shall be issued at the school/block/district level within one month of the completion of elementary education.
- (2) The Certificate referred to in sub-rule (1) shall:-
- (a) certify that the child has completed all courses of study prescribed under applicable law and rules.
- (b) contain the Pupil Cumulative Record of the child and also specify achievements of the child in areas of activities beyond the prescribed course of study and may include literature, sports, etc.

- 19. Grievance Redressal:-** The first level of grievance redressal of teachers of schools shall be the District Education Officer.

PART III

20. School Attendance Authority:-

- (1) Every school shall constitute a School Attendance Authority comprising of nine members with the equal representation from Government and respective members of concerned Parents Teachers Council.
- (2) The School Attendance Authority shall meet at least three times in an academic year.
- (3) The School Attendance Authority shall perform the following functions, namely:-
- (a) monitor the general working of the school;
- (b) ensure that the prescribed norms and standards are observed;
- (c) ensure that the education policy of the Government is implemented;
- (d) prepare and recommend the School Improvement Plan (S.I.P)
- (e) monitor the utilization of the aids and grants received from the Government or any other source;
- (f) perform such other functions as may be prescribed or entrusted to it by Government.

(g) the School Attendance Authority shall ensure attendance of every child for the purpose of the Act and these Rules.

(h) ensure that every child shall attend a school under its jurisdiction and shall take such steps as it may consider necessary or as may be specified by Government.

21. Reasonable Excuse for Non-attendance:

(1) Reasonable excuse for the purposes of these Rules shall include any of the following cases:

(a) where school attendance authority is satisfied about non-attendance of schools by reason of sickness, infirmity or mental in-capacity or it is not advised or the child to carry forward to secondary education for peculiar causes;

(b) where there is no school in the radius of two kilometers of the residence of child;

(c) where the child is receiving education other-wise than in school, which is sufficient for the school attendance authority.

(1) Where a School Attendance Authority is satisfied that a parent who is required under these Rules to cause a child to attend a school has failed to do so, the same after giving the parent an opportunity of being heard and after such enquiries as it considers necessary, may pass an order directing the parent to cause such child to attend a school on and from a date which shall be specified in the order.

22. Maintenance of Children's Records:

(1) The School Attendance Authority shall maintain a record of all children, in its jurisdiction, through a household survey, from their birth till they attain 16 years.

(2) The record, referred to in sub-Rule (1), shall be updated each year.

(3) The record, referred to in sub-Rule (1), shall be maintained transparently, in the public domain, and used for the purposes of these Rules.

(4) The record, referred to in sub-Rule (1) shall, in respect of every child, include

(a) name, sex, date of birth, (Birth Certificate Number), place of birth;

(b) parents' / guardians' names, address, occupation;

(c) elementary school where the child is admitted;

(d) present address of the child;

(e) class in which the child is studying

(f) whether the child belongs to a disadvantaged group

(g) details of children requiring special facilities on account of migration and sparse population; age appropriate admission; disability.

(5) The School Attendance Authority shall ensure that the names of all children enrolled in the schools under its jurisdiction are publicly displayed in each school.

PART IV

23. Establishment of Taleem Fund:- (1) A School Attendance Authority, subject to approval of the Government, shall establish a Taleem Fund for the school.

(2) The following components shall form Taleem Fund for the school:

(a) Grants made by the Federal Government, Government and District Government;

(b) Grants made by Public International Organizations, International Not for Profit Organizations and National Not for Profit Organizations;

(c) Grants made by Diplomatic Missions and Foreign and Local, National and Foreign Universities;

(d) Voluntary contributions from Philanthropists, Corporate sector, Local Industry, Think Tanks, School alumni, Students, Parents and Local community.

24. Formation of Taleem Fund Executive Committee:- (1) The Government shall constitute a Taleem Fund Executive Committee for each school which shall have the following composition:-

(a) Secretary to Government of the Khyber Pakhtunkhwa
Elementary and Secondary Education Chairman

(b) Secretary to Government of the Khyber Pakhtunkhwa
Finance Department Member

(c) Chairman, School Attendance Authority
Elementary and Secondary Education Member

(d) Executive District Education Officer
Elementary and Secondary Education Member

(e) Any other member as and when deemed appropriate
By the Government

25. Functions of the Taleem Fund Executive Committee:- The Taleem Fund Executive Committee shall manage all the matters relating to the operation and administration of the Taleem Fund in accordance with these Rules and shall have to:-

(1) Act in good faith and in the best interest of the members of the Taleem Fund, give effect to these Rules.

(2) Process all applications for welfare benefits in compliance with these Rules.

- (3) Ensure that all applications for Taleem fund are duly supported by required documents and as prescribed by the Government.
- (4) Comply with all the requirements of financial propriety and transparency in relation to accounting, auditing and reporting of the Taleem Fund.
- (5) Approve, disapprove or otherwise dispose of any application for financial assistance declared by the Government and/or Executive Committee of the Taleem Fund as incidental or conducive to the attainment of the aims and objectives of the Taleem Fund.
- (6) Maintain, manage and oversee the investment and savings of the Taleem Fund in close coordination with the Taleem Fund Investment Committee and in accordance with these Rules and laws, rules of the Government.
- (7) Prepare, review and consider quarterly reports on the disposal and pendency of Taleem Fund applications;
- (8) Perform any other task assigned to it by the Chairman of the Taleem Fund Executive Committee.

26. Functions of the Chairman of the Taleem Fund Executive Committee:- (1) The Chairman of the Taleem Fund Executive Committee shall, in relation to the operation of the Taleem Fund:

- (a) Process all applications made by applicants;
 - (b) Check all documents required for the processing of applications;
 - (c) Maintain accounts and other records of the Taleem Fund;
 - (d) Prepare the annual budget of the Taleem Fund;
 - (e) Verify all bills and vouchers;
 - (f) Submit monthly statement of income and expenditure to the Taleem Fund Executive Committee on receipts and expenditure;
 - (g) Conduct the business of the meetings of the Taleem Fund Executive Committee including the preparation and circulation of agenda and minutes;
 - (h) Conduct all correspondence on behalf of the of the Taleem Fund Executive Committee; and
 - (i) Perform any other task assigned to him by the Government.
- (2) All applications, grievances, complaints or requests in relation to the Taleem Fund or any operation thereof shall be addressed to the Chairman of the Taleem Fund Executive Committee.

27. Procedure for Taleem Fund Executive Committee Meetings:

- (1) The Taleem Fund Executive Committee shall meet at least once in every three months.

- (2) Meeting of the Taleem Fund Executive Committee shall be presided over by the Chairman or his nominee.
- (3) One-third members shall constitute the quorum for the meeting of the Taleem Fund Executive Committee.
- (4) The Chairman of the Taleem Fund Executive Committee shall conduct the business of the Taleem Fund Executive Committee including preparation and circulation of the agenda and minutes of the Executive Committee meetings.

28. Utilization of Taleem Fund:- The Taleem Fund shall be utilized for the welfare of the students as prescribed by the Government.

29. Taleem Fund Applications:- The Chairman of the Executive Committee of the Taleem Fund may receive applications, as prescribed by the Government, from applicants and for welfare of students.

30. Procedure for Contribution to the Taleem Fund:

The Government, while realizing, Taleem Fund from various sources specified in these Rules shall ensure following steps:

- (a) Taleem fund shall be collected under proper receipt duly signed by concerned official of the school.
- (b) The Principal shall maintain proper receipt book with Book & Receipt Number
- (c) The Principal shall enter the receipt book in the proper stock register
- (d) The Principal shall enter serial number of receipt book at the time of issuance to the concerned official and will take his/her signature in the register as a token of receipt.
- (e) The amount of Taleem Fund shall be properly classified and codified on the prescribed receipt.
- (f) Taleem fund should be deposited in separate bank account of the school so opened with the permission of the competent authority.
- (g) The entire collection of Taleem Fund shall be deposited in the bank account of the school on the very next day.
- (h) The Principal shall be personally responsible for deposit of the collected amount of Taleem fund in the bank account of the school.
- (i) Record of Taleem Fund (i.e. cash fund, classified funds register, receipt books, sanctions, vouchers, history sheets and stock registers, etc.) shall be maintained by the school in proper order.
- (j) The Taleem fund shall be utilized judiciously and with due financial proprieties.
- (k) The Taleem Fund Executive Committee shall have the power to utilize the Taleem fund to the prescribed limits
- (l) In case of expenditure over and above the prescribed limits, sanction of the competent authority shall have to be obtained up to 100% of the prescribed limit. However, full powers shall be vested into Chairman of the Taleem Fund Executive Committee.
- (m) The expenditures out of Taleem Fund shall be exempted from all kind of taxes notified by the Government & required under the law/rules in vogue.

31. Procedure for Release of Amount out of Taleem Fund: Releases out of the Fund will be made to the respective School as per decision of the Taleem Fund Executive Committee through cheques with a letter under the signature of the Chairman or any officer authorized for this purpose under intimation to the Planning and Development Department, Elementary and Secondary Education Department, Finance Department and the Accountant General of Pakistan.

32. Procedure for Taleem Fund Correspondence:

- (1) The correspondence regarding deposits in Banks/Development Finance Institutions including profit coupons and pay orders shall be signed by the Chairman Taleem Fund Executive Committee whereas the cheques for withdrawal of funds will be signed by the co-signatories in accordance with the finance rules of the Government.
- (2) The Chairman of the Taleem Fund Executive Committee may assign the correspondence regarding Fund affairs to any officer of the Government.

33. Taleem Fund Investment Committee:

(1) There shall be a Taleem Fund Investment Committee consisting of the following:-

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|-----|---|----------|
| (a) | Chief Secretary
Government of the Khyber Pakhtunkhwa | Chairman |
| (b) | Secretary to Government of the Khyber Pakhtunkhwa
Finance Department | Member |
| (c) | Secretary to Government of the Khyber Pakhtunkhwa
Elementary and Secondary Education | Member |
| (d) | Director General, School Attendance Authority
Elementary and Secondary Education | Member |
| (e) | Any other member as and when deemed appropriate
By the Committee | |

(2) The Taleem Fund Investment Committee shall make recommendations to the Government and Taleem Fund Executive Committee for investment of money out of the fund and shall attend to such functions as may be assigned to it by the Government and Taleem Fund Executive Committee.

(3) The Government may constitute any other Committee for any specific assignment as and when deemed appropriate.

34. Procedure for Taleem Fund Investment Committee Meetings:

- (1) The Taleem Fund Investment Committee shall meet at least once in every three months.
- (2) Meeting of the Taleem Fund Investment Committee shall be presided over by the Chairman or his nominee.
- (3) One-third members shall constitute the quorum for the meeting of the Taleem Fund Investment Committee.

- (4) The Chairman of the Taleem Fund Investment Committee shall conduct the business of the Taleem Fund Investment Committee including preparation and circulation of the agenda and minutes of the Executive Committee meetings.

35. Taleem Fund Investments:

- (1) The Taleem Fund may invest any portion of the Fund in:-
 - (a) Profit bearing deposits in Banks/Development Financial Institutions as per Government approved list/policy; and/or Government guaranteed securities.
 - (b) The Investment Committee may decide to invest funds as per Rule (1) above and in accordance with the parameters issued by the Government from time to time.

36. Taleem Fund Maintenance of Accounts:

- (1) The accounts of the Fund shall be maintained on double entry book keeping system.
- (2) The Fund shall be maintained at a Scheduled Bank in such a manner and in such a form as may be prescribed.

37. Taleem Fund Audit and Accounts: -

- (1) The Chairman of the Taleem Fund Executive Committee shall place the annual financial statement of the Taleem Fund before the Taleem Fund Executive Committee for approval by 31st July each year.
- (2) The accounting year shall end on 30th June.
- (3) The accounts of the Taleem Fund shall be audited by the Auditor General of Pakistan.
- (4) The Taleem Fund Executive Committee shall submit the audit report to the Chairman of the Executive Committee, not later than 31st August every year.
- (5) The competent authority shall submit a monthly statement of receipts and expenditure to the Chairman of the Taleem Fund Executive Committee on the 10th day of every month.
- (6) All payments to beneficiaries of the Taleem Fund shall be made through cross cheques.
- (7) In case of any ambiguity in interpretation, if arose at any stage during implementation of these rules, advise / guidance / clarification should be sought from the Secretary through the competent authority.

38. Repeal and Saving:-

- (1) The Khyber Pakhtunkhwa _____ Rule(s), _____, is/are hereby repealed.
- (2) These rules shall be reviewed from time to time.
- (3) Notwithstanding the repeal of the rules mentioned in sub-rule-(1), everything done, action taken, obligation, liability, penalty or punishment incurred, inquiry or proceeding commenced, officers appointed or person authorized, jurisdiction or power conferred rules made and order or notification issued under any of the provisions of the said rules, shall, if not inconsistent with the provisions of these rule, be continued, and so far as may be, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorized, conferred, made or issued under these rule.