

TO BE PUBLISHED IN THE NEXT 'a re
ISAUE OF BALOCHISTAN GAZETTE, [']

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT =
PROVINCIAL ASSEMBLY SECRETARIAT." !

NOTIFICATION. I i es .

Dated Quetta, the 13m November, 2020, Ps é =e

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No.05 of 2020),

26% October, 2020 and assented to by

y the Governor Balochistan, on 13% os C5 gNY vs
2020 is hereb , iticl "
8 hereby published as an Act of the Balochistan Provincial Assembly. (

Ay
Balochistan Cadet Colleges, Act 2020 (Act No. X of 2020). 4% a

ACT

The

to provide for the establishment of the Cadet Colleges in Balochistan. " »

Preamble. WHEREAS, it is expedite to provide for the establishment of
the Cadet Colleges in Balochistan to promote education.

It is hereby enacted as follows:

Short title, Ls () This Act may be called the Balochistan Cadet Colleges
extent and Act, 2020, y
Commencement.

(2) It extends to the whole of Balochistan. we

(3) It shall come into force at once. a

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

(a) "Act" means the Balochistan Cadet Colleges Act, 2020.

(b) "Board" means the Board of Governors of Cadet

Colleges Balochistan;

(c) "Chairman" means the Chairman of the Board: My, =

(d) "Colleges means the Cadet Colleges in Balochistan: /

(e) "Controlling Authority" means the authority as specified
in Section 9.

(f) "Government" means the Government of Balochistan:

(g) | "Member" means a member of the Board;

(h) "Prescribed" means prescribed by rules or regulations

made under this Act;

(i) "Principal" means the Principal Officer incharge of
College by whatever name called;

G) "Chairman and Vice Chairman" means the Chairman
and Vice Chairman of the Board;

Establishment of
the Board,

Composition of
the Board,

Members of
the Board,

Term of

Members.

Meetings of
the Board.

\ (1) The Government shall,
vommencement ol this Act, establish a B
be called the Board of Gove

4S soon as may after the
oard for all Cadet Colleges to
mors of Balochistan Cadet Colleges.

(2) The Board shall be a body corporate having perpetual
succession and a common seal with powers to acquire, hold and
dispose of property, both movable and immovable and shall by the
wloresaid name sue and be sued:

Provided that the Board shall not be competent to acquire or
dispose of any immovable property without the previous approval of
the Government in writing,

(3) The Board shall comprise of the Chairman, and Vice
Chairman and Members,

4, (1) The Governor Balochistan and the Education Minister

Balochistan shall be the Chairman and Vice-Chairman of the Board
respectively,

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(1) The members of the Board shall consist of.-

(a) Secretary Colleges, Higher & Technical
Education Department;

(b) Secretary Finance;

(c) Secretary S&@GAD;

(d) Secretary Law;

(ce) Additional Chief Secretary (Development) P&D Department;

(f) Additional Secretary (Development) Education Department who shall be the member/secretary of the Board;

(g) Two members of the Provincial Assembly; and

(h) The Principal of the colleges shall be the

ψ, honorary member of the Board.

(2) The Government may increase or decrease the number of members of the Board from time to time as it may consider appropriate.

6. (1) The non-official private members of the Board shall hold office for a period of three years,

(2) The Government may remove any member before the expiry of his term of office without assigning any reason.

(3) Any Member of the Board may, by writing under his hand addressed to the Government, resign his office:

Provided that the resignation shall not have effect until it is accepted.

7. The meetings of the Board shall be held in such manner and at such time as may be prescribed:

Provided that until rules are made in this behalf, such meetings shall be called by the Chairman:

8. (1) Subject to the other provisions of this Act, the Board shall have the powers to Manage and control the affairs of the College.

Controlling
Authority,

Power of the
Controlling
Authority.

(2) In particular, and w

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the foregoing power, the Board sha Prejudice to 4}

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il have the Power. . an

(z) t administ nd 1 e prope 1
1 Oo era Manape th rly i
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(b)
(c)

to acquire and dispose of property;

to enter into contracts in respect of the College;

(d) to appoint the Pri:
officers and servan
Such terms and c
Government:

ncipal, members of staff and other
ts of the Board and the College on
Onditions as may be determined by the

(e) to formulate

the budget for the approval of the
Government,

¢9) to determine the classes to be started and the number of
Students to be admitted in each class annually;

(g) to lay down procedure for admission, promotion and
removal of students from college;

(h) to institute scholarships and stipends;

(i) to set up an Executive Committee and such other
Standing Committee as may be necessary;

(ji) to delegate powers to the Chairman, Vice Chairman, the
Executive Committee, Standing Committee, the

Principal, the staff of the College and other officers of the Board.

9: The Government or his nominee shall be the Controlling Authority of the Board.

10. (1) The Controlling Authority shall have power to cause

an inspection to be made by such person as it may direct, of the

offices, activities and funds of, and all examinations conducted by the Board and to cause an inquiry to be made in like manner in respect of any matter concerning the College.

(2) The Controlling Authority shall communicate to the Board the findings of the inspection or inquiry, and may advise the Board to take such action and within such period as may be specified.

(3) The Board shall report to the Controlling Authority the action it proposes to take on such communication.

(4) Where the Board does not, within the specified time, submit its report as required by sub-section (3), or am ea a Authority is not satisfied with the action taken or proposed to be enn the Controlling Authority may, after Sieg ae ee enc es by the Board, issue such directions as it thinks fit, an comply with such directions.

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(5) The Controlling Authority may, from time aw oe direct the Board to conduct its affairs and perform its function manner as il may specify.

Principal,

Powers of Principal.

Deputation of
Government
Servants.

Property.

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(6) If the Controlling
proceeding of the Board is not
in conformity with the Act, the
Controlling Authority may, provisions of this section

Authority is Satisfied that any
ot in conformity with the Act, the
without prejudice to the foregoing
by an order in writing annul such proceeding:

Provided that before making
Authority shall through the Chairman
cause as to why such an order should not

any such order to Controlling
» call upon the Board to show
ot be made.

; 7) If the Board fails or neglects to comply with the
directives or orders given to it under sub-section (5) or it, in the Opinion

of the Controlling Authority, the Board persistently makes default in
the performance of its functions under this Act, the Government may
supersede the Board and appoint the Chairman in the place of such
Board until a new Board is established in accordance with the
provisions of this Act and no such supersession or appointment shall be
questioned in any Court.

1). (1) The Principal of College is appointed by the Board as
referred to in Sub-Section 2(d) of Section 8 of the Act.

12. (1) The Principal is the Chief Executive of the college and

responsible for implementation of the decision/direction of the Board
and the Executive Committee,

(2) To delegate administrative powers of Secretary (As
Conferred by BEEDA 2011, and the Government from time to
time) to the Principal Cadet College for swift /expeditious disciplinary
proceedings against the employees of Cadet College.

(3) He shall be the appointing authority for appointment of

employees up to BPS-15, and the above may be submitted to the College, Higher and Technical Education Department for further processing/recruitment through Balochistan Public Commission,

Service

(4) He is empowered to sanction C.P.F. and Gratuity to the college employees in accordance with financial Delegation of Powers, notified by the Government of Balochistan.

(5) He is empowered to sanction 120- days leave, and beyond that he will refer the case to the Executive Committee for approval.

13. Any person serving under Government may be transferred by the Government for service in the colleges on such terms

and

conditions as Government may determine:

Provided that where a Government servant is required to serve the colleges, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve:

Provided further that the Government servant who is so required to serve shall be entitled to deputation allowance as the" Government may determine.

14. All property, movable or immovable, vesting in Government in connection with the affairs of the College immediately before the said day shall vest in the Board. In the event of Government rescinding the decision of establishment of College, the property vesting in the Board shall stand transferred to the Government.

Funds.

Maintenance
of Accounts.

Audit.

Annual
Financial
Statement.

Return and
Statements.

15, q1) The funds of the colleges shall be derived from:

(a) grant made by the by the Government;

(b) loan received from the Government:

(c) fees and other money received

(d) such foreign aid and loans as may be received by
the board on such terms and conditions as
may be approved by the Government.

(2) All moneys in the fund shall be kept in such custody as
may be prescribed.

(3) The fund shall be utilized for meeting expenditure
concerned with the functions of the colleges, including the payment of
salaries and other remunerations of the members, the Principal and

other members of the staff of the College and officers and servants of
the colleges.

16, The college administration shall maintain complete and

Accurate books of accounts in such form as may be prescribed by the
Government.

17. (1) The accounts of the colleges shall be audited every year
by the Director General Audit, hereinafter referred to as the auditor.

(2) The college shall, at the time of audit, produce all
accounts, registers, documents and other papers, which may be required
by the auditor to assist him in his investigation.

(3) The college administration shall, as soon as possible
afler the end of each financial year, submit to the Government the
annual statement of account of the colleges duly audited, together with
the report of the auditor and its comments on the report.

18. The college administration shall submit to the Government for
approval a statement of estimated receipt and expenditure in respect
of the next financial year at such time and in such manner as may be

prescribed, and shall give effect to any modification made therein by the Government.

19. (1) As soon as, may be after the close of every financial year, the colleges administration shall submit to Government for approval of report on the conduct of the financial affairs of the colleges for that year.

(2) The Government may require the colleges to furnish with;

(a) Any return, statement, estimate, statistics or other information or report regarding any matter under the control of the colleges.

(b) A copy of any document in the charge of the colleges, and the colleges shall comply with every such requisition.

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Members etc; to

be public servants.

Powers to make
rules.

Regulations.

20. The members, the Principals and the staff of the colleges
shal] be deemed to be public servants within the meaning of section 21
of the Pakistan Penal Code (XLV of 1860).

21. (1) The Government may make rules for carrying out the
purpose of this Act.

(2) In particular and without prejudice to the generality of
the foregoing power, such rules may provide for:

(a) the terms and conditions on which Government servants
may be transferred to the colleges;

(b) the frequency of meeting of the Board and the procedure
that shall be followed at such meetings;

(c) the forms and registers for keeping the accounts;

(e) the manner in which and the time at which the annual
financial statement shall be submitted to the
Government for approval;

(e) the returns, statements, estimates, statistics, information
or report which may be submitted to the Government;

(h) the manner in which the accounts of the colleges shall
be audited.

(g) the custody in which the Fund shall be kept;

(h) any other matter required under the provisions of this
Act to be prescribed.

22. GIS The Board may, subject to the approval of Government,
frame regulations, not inconsistent with the provisions of this Act and
the rules made thereunder, to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of
the foregoing power, such regulations may provide for:

(a) the notice on which an ordinary or special meeting may
be convened;

(b) the time and place at which meetings of the Board may
be held;

(c) the manner in which an ordinary or special meeting may

be convened;

(d) the manner in which an Executive Committee or a Standing Committee shall be constituted and the powers and functions that may be exercised and performed by the Committee;

(ec) the recruitment, tenure of office, terms and conditions of service of the officers and servants appointed by the Government;

(f) the delegation of administrative and financial powers to the Executive Committee, Standing Committee, or other officers and servants of the colleges;

(2) the manner in which the funds shall be disbursed.

(h) any other matter required under any of the provisions of

this Act to be prescribed.

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Repeal. at. The Balochistan Goverament Educational and raining
Institutions Ondinance, 1960 (WP Ordinance XI of 1960) is hereby

repealed.

(TAHIR SHAH KAKAR)

Secretary.

No-PAB/Legis:V(05)/2020. Dated Quetta, the 13" November, 2020.

A copy ts forwarded to the Chief Convoller, Government Printing Press, Balochistan, Quetta for favour of publication in next issue of Balochistan gazette. Beore final printing a copy thereof be sent to this Secretariat for proof reading. After proof reading fifty copies of the said Act may please be provided to this Secretariat for record.

(ABDUL REHMAN)

Special Secretary (Legis:)

No.PAB/Legis:V(05)/2020. Dated Quetta, the 13" November, 2020.

A copy is forwarded for information to:-

The Principal Secretary to Governor Balochistan, Quetta.

The Principal Secretary to Chief Minister Balochistan, Quetta.

The Secretary, Government of Balochistan, Higher and Technical Education

Department, Quetta.

4. The Secretary, Government of Balochistan, Law and Parliamentary Affairs

Department, Quetta.

5. The Director General, Public Relations, Balochistan, Quetta,

6. The System Analyst, Balochistan Provincial Assembly.

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(ABDUL REHMAN)

Special Secretary (Legis:)