

THE BALOCHISTAN LOCAL COUNCILS  
HIGH SCHOOLS (TAKING OVER)  
ORDINANCE, 1970

(W.P. Ordinance XV of 1970)

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'THE ?[BALOCHISTAN?] LOCAL COUNCILS  
HIGH SCHOOLS (TAKING OVER)  
ORDINANCE, 1970

(West Pakistan Ordinance XV of 1970)

[30 May, 1960]

An Ordinance to provide for the taking over by  
Government of High Schools maintained by District Councils  
and Town Committees in the Province of \*[Balochistan].

Preamble. WHEREAS District Councils and Town Committees in  
the Province requested that High Schools maintained and run  
by them be taken over by Government and it is expedient to do  
SO;

NOW, THEREFORE, in pursuance of the Martial Law  
Proclamation of 25" March, 1969, read with the Provisional  
Constitution Order and in exercise of all powers enabling him  
in that behalf, the Governor of West Pakistan is pleased to make  
and promulgate the following Ordinance: —

Short title, extent 1. (1) This Ordinance may be called the \*[Balochistan]  
and Local Councils High Schools (Taking Over) Ordinance, 1970.  
commencemen

t. (2) It shall extend to the whole of the Province of

[Balochistan] except the Tribal Areas.

(3) This section and section 2 shall come into force  
at once, and such other provisions of the Ordinance shall come  
into force in such areas and on such dates as Government may,  
by notification in the official Gazette, specify in this behalf.

Definitions. 2. (1) In this Ordinance, unless the context otherwise  
requires, the following expressions shall have the meanings  
hereby respectively assigned to them, that is to say: —

(a) "District" means a revenue district;

(b) "District Council" means a \_ District  
Council constituted under the Basic

a

This Ordinance was promulgated by the Governor of West Pakistan on 30" May, 1970; published in the West Pakistan Gazette  
(Extraordinary), dated 30" May, 1970, pages 962-A to 962-D; saved by Article 281 of the Interim Constitution of the Islamic Re  
Pakistan (1972); and validated by Act LXIII of 1975:

Substituted by the Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

Spelling of the word "Baluchistan", wherever it appears in this Ordinance, is corrected by insertion of letter "o" instead of "u"; a

Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

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Democracies Order, 1959!;

"Government" means the Government of  
[Balochistan];

"High School" means a school having  
classes from 1\* to 10, 6" to 10% or 9% to  
10°;

"income" means the gross income of a  
Town Committee minus capital receipts;

"Local Area" means the area under the  
jurisdiction of a Local Council;

"Local Council" means a District Council  
or a Town Committee constituted under  
the Basic Democracies Order, 1959!;

"local rate" means the share of the District

Council in the local rate levied under  
section 59 of the Basic Democracies  
Order, 1959!;

"prescribed" means prescribed by rules;

"Provident Fund Contribution" means the  
contribution which a District Council or a  
Town Committee makes to the Provident  
Fund account of its employees;

"Students Fund" means fund contributed to by the students for extra curricular activities organised for their benefit;

"Town Committee" means a \_ Local Council or a Town Committee Area

constituted under the Basic Democracies Order, 1959;

"tuition fee" means the fee which the students pay to the school for their studies.

(2) | Any expression used but not defined in this Ordinance and defined in the Basic Democracies Order, 1959! or the Municipal Administration Ordinance, 1960, unless the

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That is President Order No. 18 of 1959; repealed by Balochistan Ordinance I of 1972; published in the Balochistan Gazette (Extraordinary), dated 12<sup>th</sup> February, 1972. Now the Balochistan Local Government Act, 2010 (Act V of 2010); passed by the Balochistan Assembly on 10<sup>th</sup> May, 2010: assented to by the Governor of Balochistan on 11<sup>th</sup> May, 2010.

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3 See footnote 1 under sub-section (1) (b).

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Substituted by the Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

Taking over of  
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any high  
school in a  
local area.

Transfer of staff  
and assets.

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context otherwise requires, shall have the meanings assigned to them in the said Order or the said Ordinance, as the case may be.

3. As from the date of enforcement of this Ordinance in any area, hereinafter referred to as the said date high schools maintained by the Local Councils shall notwithstanding anything contained in any other law for the time being in force in that area be under the control of Government and all rights, authorities and jurisdiction vested in or exercised by a Local Council in respect of such high schools in that area immediately before the said date, shall: —

(i) except in so far as may be otherwise provided by or under the Ordinance or as may be otherwise directed by Government, cease to vest in and be exercisable by the Local Council; and

(ii) vest in and be exercisable by Government in accordance with the provisions of this Ordinance.

4. Notwithstanding anything contained in section 3, Government may, by notification in the official gazette, except from the operation of the provisions of section 3, such high schools in a local area as may be specified.

5. As from the said date, subject to the provisions of this Ordinance: —

(a) all properties and assets (including any unspent grants or unspent part of grants and donations) vesting in a Local Council for the purposes of high schools shall vest in Government for the purposes of high schools;

(b) all teachers including the heads of schools and other staff employed by a Local Council in connection with the high schools shall stand transferred for service to, and be employed by,

Government on the same terms and conditions as are applicable from time to time to teachers and staff of corresponding categories in Government service;

(c) all rights of a local Council relating to properties

That is Ordinance X of 1960; repealed by Balochistan Ordinance I of 1972. Now the Balochistan Local Government Act, 2010 (2010); passed by the Balochistan Assembly on 10" May, 2010: assented to by the Governor of Balochistan on 11" May, 2010.

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Transfer of funds.

Contribution by  
Local Council.

Contribution  
towards  
pensions.

Donations and  
bequests.

Power to make  
rules.

and assets of high schools shall become the  
rights of Government:

Provided that nothing herein contained shall  
affect the liability of a Local Council in respect of arrears of  
pay, leave salary, allowances, contributions to the General  
Provident Fund, and other dues of the teachers and other staff  
transferred for service to Government under clause (b), rent for  
the buildings, and other liabilities relating thereto accrued up to  
the said date.

6. The Students Fund, the Teachers Provident Fund and  
such other funds as are raised from the students shall be  
transferred to Government and be utilised in the manner in  
which such funds are utilised in Government schools.

7. (1) A Local Council shall pay as its share for  
maintenance of high schools such percentage of the local rate or  
income, as the case may be, as may be prescribed by  
Government.

(2) The amount payable by the District Council  
under sub-section (1) shall be deducted at source and that  
payable by the Town Committee shall be paid in such manner  
as may be prescribed by Government.

8. A Local Council shall pay to Government such amount  
as its contribution towards the pension of teachers and other  
employees for the period they served under it as may be  
prescribed by Government.

9. (1) Notwithstanding anything to the contrary  
contained in any other law for the time being in force, the  
property donated or bequeathed by an individual, a group or an  
organization in favour of a Local Council for the purposes of  
high schools shall stand transferred to Government on the same



terms and conditions.

(2) Any liability existing in connection with property referred to in sub-section (1) before the said date shall be the liability of the Local Council:

Provided that Government may in its discretion undertake to meet the liability in respect of the property.

10. Government may, by notification in the official Gazette, make rules to carry out the purposes of this Ordinance.

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