

THE BALOCHISTAN MODEL REDSIDENTIAL SECONDARY
SCHOOLS ORDINANCE, 1983

(Baln Ordinance XVII of 1983)

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'THE 7BALOCHISTAN MODEL REDSIDENTIAL SECONDARY SCHOOLS
ORDINANCE, 1983

(Baln Ord. XVII of 1983)

[19% November, 1983]

An Ordinance to provide for the establishment of the
Model Residential Secondary Schools in Balochistan.

Preamble. WHEREAS it is expedient to provide for the
establishment of the Model Residential Secondary Schools in
Balochistan to promote education;

AND WHEREAS the Governor is satisfied that
circumstances exists which render it necessary to make
immediate action;

NOW, THEREFORE, in exercise of the powers
conferred by Article 128 of the Constitution, read with Article 2
of the Provisional Constitution Order, 1981 (C.M.L.A. Order
No. 1 of 1981), the Governor of Balochistan is pleased to make
and promulgate the following Ordinance:-

Short title, extent 1. (1) This Ordinance may be called the Balochistan
commencement Model Residential Secondary Schools Ordinance, 1983.
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(2) It extends to the whole of the Province of
Balochistan except Tribal Areas.

(3) It shall come into force at once.

Definition. 2. 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) "Board" means the Boards of Governor of
Schools;

(b) "Chairman" means the Chairman of the Board;

(c) "Controlling Authority" means the Authority as
specified in Section 9;

(d) "Government" means the Government of
Balochistan;

This Ordinance was made by the Governor of Balochistan on 15th November, 1983; published in Baln. Gazette (Extraordinary)
No. 385, dated 19th November, 1983. Saved and, validated by Article 270-A of the Constitution of the Islamic Republic of Pakistan
(1973).

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

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

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Establishment of
the School.

Establishment of
the Board.

Composition of the
Board.

(e) "Governor" means the Governor of Balochistan;

(f) "Member" means a member of the Board;

(g) "Prescribed" means prescribed by rules or

regulations made under this Ordinance;

(h) "Principal" means the Principal Officer incharge
of School by whatever name called;

(i) "School" means the Model Residential
Secondary School;

(j) "Vice-Chairman" means the Vice-Chairman of
the Board.

3. There shall be established at all Divisional Headquarters

a School to be called Model Residential Secondary School.

4. (1) The Governor shall, as soon as may be after the
commencement of this Ordinance, establish a Board for each of
such School to be called the Board of Governors of Balochistan
Model Residential Secondary School.

(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 aforesaid 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 Governor in writing.

5. (1) The Board shall consist of not more than eleven
members to be appointed by the Governor.

(2) The Governor shall appoint a Chairman and a
Vice-Chairman from amongst the members appointed under
sub-section (1).

(3) Official members shall be appointed by
designation.

(4) Non-official members shall hold office for a

period of three years and shall be eligible for re-appointment.

(5) The Principals of the Schools shall be the Ex-officio Member/Secretary of the Board.

(6) The Director of Education (Schools) shall be the Ex-officio Member/Secretary of the Board.

Term of Members.

Meeting of the
Board.

Powers and
functions of
Board.

6. (1) The members of the Board shall hold office during the pleasure of the Governor.

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

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

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

7. The meeting 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 Ordinance, the Board shall have the powers to manage and control the affairs of the School.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Board shall have the power—

(a) to administer and manage the property in use of the School and the Board ;

(b) to acquire and dispose of property;

(c) to enter into contracts in respect of the School ;

(d) to appoint the Principal, members of staff and other officers and servants of the Board and the School on such terms and conditions as may be determined by the Governor;

(e) to formulate the budget for the approval

of the Governor;

(f) 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 School;

Controlling
Authority.

Power of the
Controlling
Authority.

(h) to institute scholarship and stipends;

(i) to setup the Executive Committee and
such other Standing Committee as may
be necessary;

(j) to delegate powers to the Chairman,
Vice-Chairman, the Executive
Committee, Standing Committee, the
Principal, the staff of the School and
other officers of the Board.

9. The Governor or his nominee shall be the Controlling
Authority of 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 School.

(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 the
Controlling Authority is not satisfied with the action taken or
proposed to be taken the Controlling Authority may, after
considering any explanation given by the Board, issue such
directions as it thinks fit, and the Board shall comply with such
directions.

(5) The Controlling Authority may, from time to
time, direct the Board to conduct its affairs and perform its
functions in such manner as it may specify.

(6) If the Controlling Authority is satisfied that any
preceding of the Board is not in conformity with the Ordinance,
the Controlling Authority may, without prejudice to the

foregoing provisions of this section by an order in writing annul such proceeding;

Provided that before making any such order the Controlling Authority shall through the Chairman, call upon the

Deputation of
Government
Servants.

Property.

Funds.

Board to show cause as to why an order should not be made.

(7) If the Board fails or neglects to comply with the directives or orders given to it under sub-section (5) or if, in the opinion of the Controlling Authority, the Board persistently makes default in the performance of its functions under this Ordinance, the Governor 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 Ordinance and no such supersession or appointment shall be questioned in any Court.

11. Any person serving under Government may be transferred by the Government for service under Board on such terms and conditions as Government may determine:

Provided that where a Government servant is required to serve under the Board, 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.

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

13. (1) The funds of the Board shall be derived from—

- (a) grant made by the Government;
- (b) loans received from the Government;

(c) loans raised by the Board with the general or special sanction of the Government;

(d) such foreign aid and loans as may be received by the Board and on such terms

and conditions as may be approved by
the Government; and

(e) fees and other moneys received.

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

(3) The funds shall be utilized for meeting expenditure connected with the functions of the Board, including the payment of salaries and other remunerations of the members, the Principal and other members of the staff of the School and officers and servants of the Board.

Maintenance of 14. The Board shall maintain complete and accurate books Accounts. of accounts in such form as may be prescribed.

Audit. 15. (1) The accounts of the Board shall be audited every

year by the Comptroller, hereinafter referred to as the auditor.

(2) The Board 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 Board shall, as soon as possible after the end of each financial year, submit to the Governor the annual statement of the accounts of the Board duly audited, together with the report of the auditor and its comments on the report.

Annual financial 16. The Board shall submit to the Governor for approval a statement. 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 modifications made

therein by the Governor.

Returns and 17. (1) As soon as, may be after the close of every Statements. financial year but not later than the last day of September next following, the Board shall submit to Governor for approval of

report on the conduct of the affairs of the Board for that year.

(2) The Governor may require the Board to furnish with:—

(a) any return, statement, estimate, statistics or other information or report regarding any matter under the control of the Board;

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

Members etc; to be 18. The members and the Principal and the members of the public servants. staff of School and officers and servants of the Board shall be

Power to make
rules.

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deemed to be public servants within the meaning of section 21
of the Pakistan Penal Code (XLV of 1860).

19. (1) The Government may make rules for carrying
out the purposes of this Ordinance.

(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 Board;

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

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

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

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

(f) the manner in which the accounts of the
Board shall be audited;

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

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

20. (1) The Board may, subject to the approval of
Government, frame regulations, not inconsistent with the
provisions of this Ordinance and the rules made thereunder, to
carry out the purposes of this Ordinance.

(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;

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(b)

(c)

(d)

(e)

(f)

(g)

(h)

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

the manner in which the minutes shall be circulated and confirmed;

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;

the recruitment, tenure of office terms and conditions of service of the officers and servants appointed by the Board;

the delegation of administrative and financial powers to the Executive Committee, Standing Committee, or other officers and servants of the Board;

the manner in which the funds shall be disbursed;

any other matter required under any of the provisions of this Ordinance to be prescribed.