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THE BALUCHISTAN GALETTE

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GOVERNMENT OF BAL UCHISTAN /
LAW DEPARTMENT. /

NOTIFICATION.

Dated Quetta, the 19th November, 1983.

_ No. Legis. 1-76/LAW/83. The following Ordinance made by the Governor of
Baluchistan On the 15th November, 1983, is hereby published for genera! information:.

BALUCHISTAN ORDINANCE No. XVII OF 1983.
THE BALUCHISTAN MODEL RESIDENTIAL SECONDARY SCHOOLS
ORDINANCE, 1983.
AN
ORDINANCE

to provide for the establishmert of the Model Residential Secondary School
in Baluchistan.

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Preamble.

Short title,
extent and
commencement.

Definitions

Establishment of

the School.

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

AND WHEREAS the Governor is satisfied that circumstances exist which render it necessary to take 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 Baluchistan is pleased to make and promulgate the following Ordinance :-

1 (1) This Ordinance may be called the Baluchistan Model Residential Secondary Schools Ordinance, 1983.

(2) It extends to the whole of the Province of Baluchistan

except Areas. ‘

@) It shall come into force at once.

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 Board of Governors of Schools;

(6) “Chairman” means the Chairman of the Board; :

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

(d) “Government” means the Government of Baluchistan;

(e) “Governor” means the Governor of Baluchistan;

(f) “Member” means a member of the Board;

(g) “Prescribed” means prescribed by rules or regulations
) made under this Ordinance ; ”

hy "P; *** means the Pr Officer incharge of
; " School by whatever name me, -
(i) "School" means the Medel Residential Secondary School;
(i) "Vice-Chairman means tho Vice-Chairman of the Board.

3 re shall be established at all Civisional Headquarters 2

5 The
School to be called Mode! Residential Secondary School.

Establishment of 4. (1) The Governor shall, as soon as may be after the
the Board,

Composition of
the Board.

Term of
Members.

Powers and
functions of

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commencement of this Ordinance, establish a Board for each of such
School to be called the Board of Governors of Baluchistan Model
Residential Secondary School.

2) The Board shall be a body corporate having
succession by a Common seal with powers to acquire and dispose
Of property, both movable and immovable, and 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. 3

(5) The Principals of the Schools shall be the Ex-officio
members Of the Board, .

(6) The Director of Education (Schools) shall be. the
Ex-officio President, Member, of the 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, within
his hand addressed to the Governor, resign his office: and

mes Provided that the resignation shall not have effect until
Mis accepted.

fe The meetings of the Board shall be held in such

and at such time as may be prescribed. ; " ae

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

8 (tL) 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 power, the Board shall have the power-

(a) to administer and manage the property in use of the
School and the Board: as "

(b) to acquire and dispose of property;

Controlling
Authority.
Power of the

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

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

(©) 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 cach class annually;

(g) to lay down procedure for admission, promotion a.u ' removal of students from School;

(h) to institute scholarships and stipends;

(i) 10 set up an Executive Committee and such other Stan- ding, Committee as may be necessary',

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xecu tive Committee, Stan: mumittee, the 5
the staff of the Schoo? and other officers of the Board.

9. The Governor or his nomince shall be the Controlling Autho- rity of Board.

10. (1) The Controlling Authority shall have power to Cause an inspection to be Made by such porson as it may direct, of the offices, activities and funds of, and all examinations conducted by the Board and to cause @n inquiry to be made jn like manner in respect of any matter concerning the School.

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

. @) 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 oXplanation given

by the Board, issue such directions as it thinks fit, and the Board shall comply with such directions.

(5) The Controlling Authority, 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 proceeding 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 ;

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Preperty,

Funds.

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Provided that before making any such order the Controlling Authority shall through the Chairman, call the Board to show cause as to why such an order should not be x

(7) If the Board fails or neglects to comply with the directives or orders given to it under sub-section (5S) 01 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 | 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.

1), 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 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

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; 'pes

(4) 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, i

3) The fund shall be utilized for meeting expenditure incurred in connection with the functions of the Board, including the payment of

Maintenance of
Accounts.

Audit.

Members etc; to
be public servants

Power to make
rules,

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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.

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

16. The accounts of the Board shall be audited each 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 account of the Board duly audited, together with the report of the
auditor and its comments on the report,

16. The Board shall submit to the Governor for his signature a state-
ment of estimated receipt and expenditure in respect of the next finan-
cial year at such time and in such manner as may be prescribed, and
shall give effect to any modification made therein by the Governor.

17. As soon as, may be after the close of every 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 informa-

tion 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.

18 The members and the Principal and the members of the staff of
School and officers and servants of the Board shall be deemed to be

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

19, (LI) 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- 7"

(@) the terms and conditions on which Government servants may be transferred to the Board;

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

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

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

Regulations

Dated

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

the manner in which the accounts of the Board shall be
audited ;

the custody in which the Fund shall be kept;
any other matter required under the provisions of this
Ordinance to be proscribed.

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)
(b)
(c)
(@)
(e)

(f)

(8)

the notice on which an ordinary or special meeting may
be convened,

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;

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

Lt. General Rahim uddin Khan,

QUETTA,
the 15th November, 1983. Governor Baluchistan.

QAISAR AHMAD HAMIDI,
SECRETARY, '

Government of Baluchistan,
Law Department.