

THE BALOCHISTAN SEIZED AND FREEZED  
INSTITUTIONS (MASAJID)  
ACT, 2020

(Baln Act VIII of 2020)

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1THE BALOCHISTAN SEIZED AND FREEZED  
INSTITUTIONS (MASAJID)  
ACT, 2020

(Balochistan Act VIII of 2020)

[9% November, 2020]

An Act to establish the Masajid Management  
Board in Balochistan.

Preamble. WHEREAS, it is necessary to establish the  
Masajid Management Board; to manage the seized  
and freezed institutions; to ensure mainstreaming of  
students of such institutions; and to provide for the  
matters connected therewith and ancillary thereto:

It is hereby enacted as under:

Short title, extent 1. (1) This Act may be called as\_ the  
and Balochistan Seized and Freezed Institutions (Masajid)  
commencement. Act, 2020.

(2) It extends to whole the Balochistan and  
shall apply to such institutions as may be notified by  
the Government.

(3) It shall come into force from such date as  
the Government may, by notification in the official  
Gazette, specify.

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

(a) "Act" means the Balochistan Seized and  
Freezed Institutions (Masajid) Act, 2020;

(b) "Board" means the Board constituted  
under section 3 of the Act;

(c) "Chairperson" means the Chairperson of

1 This Act was passed by the Provincial Assembly of Balochistan on 26t October, 2020; assented to by the  
Governor of Balochistan on 6t November, 2020; and published in the Balochistan Gazette (Extraordinary) No.  
160, dated 9t» November, 2020.

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the Board;

(d) "Committee" means a Committee constituted by the Board under the Act;

(e) "Directorate" means the Directorate as established under section 7 of the Act;

() "Government" means the Government of Balochistan;

(g) "Institutions" means the Masajid seized

and freezed under section 2 of the United Nations (Security Council) Act, 1948 (XIV of 1948) read with the United Nations Security Council (Freezing and Seizure) Order 2019, published in the Gazette of Pakistan on 4 March 2019, and any other educational or training institution notified by the Government under the Act and includes an establishment, a property or an organization attached thereto;

(h) "member" means a member of the Board;

(ij) "prescribed" means prescribed by the rules made or the regulations framed under the Act;

(j) "regulations" means the \_ regulations framed by the Board under the Act;

(k) "rules" means the rules made by the Board under this Act; and

(l) "seizing agency" means a seizing agency notified under section 2 of the United Nations (Security Council) Act 1948 (XIV of 1948) read with the United Nations Security Council (Freezing and Seizure) Order 2019, published in the Gazette of Pakistan on 4 March 2019.

Board. 3. (1) For the efficient management and control of the Institutions, the Government shall, by

notification in the official Gazette, constitute a Board to be known as Masajid Management Board.

(2)

(3)

The Board shall be a body corporate, having perpetual succession and a common seal, with power to enter into contracts and to acquire, hold and dispose of property, movable and immovable, and shall in its name sue and be sued.

The Board shall consist of the following:

(a)

(b)

(a)

(e)

Secretary Government of  
Balochistan, Religious  
Affairs Department;

Secretary te) the  
Government, Finance  
Department or his  
nominee not below the  
rank of Additional  
Secretary;

Secretary te) the  
Government, Law and  
Parliamentary Affairs  
Department or his  
nominee not below the

rank of additional  
Secretary;

Secretary te) the  
Government Services  
and General  
Administration

Department or his  
nominee not below the  
rank of an Additional  
Secretary (Regulation  
Wing),

Special Secretary to the  
Government, Home  
Department or his  
nominee not below the  
rank of an Additional  
Secretary;

Three non-official  
members, including at

Chairperson

Vice  
Chairperson

Member

Member

Member

Member

Removal of non-official members.

Meetings of the Board.

Powers of the Board.

least one woman, to be nominated by the Chief

Minister Balochistan;  
and

(g) Director of the Member/  
Directorate. Secretary

(4) The non-official matters shall have such

qualification and experience and shall serve for such period as may be prescribed through regulations.

4. The Chief Minister may remove any non-official member before the expiry of his term without assigning any reason thereof.

5. The meetings of the board shall be held at such time and at such place and in accordance with such procedure as may be prescribed by the regulations.

6. Subject to the Provision of the Act, the Board shall have the powers to:

(a) Acquire and dispose of a property and to enter into contracts;

(b) Recruit and determine terms and conditions of employees of the institutions, including special dispensation if required;

(c) Formulate the budget of the institutions;

(d) Lay down the procedure for the conduct of its business;

(e) Set up any Committee as may be required for carrying out the purposes of the Act;

(f) hire the services of staff belonging to the other Provinces as one-time dispensation only; and

(g) delegate such powers to the Chairperson  
or a Committee or the Administrator to



Establishment of  
the Directorate.

Transitional  
provisions for  
employees of the  
Institutions.

Properties.

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make rules or frame regulations.

7. (1) The Government shall by notification in the official Gazette, establish a Directorate headed by the Director having such number of employees on such terms and conditions as the Board may determine through regulations.

(2) The Directorate shall be managed and controlled by the Board in such manner as may be proscribed.

(3) The Directorate shall manage the properties of the institutions and affairs of the students of these institutions as may be prescribed through regulations.

8. Any person, not below age of eighteen years, serving in connection with the affairs of the institutions, in any capacity immediately before the date notified under the Act, hereinafter referred to as the "said date" as notified under subsection (3) of section 1, shall be deemed to have been an employees of the Board on such terms and conditions as the Board may determine:

Provided that such terms and conditions shall not be less favorable than those immediately before the promulgation of the Act:

Provided further that no such employees shall be dismissed or removed from employment or reduced in rank by any authority other than the Board.

9. (1) All liabilities of the institutions on the said date shall stand transferred to the Board.

(2) All Properties, movable or immovable, owned by an institution shall vest in the Board:

Provided that where a property is not owned by an institution, such property shall be

managed and controlled by Board.

Board Fund.

Maintenance of  
Accounts.

Annual Financial  
Statement.

Returns and  
Statements.

10. (1) There shall be a fund to be known as  
Board Fund.

(2) The Board Fund shall consist of:

(a) Grant-in-aid made by the  
Government;

(b) Loans obtained from the  
Government;

(c) Aid and loans obtained by the  
Board with the prior approval of  
Government on such terms and  
conditions as may be approved by  
the Government; and

(d) Fees and other sums received by  
the Board.

(3) All Moneys at the credit of the Board  
shall be kept in such manner as may be prescribed.

(4) The Board Fund shall be utilized by the  
Board in connection with its functions under the Act,  
including the payment of salaries and other  
remunerations of the employees of the Board.

11. The Board shall Maintain complete and  
accurate books of accounts in such form and manner  
as may be prescribed.

12. The Board shall submit a statement of  
estimated receipts and expenditure in respect of the  
next financial year to the Government for approval, at  
such time and in such manner as may be prescribed  
and the Board shall give effect to any modification  
made therein by the Government.

13. (1) 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

the Government for approval a report on the conduct of its affairs for that year.

Audit.

Non-official  
members,  
employees to be  
the public  
servants.

Powers to make  
rules.

(2) The Government may direct the Board to  
furnish:

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

(b) a copy of any documents in the  
custody of the Board, and the  
Board shall comply with every such  
direction.

14. The accounts of the Board shall be audited in  
such manner as may be prescribed.

15. The non-official members of the Board, non-  
official members of any of a Committee constituted  
under this Act and the employees of the Board shall  
be deemed to be public servants within the meanings  
of section 21 of the Pakistan Penal Code 1860 (XLV of  
1860).

16. (1) The Board may, with prior approval of  
the Government, make rules for carrying out the  
purposes of the Act.

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

(a) forms and register for keeping the  
accounts of the institutions;

(b) time and manner of submission of  
annual financial statement to the  
Government for approval;

(c) returns, statements, estimates,  
information or report for  
submission to the Government;

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

(e) manner in which Board Fund shall be kept; and

(f) any other matter under the provisions of the Act as may be prescribed by the rules.

Regulations. 17. (1) The Board may frame regulations, not

inconsistent with the provisions of the Act and the rules to carry out the purposes of the Act.

(2) Without prejudice to the generality of the forgoing powers, such regulations may provide for:

(a)

(b)

(c)

(d)

(e)

(g)

(h)

(i)

schedule of meetings of the Board and the procedure to be followed for such meetings;

circumstances in which an ordinary or special meeting may be convened;

manner in which the minutes shall be circulated and confirmed.

powers to be\_ exercised and functions to be performed by a committee;

terms and conditions of employment of employees of the Board;

delegations of administrative and financial powers to the Directorate, a Committee or an employee of the Board;

manner in which the Board Fund  
shall be disbursed;

procurement of goods and services;  
and

any other matter within the scope  
of the Act.



Exception.

Indemnity.

Validation.

Removal of  
difficulties.

18. The provisions of the Balochistan Civil Servants Act 1974 (IX of 1974) the rules, regulations, policies and instructions made thereunder, shall not apply to the employees of the Board.

19. No suit, prosecution or other legal proceedings shall lie against the Board, the Chairperson or any employee of the Board done under the Act, the rules, the regulations or the \_ instructions issued thereunder.

20. All orders made, proceedings taken, acts done, instructions issued, powers exercised, appointments made thereunder by any authority which were made, taken, done or purported to have been made, taken, done, issued, or exercised immediately before the Commencement of the Act and after the said date, shall be deemed to have been validly made, taken, done, issued or exercised and deemed always to have had affect accordingly.

21. If any difficulty arises in giving effect to any provision of the Act, the Chief Minister may, make such order not inconsistent with the provisions of the Act, as may appear to him to be necessary for the purpose of removing such difficulty.