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GOVERNMENT OF BALUCHISTAN Z
LAW DEPARTMENT. wr

NOTIFICATION

Dated Quetta, the 20th September, 1976.

No. Legis: 1-19/Law/73. The following Ordinance made by the Governor of
Baluchistan on the 20th September, 1976 is hereby published for general information.

BALUCHISTAN ORDINANCE NO. IX OF 1976.
THE BALUCHISTAN TEXTBOOK BOARD ORDINANCE, 1976.

AN
ORDINANCE

'to provide for the establishment of the Baluchistan Text Book Board

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Preamble

Short title,
extent and
commencement.

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Whereas it is expedient to establish for the Province of Baluchistan, a Text Book Board, to arrange for the preparation, production and publication of Text-books for the classes I to XII, guide books and other reading material required by the students and teachers:

AND WHEREAS the Provincial Assembly of Baluchistan is not in session and the Governor of Baluchistan is satisfied that circumstances exist which render it necessary to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred upon him by clause (1) of Article 128 of the constitution of the Islamic Republic of Pakistan, the Governor of Baluchistan is pleased to make and promulgate the following Ordinance :—

1. (t) This Ordinance, may be called the Baluchistan Text Book Board Ordinance, 1976,

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

(3) 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) 'Advisory Council' means the Advisory Council constituted under this Ordinance;

(b) 'Board' means the Baluchistan Textbook Board established under this Ordinance;

(c) 'Chairman' means the Chairman of the Board;

(d) 'Controlling Authority' means the Controlling Authority specified in section 8; '

(ec) 'Government' means the Government of Baluchistan;

(f) 'Head of an Institution' means the Principal of an Intermediate College or the Headmaster or Headmistress of a School, as the case may be;

(g) 'Institution' means an Intermediate College or a School;

(h) 'Intermediate College' means an Institution recognised for imparting instruction to classes XI and XII and includes an institution imparting instruction to classes IX to XII;

(i) 'Member' means a Member of the Board ;

(j) 'Prescribed means prescribed by Rules made under this Ordinance;

@) 'School' means an institution imparting instruction to all or any of the classes I to X and includes an English Medium School, a School for handicapped children and any other school which Government may declare to be a school for the purposes of this Ordinance;

(m) 'Textbook' means a book or work, printed, published or sold by
 yf ' : or under the authority or with the permission of the Board.

Establishment 3. (1) Assoon as may be, there shall be estabilshed a Board to be Known

sad incorpore- as Baluchistan Text Book Board for carrying out the purpose of this Ordinance.
 On.

(2) The Board shall be a body corporate, shall have power to acquire,
 hold and transfer property, shall have perpetual succession and common seal
 and may sue or be sued. .

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Constitution 4, (1) The Board shall consist of one whole time Chairman and two whole

of the Board. time member's to be appointed by the Government by name or designation on
 Such terms and conditions as Government may specify from time to time.

. (2) A member shall, unless sooner removed by Government, hold
 office for a term of 3 years and shall also be eligible for re-appointment on terms
 and conditions fixed by Government.

(3) Every person appointed as Chairman.or Member shall divest him-
 self of any other directorship or other interest. held by him in any corporation,
 company or concern which has dealing with the Board.

(4) The Chairman shail be the Chief Executive Officer of the Board.

Dis-qualification 5. (1) Government may, by order in writing, remove the Chairman or
 removal and a, member, if he:—

resignation of 3

Chairman and

Members. : 5 oP

(a) refuses or failsto discharge or becomes, in the opinion of Gover-

nment, incapable of discharging : his responsibilities under this Ordinance; or

(b) has, in the opinion of Government, abused his position as Chairman
 or Member; or

_. (c). has, knowingly acquired or continues to hold, directly or indirectly
 or througha partner, any share or interest in any contract or employment with
 'tor byoron behalf of the Board or in anylandor property which
 in his knowledge is likely to benefit or fas benefited as a result
 of the operation of the Board; or

(d) has been convicted of an offence involving moral turpitude; or ad-
 judicated insolvent or is found a lunatic or becomes of un-sound mind
 or has been dismissed or otherwise disqualified from Govefament

service,

(2). The. Chairman or a member may at any time resign his office by tendering his resignation to Government, with 15 days notice. Likewise the Govern ment can remove them after 15 days notice. ~

Meoting of the 6, (1) The Board shall meet at such times and places and in such manner Board. as may be prescribed: a

‘ (iv) The Chairman of the Intermediate and Secondary Education Baluchistan.

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Controlling
Authority.

Powers of the
Controlling
Authority.

Advisory
Council.

Powers and
Duties of the
Board.

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; (2) 'The Chairman shall preside over the meetings of the Board, and in his absence the members present at the meeting shall elect a Chairman from among themselves. 3

(3) 'Fifty percent of the total members shall be present to constitute a quorum at a meeting of the Board.

-__ (4) Each member shall have one vote, but in the event of equality of votes, the Chairman shall have a casting vote. , -

, (5) The minutes of every meeting of the Board, stating among other things the names of the members present, shall be drawn up and recorded in a book to be kept for the purpose and shall be signed by the person presiding at the meeting & 1d such book shall be open to inspection by the members.

7. _ The Government of Baluchistan or its nominee shall be the Controlling Authority of the Board.

8. The Controlling Authority shall have the powers to cause an inspection/enquiry etc. of the offices, activities and funds of the Board, if he considers necessary. The result of such inspection/enquiry will be intimated to the Board. The Board

_ \ will report compliance to the Controlling Authority within a reasonable time.

9. (1) The Board shall have an Advisory Council consisting of the following as its members:— 5

@) The Chairman and Members of the Board.

(ii) the Vice Chancellor of University of Baluchistan, or his nominee,

(iii) The Director of Education, Baluchistan or his nominee.

(v) One Principal of the Colleges and one Headmaster of High Schools and one Headmistress of Girls High Schools, nominated by the Controlling Authority.

(2). The nominated members- of the Advisory Council shall hold office for 3 years and also be eligible for reappointment. The quorum for a meeting of

the Advisory Council shall be five. It will advise the Board in performance of the functions of the Board under this Ordinance. ag

10. .(1). The Board may prepare schemes pertaining to any of the following . Matters; — i

. (a) Implementation of the educational policies of Government in respect, of production and. publication of textbooks, supplementary reading material and teaching aids.

(>) Arrangement for publication and distribution of textbooks and supplementary material for all stages and types of education and teachers training courses and adult education. - :

{c) Production of reference and research material relating, to the problems of curricula and textbooks.

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Committees.

Officers and
Officials.

Provident Fund
-or Petition.

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Delegation of
Powers.

'Sminority dfthe
Board and its
employees.

' \-Board to bea

Incaf authority.

- Budget

'- @trimates. '

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(d). Maintenance of alibrary of reference books, textbooks, teaching
aids, educational jourgals and periodicals.

(2) Every scheme prepared by the Board shall be submitted to the Controlling
Auth crity with full details and financial implications. The Controlling Authority
-may-approve or disallow or remit the scheme to the Board withits recommenda-
tions for. further consideration. ;

'li... The- Board may appoint such committees as it mayconsider necessary.
The constitution, functions and duties of the committees shall be such as may be .

prescribed by the rales.

12. | The Board may appoit, with the prior approval of Controlling Authority
such -efficers and Secretaries, whole time or part-time, experts or consultants as it
may consider necessary for the performance of its function on the terms and con-
ditions as it: may dcem fit.

The Chairman, however, in case of emergency appoint for a period not
exceeding six months such officers and servants as may consider necessary, provided
every 2ppointment shall be reported to the Boatd at its next meeting.

'13. (1) The 'Board shall establish for the benefit of its employees such pension or provident Fund or both, as, it may deem fit, in such manner and subject to such conditions as may be prescribed by the Rules. .

(2) Government may, by notification, declare that the provisions of the

, Provident Fund Act, 1925 (Act XIX of 1925), shall apply to the provident Fund

established under sub-section (1), and on the making of such declaration that

Act shall apply accordingly as if the Board were Government and the said Fund were the Government provident Fund.

14. The Board may, by a general or special order, delegate to the Chairman, a member or other officers, any of its powers, duties and functions under this Ordinance and the rules, subject to such conditions as it may think fit to impose.

15. The Chairman, members, officers, advisors or employees of the Board shall, while acting or purporting to act in pursuance of the provisions of this Ordinance or the rules made thereunder, be deemed to be public servants within the meaning of

section 21 of the Pakistan Penal Code (XLV of 1860).

, 16. The Board shall be deemed to be local authority under the Local Authorities Loans Act, 1914 (Act IX of 1914), for the purpose of borrowing money under the said Act, and the making and execution of any scheme under this Ordinance shall be deemed to be a work which such authority is legally authorised to carry out.

17. (1) In the month of June each year, the Chairman shall submit a statement of the estimated receipts and expenditure of the Board in respect of the next financial year for approval by the Board.

(2) A copy of the statement, as approved by the Board, shall be submitted by the Chairman to Government within fifteen days of its approval by the Board.

18. (1) The accounts of the Board shall be audited once in a year by such

agency and in such manner as may be specified by Government .

(2) A copy of the Audit report, together with the comments thereon of the Board, shall be sent to Government and also to the Controlling Authority.

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(3) The Board shall carry out any Aleecitve! issued by Government or the
0 ‘Controlling Authority for the rectification i Fara if ae pointed out ia
i rs the audit report, *

Rutes. ‘49. (1) The Board shall have the power to frame rules to carry ov. the | :
‘ purposes of this Ordinance. Such rules may provide for:— owe ae

(a) The powers and duties of the officers of the Board; .

} . 4 (b)_ the terms and conditions of service of the officers and employees of the’. 1
: Board, including disciplinary action, grant of leave and retirement :
of the employees of the Board; ;

(c) the constitution of pension or scvtigent Fund or both for tea vend’
of the officers and employees of the Board;

(d) such other matters as are required to be prescribed by rules, for the
of “ smooth working under the Ordinance.

Validation. 20. No act or proceedings of the Rand or the Advisory Council or a committee, +
, shall be invalidated merely by reasons of the existence of a vacancy on the Board or j

- the Advisory Council or Committee or by reason of any irregularity in the appoint- c

ment Of any member of the Board or the Advisory Council or committee. ‘ ’

‘Protection of * 21. No. suit for damages or other legal proceedings shall be instituted ay :
act and orders. Government, the Controlling Authority Council or Committee or any officer . ‘
or employee of the Board in respect of anything done or purported to have been.
done in good faith in pursuance of this Ordinance and the rules. ‘ :

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Repeal. 223 The West Pakistan Text Book Board Ordinance, 1962 (West Pakistan .
. Ordinance XLI of 1962) is hereby repealed.

Succession: 23. All assets, property, rights and interests of stores ‘kind used, enjoye il, ie

me 4 possessed, owned by, vested in, or held in trust by or for the Board established uader:
the West Pakistan Text Book Board, Ordinance, 1962, and all liabilities legals
subsisting against the said Board, shall to the extent of the share of the ates
Baluchistan, pass on to the Board.

AHMAD Yar Kuan Bat!
GOVERNOR OF cL SNe

Quetta, dated the , 20th September, 1976. FAKHRUDDIN Leia a
Yea, | . : 8 Secretary Law. « :

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