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GOVERNMENT OF BALUCHISTAN —

- LAW DEPARTMENT.

NOTIFICATION

Dated Quetta the 17th November, 1977.

No. Legis: 1-19/Law /73/. The following Ordinance made
by the Governor of Baluchistan on the 17th November, 1977 is hereby
published for general information:— aa
BALUCHISTAN ORDINANCE NO. Xf OF 1977.

THE BALUCHISTAN TEXT BOOK BOARD ORDINANCE, 1977.

An
Ordinance

to provide for the establishment of the Baluchistan Textbook Board.

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Preamble.

∴ the following Ordinance:—

Short title,
extent and
commencement.

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

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

∴ NOW THEREFORE, in pursuance of the Proclamation of the fifth day of July 1977, read with the Law' (Continuance in Force) Order, 1977 (CMLA ORDER NO. 1 OF 1977) and in exercise of - all powers enabling him in that behalf, the Governor of Baluchistan is pleased to make and promulgate

1. (1) This Ordinance, may be called the Baluchistan Text Book Board Ordinance, 1977.

(2) It extends to whole of the Province of Baluchistan, except Tribal Areas. ¢

(3) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires, the following expressions shall:- Have the meaning 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) 'Controlling Authority' means the Controlling Authority specified -in section 7; ;

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

(e)- '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 X 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; -

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

(l) 'Textbook' means a book or work, printed/published or sold by or under the authority or with the permission of the Board;

Establishment and 3. (1) As soon as may be, there shall be incorporation.

Constitution of the Board.

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established a Board to be known as Baluchistan Textbook Board for carrying out the purpose of this Ordinance. :

(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.

4. (1) The Board shall consist of one whole time Chairman and two whole time members; to be appointed by the Government by name or designation on such terms and conditions as Government may specify from time to time.

(2)

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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

3 Member shall divest himself of any other director-ship or other interest held by him in any corporation, company or concern which has dealing with

the Board.

Dis-qualification; 5.
removal and
resignation of
Chairman. and
members.

(4)

(1)

(a)

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(b)

(c)

(a)

(2)

The Chairman shall be the Chief Executive Officer of the Board.

Government may, by order in writing, remove the Chairman or a member, if he;

refuses or fails to discharge or becomes, in the opinion of Government, incapable of discharging his responsibilities under this Ordinance; or :

has, in the opinion of Government abus-*
ed his position as Chairman or Member;
or

has, knowingly acquired or continues to
hold, directly or indirectly, or through a
partner, any share or interest in any
contract or employment with or by or on
behalf of the Board: or 'in' any. land: or
property which in his. 'knowledge: is
likely to benefit or has benefited as a
result of the operation of the Board; or

has been convicted of an offence involv-
ing .moral turpitude; or adjudicated
insolvent or is found a lunatic or be-
comes of un-sound mind or has been
dismissed or. otherwise disqualified from
Government service. ., a at

The Chairman or.a member may at

any time resign his office by tendering his resigna-
tion to Government, with 15 days notice. Likewise
the Government can remove them after 15 days notice.

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oo We The Beard shall iheet atsuch times and
hinsach manner asmay be prescribed.

(2) The Chairman shall 'preside over the \
mesting: of the: Board, and in his absence the
faenabers present at the mesting shall elect a Chaitman-

; front among themselves. .

(Bu Fifty. percent of the total mambers shall
be present to constitute a quorum ata meeting of the

« (4) Bach sabatet shall igve one' vote, but-in
the event ef équalitysof. wotgs,. the Chairman shall
have. a casting. vote. ;

(5) "The minutes ot every meeting of the

SS

. Board, stating! among. other things the. names of'
the.membets. present. shall be drawn-up and:cecar-
dedina book'to be kept' for the purpose "ang.ahall
be signed by the person presiding: at the meeting ~~
anc such. book.shall be: open to inspection. by

the. ica Ped :

7. pe tite aoe of Bat —— or its nom:
thority of the Board.

- Pawers: othe 8. The Controlling: Authority ishalpyave the powers
/ Rarwalling ©

to cause aA inspectian/e: quiry.ste. of the offices,
activities: and. funds. of #e-Gaged, if he cénsiders

Thesreault of such inspection/enguiry
will,..be..intimated.to the Board. The» Board will

~ report compliance to the Controlling Aucarisy

—_ # reqnonghle ti ime.

mie 'Boacd. shall. have an Advisory Co:m-

ail ou 19 of, the following as its members: -

5 ce The Cheiemén and Members of the
ak -The Vice Chanosllor of University of
'Baluchistan, er: his nominee.

, Gi. Fhe. Dimctoniat 'Education, Balu: .
OO @hdetan ae, iy

"Powers and.

Duties of the

~ Board.

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"gy, 'The 'Chairman of the' Intermediate \
" -and Secondary: Education 'Board,
Baluchistan._ :

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fee © "(v) One Principal of the: Colleges and

-. ." ..oné Headmaster of High Schools
'and one Headmistress of- Girls
High Schools,- nominated by the,
.Gontroiling Authority,

(2). The nominated cailipers of the Advisory Council shall hold office for:3 years and shall also be eligible ' for re-appdintment.. 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.

40. (I). The Board may prepare schemes hark. Paw ining to "any of the sptigwang ft matters:— : *

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

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_ {b) Arrangement for publication' * arid 'arrangement of textbooks and suppleitien- f 'tary 'material for all stages and. typée-of _ education and teathers training courses , and adult education. 7

(c) Production of reference cand research : material relating to the problems of curri-oor Guta- and textbooks. :

a): Mainterians of a library of refernece "8 . "baoks, textbooks, teaching aids, educational journals and~ periodicals.

© (2) Every scheme prepared by the Board

shall be submitted to: the Controlling Authority with full details. and financi implidations. The Control-
"l fing Authority may approve or disallow ar remit the 'schemeto thé'Board with its sapommen ations for. further: consideration. :

ad '

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Committees. - 11. The Board may appoint such 'committees as - + it may consider necessary... The constitution, functions and duties of the committees shall be such as may be prescribed by the rules.

Officers and 12. The Board may appoint, with the prior

Officials. approval of Controlling Authority such officers: and ey Secretaries whole-time or part-time, experts or-con-

sultants as it may consider necessary for the perfor- . mance of its function on the terms and conditions as it may deem fit. ;

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

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

ules. _

(2) Government may, by notification, declare that the provisions of the Provident Funds Act, 1925 (Act XIX of 1925), shall apply to the provident fund established under sub-section (i), and on the making of such declaration that Act shall apply accordingly as if the Board were Government and the aid Fund were the Government Provident Fund.

Delegation of 14. The Board may, by a'general or special order, Powers. 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. s

immunity of the 15. The Chairman, m2mbars, officers, advisors Board and its or employee of the Board shall, while acting or employees. 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).

Board to bea 16. The Board shall be deemed to be local local ity. authority under the local Authorities Loans Act,

Budget

Estimates.

Audit.

Rules.

8

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 legally authorised to carry out. a

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 the 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. ¥

(3) The Board shall carry out any directive issued by Government or the Controlling Authority for the notification or irregularities, if any, pointed out in the audit report.

19. (1). The Board shall have the power to frame .

rules to carry out the purposes of this Ordinance. Such rules. may provide for:—

(a) The powers and duties of the officers of the Board:

(b) the terms and conditions of service of the officers and. employees of the Board, | including disciplinary action, grant of leave and retirement of the employees

of the officers and employees of the Board;

(c) the constitution of pension or provident fund or both for the benefit of the officers and employees of the Board;

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

3 Validation.

" protection of

act and orders.

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20. No act or proceedings of the Board or the Advisory Council or a committee shall be invalidated merely by reasons of the existence of vacancy on the Board or the Advisory Council or Committee or by reason of any irregularity in the appointment of any member of the Board or the Advisory Council or Committee. :

21. No suit for damages or other legal procee-

dings shall be instituted against Government, the Controlling Authority, Advisory Council or Committee or any officer or employee of the Board in respect of any-thing done or purported to have been done in good faith in pursuance of this Ordinance and the rules made thereunder.

22. All actions taken, jurisdiction or power exercised and order issued under any of the Provisions of the West Pakistan Textbook Board Ordinance, 1962 (Ordinance No. XL¹ of 1962) shall be deemed respectively to have been taken, exercised, and issued under this Ordinance.

23. All assets, property, rights and interests of whatever kind used, enjoyed, possessed, owned by, vested in, or held in trust by or for the Board established under the West Pakistan Textbook Board, Ordinance, 1962. and all liabilities legally subsisting against the said Board, shall to the extent of the Ala of the Province of Baluchistah, pass on to the

oard.

Repeal. 24. The West Pakistan Textbook _ Board Ordinances, 1962, (West Pakistan' Ordinance XLI of 1962) is hereby repealed. :

Mr. Justice Mir Khuda Bakhsh Maiti,
Acting Governor of Baluchistan.

Quetta,
Dated the 17th November, 1977. Fakhruddin H.Shaikh,

' Secretary,
Government of Baluchistan,
Law Department.

