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THE BALOCHISTAN GAZETTE
PUBLISHED BY AUTHORITY

NO. 149 QUETTA MONDAY AUGUST 26, 2019.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT
NOTIFICATION.

Dated Quetta, the 26TH August, 2019.

No. PAB/Legis; V(01)/2019. The Balochistan Essential Education Services Bill 2019 Bill No. 01 of 2019 having been passed by the Provincial Assembly of Balochistan on 10th August, 2019 and assented to by the Governor Balochistan, on 19th August, 2019 is hereby published as an Act of the Balochistan Provincial Assembly.

THE BALOCHISTAN ESSENTIAL EDUCATION SERVICES ACT 2019
ACT NO. VI Of 2019.

(First published after having received the assent of the Governor of Balochistan in the Balochistan Gazette (Extra-ordinary) dated 26th August, 2019

AN
ACT

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és°in Balochistan as Essential Services

and for better regulation of Educ.

connected therewith or incidental.

Preamble.

Short title and
commencement.

Definition.

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vices. in.Balochistan and the matters

I S, it is expedient to make provisions for
Education Sérvices” \$0 as to make the Education Service,
professional disciplined, efficient and accountable service
jin 'smooth' and

systematic way; ne:
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aieachos WHEREAS. iN tg nécessaty “to declare -the
Education” Service as essential service, “by prohibiting
strikes, lockouts and other illegal: means or ways used by
the members of the said service and to make provisions
‘for punishment of such illegal acts, so.as to manage the

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“provision Of | Education i in its true perspective.

itis hereby” enacted as follows: -

ft. (1) This Act may be called the: Balochistan Essential
Education Services Act, 2019. (a

(2) 1 Shall apply to:all members ef ia Btlldivation

, pit ita serving in Balochistan...

(3) It shall come into force at ¢ once.

cP In.this Act. unless fers is aeoing, repugnant in the
subject or conte 4

(a) “Act” means ~ the Balochistan Essential
. Education Services Act, 2019,

(b) “Code”, means the Criminal Procedure Code,

1898 (Act V of 1898);

(c) *Court” means the court ‘of magistrate first class; : ‘

d) “Essential Service” means the Essential Service of the Education Department declared as such under Section 3 of this Act.

Declaration of
Essential Service
and prohibition of
_ Strike, lockout and
other illegal acts

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(e) "Education institute" means any primary, middle, High or Higher Secondary or for that purpose any such place so declared by the Department where formal or _ informal education is imparted.

(f) "Education Service" means any service of the Education Department consisting .. of | its employees irrespective of their categories, imparting education or serving in any other capacity in an Education Institution or in any office of the Education Department.

(g) "Government" means The Government of Balochistan.

(h) "Illegal act" means any act which is not legal under any law.

(i) "Lockout" means the closure of public offices or any educational institute

(j). "Member of Education Service" means and include all officers and officials appointed in the Education Department, irrespective of their grade designation and place of posting:

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(k) " "Prescribed" means prescribed by rules:
(l) "Rules" means rules made under this act: and

(m) "Strike" means the cession or refusal of work by a body of persons or an_ individual employed in Education Service;

2 (1) The Government may, by notification in 'the official Gazette, declare any Education Service to be an Essential Service under this Act, for such period as it may deem fit in the best interest of Education and Public.

(2) No member of the Education service shall be allowed to go or attend to go, call or attend to call, Participate or attempt to participate, instigate or attempt to instigate for a strike or lockout or any illegal act.

Resignation as
protest during
strike.

Disciplinary
Proceedings.

Power to prohibit
strike or lockout or
any other illegal
act.

Punishment for
strike or lockout.

Punishment for
giving financial aid
to strike or lockout
or illegal act.

4

4. (1) During the course of strike, the resignation tendered as protest by the members of the Education Service to the competent authority shall not be accepted and such members of the service shall be liable to such disciplinary actions and penalties/punishments — as prescribed under the Balochistan. Employees Efficiency and Discipline Act, 2011 (Act VI of 2011)

5 The members of the service including in strikes or

lockouts or any illegal act shall be liable to such penalties/punishments as mentioned in the Balochistan Employees, Efficiency and Discipline Act, 2011 (Act VI of 2011); and all procedure as mentioned in the said Act. shall be adopted for inflicting such punishments/penalties.

6. (1) The Government in the public interest may by general or special order, prohibit strikes or lockout or any other illegal act in any Education Institute from such date as may be specified in the order.

(2) Such order shall be published in the official Gazette and leading News Papers so as to bring the same to the knowledge of the persons to be affected by the order.

(3) An order issued under sub section (1) hereinabove shall be in force for six months from the date specified therein and the Government may extend the said order for a further period not exceeding six months.

(4) Any strike or lockout declared or commenced whether before or after issue of the above said order, by the members of the service shall be illegal.

7. Any member of the service who commits an offence mentioned in section 3(2) of this Act, shall on conviction be punished with imprisonment, which may extend to one month or with fine which may extend to one hundred thousand rupees or with both.

8. | Any member of the service-who knowingly expends or supplies. any money in. furtherance or support of a strike or lockout or any illegal act shall.on conviction be punished with imprisonment for a term'which may extend

Action under
section 7 and 8, in
addition to
disciplinary action.

' Power to arrest

without Warrant.
Trial by the court.
Act to override

other laws.

Indemnity.

Delegation of
Powers.

Power to make
rules.

to one month and with fine which may extend to one
hundred thousand rupees or with both. .

9. Any action taken under section 7 and 8 of this Act
shall be in addition to the disciplinary proceedings.

10. A police officer may arrest without Warrant a
member of the service who commits an_ offence

under this Act.

11. The court of Magistrate first class shall try offences
, committed under this Act.

12. The provisions of this Act shall have an overriding
effect on all other laws for the time being in force.

13. No suit, prosecution or other legal proceeding shall
Lie against any person for anything which is, in good faith
done or intended to be done under this Act or the rules
there under.

14. The Government may by notification in the official
Gazette delegate all or any of its powers to the Education
Department or any officer or authority sub-ordinate to it.

15. |The Government may by notification in the official
Gazette, make rules for the purpose of giving effect to the
provision of this Act.

SAFDAR HUSSAIN,
Secretary.

