

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

[31st March, 1976]

An Act to amend certain laws in pursuance of clause (4) of Article 8 of the Constitution of the Islamic Republic of Pakistan.

WHEREAS it is necessary to amend certain laws in pursuance of the clause (4) of Article 8 of the Constitution of the Islamic Republic of Pakistan;

AND WHEREAS the previous sanction of the President under clause (2) of Article 268 of the Constitution has been obtained:

It is hereby enacted as follows:-

1. (1) This Act may be called the Sind Amendment of Laws Act, 1976.

(2) It shall come into force at once.

2. The laws specified in the Schedule are hereby amended

to the extent and the manner specified in the second column thereof.

3. The Sind Amendment of Laws Ordinance, 1976 is hereby repealed.

Preamble.

Short title and commencement.

Amendment certain laws.

Repeal of Sind Ordinance III of 1976.

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

THE SCHEDULE  
(See section 2)

Laws amended Amendments made

1 2

The Societies Registration For section 16-A, the following shall be  
Act, 1860 (XXI of 1860). substituted, namely:----

"16-A. Supersession of government  
body of a society.---

(1) Notwithstanding anything  
contained in the memorandum of  
association, rules or regulations of  
a society registered under this Act,  
if, after such inquiry as may be  
necessary, the Provincial  
Government is of the opinion that  
the governing body of the society-

(a) is unable to discharge or  
persistently fails in discharging  
its duties, or

(6) is unable to administer its  
affairs or meet its financial  
obligations, or

(c) generally acts in a manner  
contrary to public interest or  
the interests of the members  
of the society, the Provincial

Government may by  
notification in the — official  
Gazette, declare the

governing, body to be  
superseded for such period,  
not exceeding one year, as  
may be = specified in the

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

The Sind Industries (Control on  
Establishment and Enlargement)  
Ordinance, 1963 (West Pakistan  
Ordinance No. IV of 1963).

notification.

(2) On the publication of notification

under sub-section (1)---

(a) the office-bearers and other  
members of the governing  
body shall cease to hold  
office; and

(b) all functions of the governing  
body shall, during the period  
of supersession, be performed  
by a governing body  
constituted by the Provincial  
Government or by such  
authority as the Provincial  
Government may appoint for  
the purpose.

(3) On the expiry of the period of

supersession, the governing body  
of the society shall be  
reconstituted in accordance with  
its memorandum of association,  
rules and regulations.”.

In section 3, for the full stop at the end  
a colon shall be substituted and thereafter

the

following proviso

shall be added,

namely:---

“Provided that the application of any  
person for the grant of such permission shall  
not be rejected\_\_

(a)

()

without giving such person an opportunity of showing cause against it; or

unless the Government is satisfied, on the basis of information available to it and after making such inquiry as it may deem fit, that the grant of permission to such person will be prejudicial to the national interest, or injurious to the health of, or a sources of

The Privately Managed Schools 1.

and Colleges  
Regulation, 1972.

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

(Taking Over)

2.

nuisance for, the residents of the local area in which the industrial undertaking is proposed to be set up or, as the case may be, the industrial Undertaking which \_ is proposed to be enlarged is situated.”.

IN paragraph 2\_\_

(a) in clause (b), for the words “maintained and” the words and comma “owned, maintained or” shall be substituted; and

(b) in clause (c), for the words “maintained and” the words and comma “owned, maintained or” shall be substituted.

For paragraph 3, the following shall be

substituted, namely:\_\_

3.

“3.(1) Except with the prior permission of the Provincial Government and subject to such conditions as it may, in the public interest, impose, no person who owns or manages any privately managed college or \_ privately managed school shall close such college or school or suspend \_ its working or in any manner transfer any property of, or attached to, such college or school or any \_ interest therein.

(2) Any contract or agreement made or entered into at any time on or after the fifteenth day of March, 1972, in contravention of the

provisions of sub-paragraph (1) shall  
be void.”.

In paragraph 5, for the full stop at the  
end a colon shall be substituted and  
thereafter the following proviso shall be  
added, namely:\_\_

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

“Provided that no — such notification shall be issued in respect of a privately managed school unless the Provincial Government is satisfied that such school cannot be run on a genuinely benevolent, philanthropic or non-commercial basis or is not maintaining proper standards.”.

4. In paragraph 6 \_

(a) in sub-paragraph (1), after the word “it” at the end, the commas and words “,except with the prior permission of the — Provincial Government and subject to such conditions as it may, in the public interest, impose” shall be added; and

(b) in sub-paragraph (2), for the words “All changes” the words, brackets, figure and comma “Subject to the provisions of sub-paragraph (1), any change” shall be substituted.

5. In paragraph 7, in sub-paragraph (1),

in clause (b),\_\_\_\_

(a) after the brackets, figure and comma “(2),” the words and comma “or except with the prior permission of the Provincial Government,” shall be inserted; and

(6) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:\_\_\_\_

“Provided that, with the general or special permission of the Provincial Government, any person may be promoted, employed or engaged, on such

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

terms and conditions as may be approved by the Provincial Government, against a newly created post or a vacancy caused by the retirement, or expiry of the stipulated period of employment, or termination of services in accordance with the terms and conditions of his employment, of a person who was employed or engaged before the fifteenth day of March, 1972.”.

6. In paragraph 12, for the word “and” the word “or” shall be substituted.

SIND ACT NO. V OF 1976  
THE SIND AMENDMENT OF LAWS ACT, 1976

CONTENTS

Preamble

Sections

1. Short title and commencement.
2. Amendment certain laws.
3. Repeal of Sind Ordinance III of 1976.

SCHEDULE