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ISSUE OF BALOCHISTAN GAZETTE.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION.

Dated Quetta, the 1st March, 2023.

No.PAB/Legis:V(01)/2023/10033. The Balochistan Daanish Schools and Centers of Excellence Authority Bill, 2023, (Bill No. 1 of 2023), having been passed by the Provincial Assembly of Balochistan on 18th February, 2023 and assented to by the Governor Balochistan, on 27th February, 2023 is hereby published as an Act of the Balochistan Provincial Assembly.

THE BALOCHISTAN DAANISH SCHOOLS AND CENTERS OF EXCELLENCE AUTHORITY ACT NO. I OF 2023.

**AN
ACT**

To provide for the establishment of Daanish Schools and Centers of Excellence in Balochistan.

Preamble.

WHEREAS, it is expedient to make provisions for the establishment of Daanish Schools and Centers of Excellence in Balochistan to provide quality primary, middle, secondary and higher secondary education to under privileged and other segments of the society and matters connected therewith or incidental thereto:

It is hereby enacted as under:

**Short title,
extent and
commencement.**

1. (1) This Act may be called "The Balochistan Daanish Schools and Centers of Excellence Authority Act, 2023".
- (2) It extends to whole of Balochistan.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context: -
 - (a) "**Act**" means the Balochistan Daanish Schools and Centers of Excellence Authority Act, 2023;
 - (b) "**Authority**" means the authority as specified in Section 3;
 - (c) "**Chairperson**" means the Chairperson of the Authority;

- (d) **“Daanish School”** means a School established by the Authority to provide quality education to the children;
- (e) **“Government”** means the Government of Balochistan;
- (f) **“Member”** means a member of the Authority;
- (g) **“Managing Director”** means the Managing Director of the Authority;
- (h) **“Prescribed”** means prescribed by rules or regulations made under this Act; *and*
- (i) **“Rules”** means the rules made under this Act;

The Authority.

3. (1) The Government shall establish an Authority to be called the Balochistan Daanish Schools and Centers of Excellence Authority.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property, both movable and immovable and shall, by the said name, sue and be sued:

Provided that the Authority shall not be competent to acquire or dispose of any immovable property without the prior approval of the Government.

(3) The Authority shall comprise of, -

- (a) Chief Minister Balochistan; Chairperson
- (b) Minister Education Balochistan; Vice Chairperson
- (c) Chief Secretary Balochistan; Member
- (d) Senior Member, Board of Revenue; Member
- (e) Additional Chief Secretary (Dev), P&D Department; Member
- (f) Secretary School Education Department; Member
- (g) Secretary Finance Department; Member

(h)	Managing Director;	Member/ Secretary
(i)	Additional Secretary Ministry of Federal Education & Professional Training	Member
(j)	Additional Secretary Ministry of Finance Division	Member
(k)	Additional Secretary Ministry of Planning Division	Member
(l)	Three Private Members Educationists/ Eminent Citizens nominated by the Prime Minister of Pakistan	Member

(4) The Chairperson may co-opt any Government Servant or any person from the Private Sector as a Member of the Authority for a meeting or for a specified period.

(5) The Vice Chairperson shall chair the meetings of the Authority in the absence of Chairperson.

(6) The Authority may regulate its meetings according to the procedure as it may deem necessary.

(7) The non-official members of the Authority shall hold office for a period of three years;

(8) The Government may remove any member before the expiry of his term of office without assigning any reason.

(9) Any non-official member of the Authority may, by writing under his hand addressed to the Government, resign his office:

Provided that the resignation shall not have effect until it is accepted.

**Powers and
functions of the
Authority.**

4. (1) The Authority shall establish and ensure sustainable management of Daanish Schools and Centers of Excellence in Balochistan.

(2) The Authority shall: -

- (a) Provide strategic guidance and instructions to Daanish Schools and Centers of Excellence as it may deem appropriate;
- (b) Make provision for the advancement and dissemination of knowledge in Daanish Schools and Centers of Excellence in such a manner as it may determine;
- (c) Promote public education and awareness of environmental issues through media, seminars and workshops;
- (d) Prescribe courses of studies for Daanish Schools and Centers of Excellence;
- (e) Inspect Daanish Schools and Centers of Excellence;
- (f) Cooperate with public and private schools in such a manner and for such purposes as may be prescribed;
- (g) Institute and award scholarships, exhibitions, medals and prizes under the prescribed conditions;
- (h) Establish, maintain and control the halls of residence of the students and approve or license hostels and lodgings of the students;
- (i) Supervise and control the discipline of the students;
- (j) Promote co-curricular and recreational activities of students and make arrangements for promoting health and general welfare of the students;
- (k) Conduct internal examinations and assessment of students;

- (l) Demand and receive such fees and other charges as it may determine;
- (m) Receive, own and manage its property;
- (n) Create posts of teachers and other staff for the effective and efficient management and administration of Daanish Schools and Centers of Excellence;
- (o) Take disciplinary action against the employees in the prescribed manner or in accordance with the law;
- (p) Prescribe code of conduct for the Members, governing bodies, teachers and other employees of the Authority;
- (q) Conduct induction trainings and continuous professional development for teachers and other employees of the Authority;
- (r) Establish and maintain a website containing information about its functions and update it on weekly basis;
- (s) Affiliate Daanish Schools and Centers of Excellence with Examination Boards, body or authority;
- (t) Pass its annual budget containing the estimated receipts and expenditures; *and*
- (u) Perform such other functions as may be prescribed or which are incidental to the aforementioned functions.

- (3) The Authority may, -
- (a) enter into a contract;
 - (b) acquire, hold or dispose of property;
 - (c) recommend measures for improvement of education system;
 - (d) promote cooperation with the international agencies and non-development organizations for the promotion of quality education in Daanish Schools and Centers of Excellence;
 - (e) conduct research in the field of education, print or publish any book or other work; *and*
 - (f) exercise any other power ancillary to the aforementioned powers or which is essential for performance of its functions.

(4) The Authority may receive grants and funds from the Provincial or Federal Government or from another source and shall distribute these, in line with the objects of the Act and principles of equity and need, amongst the governing bodies for establishing, managing, running, expanding the Schools in the prescribed manner.

(5) The Authority may make an expenditure out of the funds or grants received by it on its Secretariat, Schools or any other purposes under this Act.

(6) The Authority may conduct a third-party performance evaluation in respect of a Daanish School / Center of Excellence and may publish the result of the evaluation.

**Managing
Director.**

5. (1) The Chief Minister Balochistan in consultation with the Prime Minister of Pakistan shall appoint a person as the Managing Director, who shall be the Chief Executive Officer of the Authority.

(2) The Government shall determine the terms and conditions of service of the Managing Director.

(3) The Managing Director shall hold office for a term of three (3) years extendable for another period of three (3) years subject to exemplary performance.

(4) The Chief Minister Balochistan in consultation with the Prime Minister of Pakistan may remove the Managing Director, during the tenure of his office, for reasons to be recorded in writing.

(5) The Managing Director shall perform such functions and exercise such powers as may be conferred or delegated by the Authority.

(6) The Managing Director may delegate any of his powers or functions to a governing body or an employee of the Authority.

(7) The Managing Director may, before the expiry of his term and upon three (3) months' prior notice, resign his office.

**Secretariat and
Secretary.**

6. (1) The Authority may establish its Secretariat with any number of posts and incidental costs as it may deem necessary.

**Daanish Schools
and Governing
Bodies.**

7. (1) The Authority shall, by notification, establish / declare a School as Daanish School or Center of Excellence.

(2) The Authority shall, by notification, appoint a Governing Body of a Daanish School or Center of Excellence for a period of two (2) years.

(3) The Governing Body shall consist of five or more members who, in the opinion of the Authority, possess sound moral and financial integrity, enjoy an unquestioned and non-controversial reputation and do not have any conflict of interest with the aims and objectives of the School.

(4) The Authority shall nominate one of the members of the Governing Body as Convener.

(5) The Principal of a Daanish School or Center of Excellence shall be the Secretary of the Governing Body of the School.

(6) The Authority shall not appoint a private person as member of more than two Governing Bodies.

(7) The Authority shall delegate administrative and financial powers to the Governing Body and the administration of the Schools in the prescribed manner.

(8) The Authority may, for reasons to be recorded in writing, dissolve a Governing Body and appoint a new Governing Body within three months of the dissolution of the Governing Body.

(9) If the Authority dissolves a Governing Body, it may appoint any person as administrator of the School to look after the affairs of the School till the appointment of the Government Body.

**Power of
Governing
Bodies.**

8. Subject to the overall supervision of the Authority, a Governing Body may, -

- (i) receive charities and donations;
- (ii) maintain accounts and finance of the School;
- (iii) make appointment of teaching and non-teaching staff of the School in the prescribed manner; *and*
- (iv) administer day to day affairs of the School through administration.

Members to act pro bono.

9. A member of a Governing Body shall act pro bono and shall not receive any remuneration for any service rendered as the member of the Governing Body.

Financial Management.

10. (1) A Governing Body shall maintain the accounts of the School in the prescribed manner.

(2) The Authority shall appoint a firm of chartered accountants for annual audit of accounts of a School.

(3) The Government may order a partial or complete audit of account of a School and may take such action as it may deem necessary.

Fund.

11. (1) There shall be a Fund of the Authority, which shall vest in the Authority and in which shall be credited all moneys received by the Authority.

(2) The fund shall be kept in such custody and shall be utilized and regulated in such a manner as may be prescribed.

(3) The fund shall consist of:

(a) grants made by Government of Balochistan or Federal Government;

(b) aid and assistance, grants, advances, donations and other non-obligatory funds received from any person, body or entity, national or international agency;

(c) any other income received from any other source.

(4) The Authority may receive, own and maintain a property transferred to it by any person, body or organization.

Budget and accounts.

12. (1) The Managing Director shall prepare the annual budget of the Authority.

(2) The Managing Director shall, with the approval of the Chairperson, place the budget proposals for approval

before the Authority at least thirty days prior to the commencement of a financial year.

(3) The accounts of the Authority shall be maintained in such a manner as may be prescribed.

Audit.

13. (1) The Government shall appoint a firm of chartered accountants for the annual audit of accounts of the Authority.

(2) The firm of chartered accountants shall submit the annual audit report of the Authority to the Government.

Reports.

14. (1) A Governing Body shall prepare an annual performance report of the School for a year ending on 15th December.

(2) A Governing Body shall, before 31st December, submit the annual performance report to the Authority for evaluation.

(3) The Authority shall prepare an annual performance report for a financial year before 31st July and forward the report to the Government.

(4) The Government shall, within ninety days of the receipt of the report, submit a notice for laying the annual report in the Provincial Assembly of the Balochistan.

Public Servants.

15. A person appointed, acting or purporting to act in pursuance of any provision of this Act, shall be deemed to be public servant within the meaning of Section 21 of the Pakistan Panel Code, 1860 (XLV of 1860).

Instructions and guidelines.

16. (1) The Authority may issue general or special instructions or guidelines to a governing body for proper management of the School on any matter incidental to the functioning of the School.

(2) The instructions or guidelines issued by the Authority shall be binding on a governing body and administration.

Deputation of Government Servants.

17. (1) Any person serving under Government may be transferred by the Government for service in the Authority

on such terms and conditions as Government may determine:

Provided that where a Government servant is required to serve the Authority, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve:

Provided further that the Government servant, who is so required to serve, shall be entitled to deputation allowance as the Government may determine.

**Advisors,
Consultants, etc.**

18. The Authority may appoint such advisors, consultants or experts as may be necessary for the efficient performance of its functions on such terms and conditions as may be prescribed.

**Powers to make
rules.**

19. The Government may, by notification, make rules for carrying out the purposes of this Act.

Regulations.

20. Subject to the rules, the Authority may, by notification, frame regulations to give effect to the provisions of this Act.

**Removal of
difficulties.**

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

(TAHIR SHAH KAKAR)
Secretary.