

SIND ACT No. XV OF 1950<sup>1</sup>.

[THE SIND ADULT EDUCATION ACT, 1950.]

[27th April, 1950].

An Act to provide for compulsory education for adults in the ~~Province of Sind~~.

WHEREAS it is necessary to make provision for compulsory education for adults in ~~(the Province of)~~ Sind; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Sind Adult Education Act, 1950.

(2) It extends to the whole of ~~(the Province of)~~ Sind.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is any thing repugnant in the subject or context,—

<sup>3</sup> (a) <sup>Ordinance,</sup> "the Act" means the Sind Primary Education Act, 1942; Sind XXVII of 1947.

(b) "Adult" means a male person whose age is not less than 14 and not more than 40 years <sup>but shall not include a child as defined in Clause (r) of section 2 of the Sind Zamindars Children Education Act, 1940.</sup> Sind VII of 1940.

<sup>Education</sup> (c) "the Advisory Committee" means <sup>The District</sup> an advisory committee appointed by the Provincial Government under section 5 of the Act <sup>constituted under the Ordinance.</sup>

(d) "Area of compulsion" means the area in which compulsory education for adults has been introduced under sub-section (1) of section 5;

<sup>(e) Director means the Director of School Education concerned;</sup>  
(e) "Literacy School" means a school or part of a school which is maintained by the Provincial Government for the purpose of this Act;

<sup>1</sup> For Statement of Objects and Reasons, see S. G. G., 1949, Pt. IV, p. 170; and for proceedings in Assembly. see S. L. A. Debates, 1950, Vol. VII, Book No. 3, pp. 46-48.

2. Subs. by W. P. Lawes (Adapt.) Order of 1964.  
for "the Province of Sind"  
3. Subs. by Sind Act 17 of 1975.  
4. Omitted by Ord.  
5. Subs. by Ord.  
6. Omitted by Ord.

*Explanation.*—School includes a night school.

(f) "Parent" means parent or guardian of an illiterate adult who is between 14 and 18 years of age ;

(g) "Prescribed" means prescribed by rules made under this Act ;

(h) "the Provincial Board" means the Provincial Board of Primary Education <sup>Committee</sup> constituted under ~~section 4 of the Act ;~~ <sup>the Ordinance ;</sup>

(i) "Ward" includes a son, grand-son or any other adult between 14 and 18 years of age who is under the custody of his parent ;

(j) All other words and expressions shall have the same meaning as assigned to them respectively under <sup>[the Act Ordinance]</sup>

3. The powers and duties of the Provincial Board, for the purpose of this Act, shall be as follows, namely:—

Powers and duties of the Provincial Board.

(a) to examine and recommend schemes for the organization, co-ordination and expansion of adult education ;

(b) to make recommendations and to advise the Provincial Government in respect of—

(i) curricula books and standards of teaching to be laid down for literacy schools,

(ii) the pay, powers, duties and conditions of service of teaching, supervising, clerical and interior staff employed for the purpose of this Act and the management of literacy schools,

(iii) the supply of books, slates and other articles to adults attending literacy schools ;

(c) to advise the Provincial Government generally on all matters connected with adult education ;

(d) to exercise such other powers and perform such other duties in connection with the adult education as may be prescribed.

4. (1) The Advisory Committees shall, for the purpose of this Act, discharge such functions as are prescribed by or under this Act.

Functions of the Advisory Committees.

(2) The Advisory Committees shall advise the Provincial Government on the regulation, control and development of adult

1. Subs by Sind Act 17 of 1925, s. 3, Sch II, for original clause (d).
2. Subs; ibid for the Act.

education within their respective districts and any other matter which the Provincial Government may refer to them.

Introduction of Compulsory Adult Education.

5. (1) The Provincial Government may, for the purpose of this Act, by means of a scheme sanctioned by it and containing the prescribed particulars, introduce compulsory education for adults in the whole of ~~the Province~~ or in any district or taluka or part of a district or a taluka. *[Sind]*

(2) The Provincial Government may, from time to time modify a scheme sanctioned under sub-section (1).

Curricula, etc., for literacy schools.

6. The curricula, books and standards of teaching for literacy schools shall be as prescribed.

Time and hours of work for literacy schools.

7. The time and hours of work for literacy schools shall be prescribed so as not to interfere with the ordinary avocation of life in which adults are employed.

Officers appointed under the Sind Act XXVII of 1947 to work for the purpose of this Act also.

8. (1) The officers appointed by the Provincial Government under ~~the Act~~ shall, for the purpose of this Act, exercise such powers <sup>of Ordinances</sup> and perform such duties as are assigned to them under ~~the Act~~ in respect of the primary education.

(2) The Provincial Government may also appoint such additional staff for the purpose of this Act as may be necessary.

Expenditure.

9. The expenditure involved for the purpose of this Act shall be met from popular donations and Provincial revenues.

Obligation to attend literacy schools.

10. (1) In every area of compulsion every illiterate adult or parent shall, unless there is a reasonable excuse as hereinafter provided, be liable to attend or cause his ward to attend a literacy school during the hours, the period and for the course as may be prescribed.

(2) The liability under sub-section (1) shall continue till a literacy certificate is granted by an officer empowered by the Provincial Government in this behalf.

(3) No adult liable to attend a literacy school under sub-section (1) shall shift from the area of compulsion, except with the previous permission in writing of the ~~District Magistrate~~ <sup>an officer empowered by the Provincial Government in this behalf</sup>.

1. Subs. by W. P. Laws (Adapt) Order 1951, for "the Province"
2. Subs. by Sind Act 17 of 1975, s. 3, Sch II to the Act.
3. Subs. for "District Magistrate, by Sindh ORD. No. XXXVI of 2001.

11. An adult or a parent shall be deemed to have a reasonable excuse for failure, to attend or cause his ward to attend, as the case may be, a literacy school in the following cases, namely :—

Meaning of reasonable excuse.

(a) when he or his ward, as the case may be, is prevented from attending the literacy school by sickness, infirmity or other un-avoidable cause ;

(b) when there is no literacy school within a distance of two miles from his residence or principal place of work or from the residence of his ward ;

(c) where after due application, entrance to a literacy school has been refused and there is no other literacy school within the distance specified in clause (b) until such time as he is informed that he or his ward, as the case may be, can be admitted ;

(d) where there is no literacy school within the distance specified in clause (b) in which instructions are given in his or his ward's language ;

(e) where the Director or any other officer empowered by the Provincial Government in this behalf is satisfied that by reason of his or his ward's mental incapacity it is not desirable that he or his ward, as the case may be, shall be compelled to continue studies.

12. Where the Director or any other officer empowered by the Provincial Government in this behalf is satisfied that any adult or parent who is bound under the provisions of this Act to attend or cause his ward to attend a literacy school has failed to do so, the Director or such officer, after giving him an opportunity of being heard and after such enquiry as he considers necessary, may pass order directing him to attend or cause his ward to attend, as the case may be, literacy school on and from such date which should be specified in the order.

Issue of attendance order.

13. (1) Any adult or parent against whom an order has been passed under section 12 and who fails to attend or cause his ward to attend a literacy school on and after the date specified in such order, shall, if he resides in a town or village where there is a magistrate, on conviction by such magistrate, and, if he resides elsewhere, on conviction by a revenue officer or other persons empowered in this behalf by the ~~[District Magistrate]~~ be punishable with simple imprisonment for a term not exceeding 14 days or with fine not exceeding Rs. 50, and if such failure continues after such conviction, he shall also on conviction by such magistrate, officer or person,

Penalty for failure

[the Provincial Government]

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1. Subs. for "District Magistrate" by Sindh ORD. No. XXVI of 2001 dt. 28-11-2001

be liable to a fine of one rupee for every day that the failure continues or is repeated without a reasonable cause.

(2) No Magistrate, officer or person, shall take cognizance of an offence under sub-section (1) except on the complaint of the officer who passed the order under section 12 or any other person authorised by such officer in this behalf.

Penalty for employment of adults liable to attend a literacy school.

14. (1) Whoever knowingly takes into his employment, either on his own behalf or on behalf of any other person, any adult to whom the provisions of this Act apply, so as to interfere with the efficient instruction of such adult, shall, on conviction before a Magistrate, be liable to a fine not exceeding fifty rupees.

(2) No court shall take cognizance of an offence under this section except on a complaint in writing of an Administrative Officer or any other person authorised by him in this behalf:

Provided that no such complaint shall be made against any person unless the Administrative Officer or a person authorised by him in this behalf has given to such person a warning and the warning has proved ineffective:

Provided further that no such warning may be given to any such person who has been previously convicted in respect of the same adult.

Appeal against Order under section 13.

15. An appeal from a conviction under section 13 by a person referred to therein shall lie to the nearest Magistrate having jurisdiction in the town or village where the adult or the parent, as the case may be, resides.

Educated persons may be required to join literacy schools as teachers.

16. The Director or any officer authorized by the Director may require any person residing in an area of compulsion whose minimum educational qualifications are not less than those who have passed the P.S.L.C. Examination to attend a literacy school for the purpose of teaching the adults.

Penalty for failures to comply with the order under section 16.

17. Any person who has been required to attend a literacy school under section 16 and who fails to comply with the order without a reasonable excuse shall on conviction by a <sup>1</sup>[District ~~Magistrate~~ <sup>omitted</sup>] be punishable with fine not exceeding rupees one hundred and if the failure continues after such conviction he shall also on conviction by the <sup>2</sup>[District ~~Magistrate~~ <sup>Magistrate</sup>] be liable to a fine of rupees five for every day that the failure continues or is repeated.

Remuneration etc., for persons required to teach adults under section 16.

18. Pay and allowances of the persons who have been required to attend literacy schools under section 16 for the purpose of teaching adults shall be as prescribed.

1. The words omitted by Sindh ORD. No. XXXV of 2001 Dt. 28-11-2001

19. Any person against whom order has been passed under section 16 may file an appeal with the Provincial Government within a month from the date of such order.

Appeal against orders under section 16.

20. The Provincial Government may by notification in the *Official Gazette* exempt any person or any particular class or community from the operation of this Act.

Exemption from the operation of this Act.

21. No suit or other legal proceeding shall lie against any person for any thing in good faith done or intended to be done under this Act.

Bar of legal proceedings.

22. (1) The Provincial Government may make rules for the purpose of carrying out the provisions of this Act.

Rules.

(2) In particular and without prejudice to the generality of the foregoing power rules may be made to provide for—

(a) the powers, functions and duties of the Provincial Board and of the Advisory Committees for the purpose of this Act ;

(b) the travelling and other allowances payable to the members of the Provincial Board and the Advisory Committees ;

(c) the powers, duties, conditions of service and remuneration and other allowances of officers and other staff employed for the purpose of enforcing the provisions of this Act ;

(d) the particulars of a scheme for compulsory adult education ;

(e) the registers and records to be maintained ;

(f) the curricula, books and standards of teaching ;

(g) the time and hours of work for literacy schools ;

(h) the delegation of any powers to any subordinate officer ;

(i) any other matter to be prescribed under this Act.

23. [Repeal of Sind Ordinance VIII of 1949.] Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.