

SIND ACT NO. V OF 1996
THE BILAWAL INSTITUTE OF HISTORICAL RESEARCH ACT, 1995.

C O N T E N T

Preamble

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[1ST February, 1996]

An Act to establish an Institute to promote study of and undertake research in history with particular reference to the Province of Sindh.

WHEREAS it is expedient to establish an Institute to promote study of and under take research in history with particular reference to the Province of Sindh and to deal with matters ancillary thereto. **Preamble.**

It is hereby enacted as follows :—

CHAPTER—I
Preliminary

1. (1) This Act may be called the Bilawal Institute of Historical Research Act, 1995. **Short title and commencement.**

(2) It shall come into force at once.

2. In this Act, unless the subject or context otherwise requires:— **Definitions**

(i) “Board” means the Board constituted under Section 6;

(ii) “Chairman” means the Chairman of the Board;

(iii) “Director General” means the Director General of the Institute;

(iv) “Fund” means the fund of the Institute;

(v) “Government” means the Government of Sindh;

(vi) “Institute” means the Bilawal Institute of Historical Research;

(vii) “Member” means a member of the Board;

(viii) “prescribed” means prescribed by rules or regulations;

(ix) “regulations” means regulations made under this Act;

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- (x) "rules" means rules made under this Act.

CHAPTER-II

Establishment of the Institute

3. (1) There shall be established an Institute to be known as the Bilawal Institute of Historical research for carrying out the purpose of this Act. **Establishment of the institute.**

- (2) The institute shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire and hold property, both movable and immovable, and shall be its name sue and be sued.

- (3) The headquarters of the Institute shall be at Nawabshah.

4. (1) The general direction and administration of the Institute and its affairs shall vest in the Board, which may exercise all powers and do all acts and things which may be exercised or done by the Institute. **Management**

- (2) The Board in discharging its functions shall act on sound principles to achieve the purpose of this Act and shall be guided on questions of policy by such directions as Government, may from time to time, give.

- (3) If any question arises as to whether any matter is a matter of policy or not, the decision of Government shall be final.

5. (1) That Board shall consist of a Chairman who shall be the Chief Minister and such official members not exceeding five and non-official members not exceeding ten as may be appointed by Government. **Constitution of the Board**

- (2) In the absence of Chief Minister the Chief Secretary shall act, as Chairman.

- (3) The members, other than ex-officio members shall, unless Government otherwise direct, hold office for a period of three years.

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- (4) Any person ceasing to be a member of the Board by reason of the expiry of the term of his office shall be eligible for re-appointment for another term of three years or for such shorter term as Government may decide.
- (5) No act proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of, the Board.
- (6) Any member other than an ex-officio member may by writing under his hand addressed to Government, resign his office.
- (7) The Board may co-opt any person as its member for particular purpose or for specified period.
- (8) The Director General shall be the Member/ Secretary of the Board.

- 6. (1) The Chairman and members shall discharge such duties and perform such functions as are assigned to them by or under this Act.
- (2) Until the board is duly constituted, the chairman shall, exercise the powers, discharge the duties and perform the functions of the Board.

Duties and functions of Chairman and members

- 7. The meetings of the Board shall be held at such times and places and in such manner as the regulations may provide:

Meetings of the Board.

Provided that, until regulations are made in this behalf, the meetings of the Board shall be held as and when convened by the Chairman.

CHAPTER—III

Functions, Powers and Duties of the Institute

- 8. (1) The functions of the Institute shall be as follows:—
 - (i) to promote the study of history and make provision for research in history for the advancement and dissemination of knowledge in such manner as deemed fit;

Functions of Institute.

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- (ii) to associate itself with other similar institution and establish faculties to discharge its functions and responsibilities for the betterment and promotion of education of history;
 - (iii) to provide and support other faculties for professional training and research in history;
 - (iv) to acquire and preserve historical material for research;
 - (v) to undertake preparation/publication of dictionaries, encyclopedia and other reference books on history including biographies and auto-biographies of various personalities of the world particularly of Pakistan and Sindh;
 - (vi) to arrange translation and publication of historical material, particularly of national importance in various languages.
 - (vii) To publish periodical historical Journals covering research work on history specially in humanities with special reference to the Province of Sindh;
 - (viii) To produce a socio-cultural history of Sindh;
 - (ix) To produce and publish inspirational stories from the history of Pakistan particularly Sindh;
 - (x) To hold seminars and lectures, and to adopt other measures for arousing serious and meaningful interest in the study and research of history of Pakistan particularly Sindh;
 - (xi) To institute prizes and awards and sponsor scholarships for writers and scholars for special study and research in world history particularly Pakistan and Sindh in the perspectives of the Islamic history.
9. (1) Subject to the other provisions of this Act, the Institute may take such measures and exercise such powers as may be necessary for the carrying out of the purposes of this Act.
- (2) Without prejudice to the generality of the powers conferred by sub-section (1), the Institute shall have the following powers.

Powers of the Institute

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- (a) To incur any expenditure approved in the budget necessary for carrying out the purposes of this Act;
- (b) To acquire, hold, control, administer and dispose of the property and the funds of the institute.
- (c) To enter into perform all such contracts as it may consider necessary;
- (d) To seek and obtain advice and assistance for the preparation or planning a scheme for the execution of any schemes from any agency and such agency shall give the advice and assistance sought by the Institute to the best of its liability, knowledge and judgement, and any expenditure, if any, involved in giving such advice or assistance shall be borne by the Institute;
- (e) To arrange for the audit of the accounts of the Institute;
- (f) With the previous approval in writing of Government, to raise funds and borrow money on such terms as may be approved by Government; and
- (g) To carry out any other work if as may be necessary or appropriate for carrying out the purposes of the institute.

CHAPTER—IV

Establishment

10. (1) Government shall appoint a whole-time Director General with such qualifications and no such terms and conditions as it may determine. **Director General**
- (2) The Director General shall be the Chief executive of the Board and shall exercise effective control over and be responsible for smooth functioning of the day to day affairs of the Institute, subject to the direction and supervision of the Board.
- (3) In particular and without prejudice to the generality of the foregoing powers, the Director General shall—
- (a) be responsible for, and have the authority necessary for overseeing and implementing in an expeditious and efficient manner, the schemes of the Institute;
 - (b) exercise administrative control over the personnel of the Institute;

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- (c) exercise, in respect of the Institute, such administrative and financial powers as deemed appropriate.
 - (d) Submit the annual budget proposals to the Board;
 - (e) Prepare the annual report of the Institute for the Board; and
 - (f) Act on behalf of the Institute, in any emergency, subject to the obligation to report such action to the Board at its next meeting and to seek the Board's ratification of any action so taken.
11. (1) The Institute may for efficient performance of its functions appointment officers and other staff possessing such qualifications and experience and on such terms and conditions, including the constitution and management of a provident, benevolent fund and fund for group insurance as may be prescribed by regulations. **Recruitment conditions of service for office servants, etc.**
- (2) The officers and staff appointed under section (1) shall be liable to such disciplinary action and in such manner as may be prescribed by rules.

CHAPTER—V Finance

12. There shall be a separate fund of the Institute which shall consist of Government grants, donations, sale-proceeds of movable or immovable property including books and publications of the Institute and other sums receivable and loan obtained by the Institute. **Fund.**
13. The Budget shall be prepared and approved in the manner as may be prescribed by regulations. **Budget.**
14. (i) The funds shall be kept in the Government Treasury. **Account.**
- (ii) The accounts of the Institute shall be jointly operated by the Director General and a member or officer authorised by the Board.
15. (i) The accounts of the Institute shall be maintained in such form and manner as may be prescribed. **Audit**
- (ii) The accounts shall be audited by an Auditor General of Pakistan,

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CHAPTER—VI Miscellaneous

16. Government may require the Institute to furnish to it any information, return statement or statistics regarding any matter concerning the Institute and the Institute shall comply with such requisition. **Requisition of Government.**
17. The Institute at the close of every financial year shall prepare and publish annual report of its activities and performance and submit the report to Government within a fortnight of its publication. **Annual Reports.**
18. All person acting or purporting to act in pursuance of any provision of this Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code. **Public Servant.**
19. No Court shall have jurisdiction to grant any injunction or make any order or entertain any proceedings in relation to anything done or intended to be done under this Act. **Jurisdiction barred**
20. No suit or legal proceedings shall lie against Government, Institute, or any other person in respect of any thing done or intended to be done under this Act. **Indemnity.**
21. Government may make rules for carrying out the purposes of this Act. **Rules.**
22. Subject to the provisions of this Act, and the rules, the Institute may make regulations for carrying out the purposes of this Act.