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SIND ORDINANCE NO. III of 1992

THE SINDH EDUCATION FOUNDATION ORDINANCE, 1992.

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SIND ORDINANCE NO. III of 1992

THE SINDH EDUCATION FOUNDATION ORDINANCE, 1992.

[30th June, 1992]

An Ordinance to Provide for the establishment of an Education Foundation in the Province of Sindh.

Preamble.

WHEREAS it is expedient to make provisions for the establishment of an Education Foundation to promote and develop education in the Province of Sindh and to deal with matters ancillary and incidental thereto;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sind is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Sindh Education Foundation Ordinance, 1992.

(2) It extends to the whole of the Province of Sindh.

(3) It shall come into force at once.

Definitions.

2. In this Ordinance, unless there is anything repugnant to the subject or context----

(a) "Board" means the Board established under section 5;

(b) "Budget" means the official statement of annual income and expenditure of the Foundation;

(c) "Chairman" means the Chairman of the Foundation;

(d) "educational institution" means primary, Middle Secondary or Higher Secondary institution or College including College of Technology or Technical or Special Institution for handicaps or disabled persons or Poly-Technic or Teachers Training or Computer Training Institution;

(e) "Foundation" means the Sindh Education

Foundation;

(f) "Fund" means the fund of the Foundation;

(g) "Government" means the Government of Sindh;

(h) "Managing Director" means the Managing Director of the Foundation;

(i) "member" means a member of the Foundation;

(j) "Prescribed" means prescribed by rules or regulations;

(k) "regulations" means regulations made under the Ordinance;

(l) "rules" means rules made under this Ordinance;

(m) "Vice Chairman" means the Vice Chairman of the foundation.

Establishment of the Foundation.

3. (1) Government may, by notification, establish a Foundation to be known as the Sindh Education Foundation.

(2) The Foundation shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable and shall by the said name sue and be sued.

(3) The headquarters of the Foundation shall be at Karachi.

Management

4. (1) The general direction and administration of the Foundation shall vest in a Board, which may exercise all powers and do all acts and things which may be exercisable or done by the Foundation.

(2) The Board shall act on sound principles in promoting and developing education and shall be guided by such directions as Government may give it from time to time.

(3) If any question arises as to whether any matter is a

matter of policy or not, the decision of Government shall be final.

Board.

5. (1) The Board shall consist of the Chairman who shall be the Chief Minister, Vice Chairman who shall be the Minister for Education and such official and non-official members as may, from time to time, be appointed by Government.

(2) The Managing Director shall be the Ex-officio-member and Secretary of the Board.

(3) An official member appointed by virtue of his office shall cease to be member onb vacating such office.

(4) A non-official member shall hold office at the pleasure of Government but he may at any time resign from membership by addressing a letter to Government.

(5) The Chairman may co-opt any person as a member.

Managing Director.

6. (1) Government shall appoint a person as Managing Director having such qualifications and on such terms and conditions as it may determine.

(2) The Managing Director shall be the Chief Executive of the Foundation and shall perform such duties as may be prescribed or assigned to him by the Board or Chairman.

(3) Government may remove the Managing Director on the ground of inefficiency or misconduct after giving him an opportunity of being heard.

Appointment of officer and advisers.

7. (1) The Foundation may, for efficient performance of its functions, appoint such Advisers and Officers and other staff possessing such professional, technical, ministerial or secretarial qualifications and experience and on such terms and conditions as may be prescribed.

(2) The Advisers, officers, employees and staff of the Foundation shall be liable to such disciplinary action and in such manner as may be prescribed.

Financial, Technical or Advisor

8. The Board may, for carrying out the purposes of this Ordinance, constitute Financial, Technical or Advisory Committees as may be considered necessary.

9. The aims and objects of the Foundation shall be as follows:--- **Aims and objects of Foundation.**

(a) to take steps which are necessary for the expansion of educational facilities;

(b) to prepare or cause to be prepared projects for the establishment of educational institutions specially in less developed or less privileged areas;

(c) to provide under soft terms and conditions financial help or grant upto one third of the total recurring cost to non-commercial institutions for the purchase of land, construction of buildings, purchase of furniture, equipments, books and educational material including stationary;

(d) to grant interest free loans to such institutions from its own fund or to assist them in getting loans from Scheduled Banks;

(e) To assist the educational institution to get allotment of amenity plots in different housing or development schemes for educational purposes;

(f) To conduct research or survey or hold workshops, conferences, symposium to study educational system, to identify the shortfalls and weaknesses of the system and to make suggestions or measures for its improvement;

(g) To evolve programmes for raising the standard of education and improvement of literacy rate;

(h) To arrange academic competitions between the educational institutions in public and private sectors for the improvement of educational performance and standard;

(i) To prepare plans and schemes for the establishment of the mentally retarded and handicapped children;

(j) To conduct workshops or short courses for training

of teachers and other related staff to improve their working;

(k) To develop the course of studies and curriculum in accordance with the religious and Islamic aspirations;

(l) to establish or assist in the establishment of institutions in the less developed or less privileged areas;

(m) generally to undertake, to do and perform such acts or things as are incidental or conducive to the attainment of the above objects.

Powers and functions of the Foundation.

10. (1) The Foundation shall have the powers and discretion to utilize, apply and invest the fund of the Foundation in such manner as it may consider proper.

(2) Without prejudice to the generality of these powers, the Foundation may:---

(i) purchase, sell, endorse, transfer, negotiate or otherwise deal in securities of Government and any other securities of any description;

(ii) paise loans for its various enterprises and under-takings and may, for this purpose, pledge, hypothecate, or otherwise charge the properties of the Foundation;

(iii) enter into contracts, engagements, arrangements and execute necessary documents;

(iv) open current, fixed, overdraft, loan, cash credit and other accounts with any bank or banks as may be necessary and to pay into and to draw out money from such accounts;

(v) make, draw, endorse, sign, accept, or negotiate all cheques, bills of lading, drafts, orders, bills of exchange, Government securities, promissory notes and other negotiate instruments; and

(vi) invest the income in industrial undertakings or otherwise utilize any income there-from for the benefit of the Foundation.

Delegation of powers by the Board.

11. The Foundation may, by general or special order and subject to such conditions as it imposes, delegate any of its power to the Managing Director, any member, officer or employee of the Foundation.

Powers and functions of the Chairman.

12. (1) The Chairman shall----

(i) perform such functions as are assigned to him under this Ordinance;

(ii) have power to convenue meetings of the Board at such times and places as deemed fit for transaction of the business of he Board;

(iii) unless otherwise directed by rim preside all meetings of the Board;

(iv) have powers to direct to issue letters, orders, directives or instructions;

(v) exercise powers delegated to him by the Board;

(vi) ensure that all policies and decisions of Board are implemented.

(2) The Chairman may delegate his powers, not being delegated power, to the Vice-Chairman or any other member or officer of the Board.

Business of the Board.

13. (1) The meetings and business of the Board shall be conducted in such manner and according to such procedure as may be prescribed and until these matters are prescribed, as may be determined by the Board.

(2) No act or proceedings 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.

Fund of the Foundation.

14. (1) There shall be a fund to be known as the "Foundation Fund" which shall consist of:----

(i) contributions or grants made by Federal, Provincial Governments or local bodies;

(ii) income received from investments;

(iii) gifts and donations;

(iv) revolving fund placed at the disposal of the Foundation by Government;

(v) income received from any other source.

(2) The fund shall be utilized for carrying out the aims and object of the Foundation.

(3) The fund shall be kept in a Scheduled Bank approved by the Government.

Budget accounts and audit.

15. (1) The budget shall be approved and its accounts shall be maintained in such form and manner as may be prescribed.

(2) The accounts of the Foundation shall be audited yearly in such manner as may be prescribed in consultations with the Auditor General of Pakistan.

Rules.

16. Government may, by notification, make rules for carrying out the purposes of this Ordinance.

Regulations.

17. Subject to this Ordinance and the rules, the Foundation may, with the approval of Government, make regulations for all matters not provided for in the rules.

Dissolution

18. Government may, by notification, dissolve the Foundation and make such incidental and consequential orders as may be necessary for the purpose.