SCAN TO VERIFY
LAW DEPARTMENT
GOVERNMENT OF SINDH
www.sindhlaws.gov.pk

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

CONTENTS

Preamble
Sections

1. Short title extent and Commencement.

2. Definitions.

3. Establishment and in corporation.

4. Constitution of the board.

5. Disqualification, removal and resignation of the Chairman and members.

6. Meetings of the Board.

7. Controlling Authority.

8. Powers of the Controlling Authority.

9. Advisory Council.

10. Powers and duties of the Board.

11. Text books.

12. Committees.

13. Officers and servants.

14. Duties of Officers and servants.

15. Provident Fund or Pension.

16. Delegation of powers to Chairman, etc.

17. Immunity of the Board and its employees.

18. Board to be a local authority.

19. Budget estimate.

20. Maintenance of accounts.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

21. Submission of yearly reports and returns.

22. Audit.

23. Validation.

24. Protection of acts and orders.

25. Rules.

26. Power of the Board to make Regulations.

27. Repeal.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

[26th November, 1970]

AN ORDINANCE to provide for the establishment of the Sindh Textbook Board.

WHEREAS it is expedient to establish for the Province of Sindh a Text Book Board, to arrange for the production and publication of text books, guide-books and other reading material required by students and teachers of schools and certain colleges and institutions;

NOW THEREFORE, in pursuance of the Martial Law Proclamation of 25th March, 1969, read with the Provisional Constitution Order, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance :---

Short title extent and Commencement.

1. (1) This Ordinance may be called the [1][Sindh] Textbook Board Ordinance, 1970.

(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 the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

(a) "Advisory Council "means the Advisory Council constituted under section 9;

(b) "Board" means the Sindh Textbook Board established under section 3;

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

(d) "Controlling Authority" means the Controlling Authority of the Board;

(e) "Committee" means a Committee of the Board;

(f) "Member" means a member of the Board;

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

(h) "institution" means an Intermediate Collage, a school or a Polytechnic, vocational or commercial institute;

[1] Substituted word **Sind** by **Sindh** whenever occurring by Sindh act No. XVIII of 2013. Dated 19th March, 2013.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

(i) "Intermediate College" means an institution recognised for imparting instruction to classes XI and XII, and includes an institution imparting instruction to Classes IX to XII;

(j) "prescribed" means prescribed by rules or regulations made under this Ordinance;

(k) "rules" and "regulations" means respectively the rules and regulations made under this Ordinance;

(l) "school" means an institution imparting instruction to all or any of the classes I to X, and includes an English medium school, a school for handicapped children and any other school which Government may declare to be a school for the purposes of this Ordinance.

Establishment and in corporation.

3. (1) As soon as may be, there shall be established a Board to be known as the Sindh Textbook Board for carrying out the purposes of this Ordinance.

(2) The Board shall be a body corporate, shall have power to acquire, hold and transfer property, shall have perpetual succession and a common seal and may sue or be sued by its corporate name.

Constitution of the board.

4. (1) The Board shall consist of a Chairman, and not less than four and not more than six other members, to be appointed by [1][Chief Minister] of whom at least three members shall be non-officials.

(2) The Chairman and all other members shall be appointed by [1][Chief Minister].

(3) The Chairman shall be the Chief Executive of the Board.

(4) Subject to the provisions of section 5, the Chairman and other members shall---

(a) hold office for a period of three years, and shall be eligible for re-appointment for one or more such terms; and

(b) receive such salary and allowances as Government may determine.

[1] Substituted word by Sindh Act No. XIII of 2022 dated 30th August, 2022.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

(5) A person appointed as the Chairman or a member shall divest himself of any directorship or other interest held by him in any corporation, company or concern which has dealings with the board.

Disqualification, removal and resignation of the Chairman and members.

5. (1) Government may, by order in writing, remove the Chairman or a member, if he---

(a) refuses or fails to discharge or becomes, in the opinion of [1][Chief Minster] incapable of discharging his responsibilities under this Ordinance; or

(b) has, in the opinion of [1][Chief Minster] abused his position as Chairman or member; or

(c) has knowingly acquired or continues to hold, directly or indirectly, or through a partner, any share or interest in any contract or employment with or by or on behalf of the Board or in any land or property which in his knowledge is likely to benefit or has benefited as a result of the operation of the Board; or

(d) has been convicted of an offence involving moral turpitude or adjudicated insolvent or is found a Iunatic or becomes of unsound mind or has been dismissed or otherwise disqualified from Government service[2][:]

[3][Provided that no order of removal shall be passed unless the Chairman or the Member, as the case may be, is given an opportunity of being heard].

(2) The Chairman or a member may at any time resign his office by tendering his resignation to Government.

Meetings of the Board.

6. (1) The Board shall meet at such time and place and in such manner as may be prescribed.

(2) The Chairman shall preside over the meetings of the Board, and in the absence of the Chairman at a meeting, the members present at the meeting shall choose a Chairman from amongst themselves.

---

[1] [1]Substituted word by Sindh Act No. XIII of 2022 dated 30th August, 2022.
[2] Full stop replaced by colon by ordinance No.XLV of 1984 dated 18th November, 1984.
[3] Added proviso by ordinance No.XLV of 1984 dated 18th November, 1984.

(3) Fifty percent of the total members shall be present to constitute a quorum at a meeting of the Board.

(4) Each member, including the Chairman, shall have one vote, but in the event of equality of votes, the Chairman shall have a second or casting vote.

(5) The minutes of every meeting of the Board, stating among other things the names of the members present, shall be drawn up and recorded in a book to be kept for the purpose and shall be signed by the person presiding at the meeting, and such book shall be open to inspection by the members.

Controlling Authority.

7. The Secretary, Department of Education, Government of Sindh, shall be the Controlling Authority of the Board.

Powers of the Controlling Authority.

8. (1) The Controlling Authority shall have the power to cause an inspection to be made by such person or persons as it may direct, of the offices, activities and funds of the Board, and to cause an enquiry to be made in like manner in respect of any matter concerning the Board.

(2) The Controlling Authority shall communicate to the Board the result of such inspection or enquiry and may advise the Board to take such action within such period as may be specified.

(3) The Board shall report to the Controlling Authority the action it proposes to take or has taken on such communication.

(4) Where the Board does not within a reasonable time take action to the satisfaction of the Controlling Authority, the Controlling Authority may, after considering the explanation furnished by the Board, issue such directions to the Chairman as it thinks fit, and the Chairman shall comply with such directions.

(5) If the Controlling Authority is satisfied that any proceeding of the Board or the Advisory Council or any Committee is not in conformity with this Ordinance, or any rules or regulations made thereunder, the Controlling Authority may, without prejudice to the foregoing provisions of this section, by order in writing, quash such proceeding:

Provided that before making any such order, the Controlling Authority shall, through the Chairman, call upon the Board, the Advisory Council, or the Committee concerned, as the case may be, to show cause why such an order should not be made.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

9. (1) The Board shall have an Advisory Council consisting of the following as its members : - **Advisory Council.**

(a) the Chairman;

(b) the Directors of Education in the Province of Sindh;

(c) the Director of Technical Education, Sindh;

(d) the Chairman, Boards of Intermediate and Secondary Education in the Province of Sindh;

(e) the Vice-Chancellor of the University of Karachi or his nominee;

(f) the Vice-Chancellor of the University of Sindh or his nominee;

(g) the Director, Education Extension and Specialised Services;

(h) two Principals of Intermediate Colleges, to be nominated by the Controlling Authority; and

(i) two Heads of schools or similar institutions, to be nominated by the Controlling Authority.

(2) The nominated members of the Advisory Council shall hold office for a period of one year from the date of their appointment, and shall be eligible for re-appointment for one or more such terms.

(3) The functions of the Advisory Council shall be to advise the Board in the performance of its functions under this Ordinance.

(4) The quorum for a meeting of the Advisory Council shall be fifty percent of the total number of its members.

(5) Government may frame rules for regulating the transaction of business by the Advisory Council. Such rules may, among other matters, provide for the following, namely :-

(i) appointment of the authority that may convene a meeting of the Advisory Council.

(ii) appointment of the person who shall preside over the meetings of the Advisory Council.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

(iii) the manner in which and the authority by whom minutes of the meetings shall be recorded;

(iv) any other matter considered necessary for the transaction of business by the Advisory Council.

Powers and duties of the Board.

10. (1) The Board may take such measures and exercise such powers as it considers necessary or expedient for carrying out the purposes of this Ordinance.

(2) Without prejudice to the generality of the foregoing power, the Board may, for carrying out the purposes of this Ordinance-

(a) undertake any works;

(b) incur any expenditure;

(c) procure plant, machinery and material required for its use;

(d) acquire by purchase, lease, exchange or otherwise, any material or machinery or any interest therein; and

(e) enter into and perform all such contracts as it may consider necessary or expedient.

(3) In particular, the Board may prepare and execute schemes pertaining to all or any of the following matters, namely:-

(a) the production and publication of textbooks, supplementary reading materials and teaching aids for all stages and types of education and teachers' training courses detailed hereunder.-

(i) Primary Education;

(ii) Secondary Education;

(iii) Intermediate Education;

(iv) J.V., S.V., C.T., Diploma in Physical Education, Diploma in Commerce, Diploma in Arts and Crafts, and such other training courses as may be prescribed;

(v) courses of technical, vocational and commercial Institutes;

(vi) courses of English medium institutions;

(vii) education of handicapped children; and

(viii) adult education;

(b) production of supplementary material relating to textbooks, for the stage and types of education enumerated under clause (a);

(c) production of reference and research material relating to the problems of curricula and preparation of textbooks;

(d) the laying down of specifications for the preparation and publication of textbooks;

(e) policy relating to---

(i) distribution of textbooks and other material printed and published by the Board;

(ii) appointment of agencies so as to make the textbooks and materials available to the students well in time;

(f) preparation and publication of literature for adults;

(g) preparation and publication of reading material on new developments in educational concepts and teaching methods and techniques;

(h) workshops and seminars and courses of effective use of text-books and reading material;

(i) conduct of research in the field of curricula, textbooks and other reading material;

(j) exhibitions of textbooks and teaching materials;

(k) maintenance of a library of---

(i) reference books;

(ii) textbooks;

(iii) maps, charts, diagrams and other documents of a similar nature;

(iv) educational journals and literature on education published in Pakistan and other countries;

(v) books and reading material, other than textbooks, which the Board may consider useful for fulfilling the purposes and objects of this Ordinance.

(4) Every scheme prepared by the Board under the last preceding sub-section shall be submitted to the Controlling Authority with full details as regards its purpose and financial implications and the manner in which it is to be executed.

(5) The Controlling Authority may approve, disallow or remit the scheme to the Board with its recommendations for further consideration.

(6) In the preparation and execution of any scheme the Board may seek and obtain advice from Directorates of Education, Boards of Intermediate and Secondary Education or any other authority or institution.

11. **Textbooks.** (1) No book which has not been approved as a textbook by the Board or which has not been prepared and published by it shall be prescribed as a textbook in any institution:

Provided that Government may, by notification in the official Gazette, exempt any institution or class of institutions from the operation of this section.

(2) If any institution contravenes the provisions of sub- section (1), it shall be liable to forfeit its right to recognition under the law for the time being in force.

(3) An application under sub-section (1) for approval of a book as a textbook shall be made to the Board in such manner, and shall be accompanied by such fee as may be prescribed by rules.

12. **Committees.** (1) The Board may constitute such committees as it may consider necessary,

(2) The constitution, functions, and duties of the committees shall be such as may be prescribed by regulations.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

Officers and servants.

13. (1) The following shall be the officers of the Board:---

(a) Chairman.

(b) Secretary.

(c) Such other officers as may be appointed by the Board.

(2) The Secretary of the Board shall be appointed by [1][Chief Secretary, Sindh].

(3) The Board may from time to time employ such officers and servants or appoint such whole-time or part-time experts or consultants as it may consider necessary for the performance of its functions, on such terms and conditions as may be prescribed by rules:

Provided that, in case of urgency, the Chairman may appoint for a period not exceeding six months, any officer or servant as he may consider necessary:

Provided further that every appointment so made shall be reported to the Board at its next meeting for approval, and if the Board shall either disapprove of such appointment, or if within six months of the said appointment, fails to approve the same, the appointment shall forthwith stand terminated.

Duties of Officers and servants.

14. Subject to the other provisions of this Ordinance, the duties and functions of the Chairman and members shall be such as may be prescribed by regulations, and those of the officers and servants of the Board as may be so prescribed or as may be assigned to them by the Chairman.

Provident Fund or Pension.

15. (1) The Board shall establish for the benefit of its employees such Pension or Provident Fund or both, as it may deem fit, in such manner and subject to such conditions as may be prescribed by regulations.

(2) Government may, by notification, declare that the provisions of the Provident Fund Act, 1925 (Act XIX of 1925), shall apply to the Provident Fund established under sub-section (1), and on the making of such declaration that Act shall apply accordingly as if the Board were Government and the said Fund were the Government Provident Fund.

---

[1]Substituted words by Sindh Act No. XIII of 2022 dated 30th August, 2022.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

16. The Board may, by a general or special order, delegate to the Chairman, a member or any officer or servant of the Board, any of its powers, duties and functions under this Ordinance, the rules or regulations, subject to such conditions as it may think fit to impose. **Delegation of powers to Chairman, etc.**

17. The Chairman, members, officers and servants of the Board shall, when acting or purporting to act in pursuance of any of the provisions of this Ordinance, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860). **Immunity of the Board and its employees.**

18. The Board shall be deemed to be a local authority under the Local Authorities Loans Act, 1914 (Act IX of 1914), for the purpose of borrowing money under the said Act, and the making and execution of any scheme under this Ordinance shall be deemed to be a work which such authority is legally authorised to carry out. **Board to be a local authority.**

19. (1) In the month of June each year, the Chairman shall submit a statement of the estimated receipts and expenditure of the Board in respect of the next financial year for approval by the Board. **Budget estimates.**

(2) A copy of the statement, as approved by the Board, shall be submitted by the Chairman to Government within fifteen days of its approval by the Board.

20. The Board shall maintain complete and accurate books of accounts, in such from as may be prescribed by regulations. **Maintenance of accounts.**

21. (1) The Board shall submit to the Controlling Authority, as soon as possible after the end of every financial year but not later than the 30th September, a report on the conduct of its affairs for that year. **Submission of yearly reports and returns.**

(2) The Controlling Authority may require the Board to furnish it with---

(i) any return, statement, estimate, statistics or other information regarding any matter under the control of the Board;

(ii) a report on any such matter;

(iii) a copy of any document in the charge of the Board; and the Chairman shall comply with every such requisition.

THE SINDH TEXTBOOK BOARD ORDINANCE, 1970
SINDH ORDINANCE NO. XII OF 1970.

Audit.

22. (1) The accounts of the Board shall be audited once in a year by such agency and in such manner as may be specified by Government.

(2) A copy of the audit report, together with the comments thereon of the Board, shall be sent to Government and also to the Controlling Authority.

(3) The Board shall carry out any directive issued by Government or the Controlling Authority for the rectification of irregularities, if any, pointed out in the audit report.

Validation.

23. No act or proceedings of the Board or the Advisory Council or a Committee shall be invalidated merely by reason of the existence of a vacancy on the Board or the Advisory Council or committee or by reason of any irregularity in the appointment of any member of the Board or the Advisory Council or committee.

Protection of acts and orders.

24. No suit for damages or other legal proceedings shall be instituted against Government, the Controlling Authority, the Board, Advisory Council, a committee or any member of the Advisory Council or committee or any officer or employee of the Board in respect of anything done or purported to have been done in good faith in pursuance of this Ordinance and the rules and regulations.

Rules.

25. (1) Government may frame rules to carry out the purposes of this Ordinance.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters:---

(a) the terms and conditions of service of the officers and servants of the Board, including disciplinary action, grant of leave and retirement of the employees of the Board;

(b) the constitution of Pension or Provident Fund or both for the benefit of the officers and servants of the Board;

(c) the transaction of business by the Advisory Council, including the manner and the authority by whom the minutes of the meetings of the Council shall be recorded; and

(d) such other matters as are required to be prescribed by rules.

Power of the Board to make Regulations.

26. (1) The Board may, consistent with this Ordinance and the rules, make regulations to carry out the purposes of this Ordinance.

(2) Without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters:---

(i) transaction of business at the meetings of the Board;

(ii) the manner in which schemes under section10 may be framed and executed; and

(iii) any other matter which is required to be prescribed by regulations.

Repeal.

27. The West Pakistan Textbook Board Ordinance, 1962 (West Pakistan Ordinance XLI of 1962) is hereby repealed.