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SINDH ORDINANCE NO. XIII of 1994.

THE SINDH PRIVATE TEACHERS' TRAINING INSTITUTIONS (REGISTRATION AND CONTROL) ORDINANCE, 1994.

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THE SINDH PRIVATE TEACHERS' TRAINING INSTITUTIONS (REGISTRATION AND CONTROL) ORDINANCE, 1994.

[5th June, 1994]

To regulate the functioning of private teachers' training institutions in the Province of Sindh.

Preamble.

WHEREAS in order to supervise and regulate the functioning of private teachers' training institutions in the Province of Sindh, it is expedient to provide for the registration of such institutions;

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 Sindh is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Sindh Private Teachers' Training Institutions (Registration and Control) Ordinance, 1994.

(2) This section shall come into force at once and the remaining provisions shall come into force on such date as may be notified by Government in the Official Gazette.

Definitions.

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

(a) "Certificate" means a certificate of registration granted under this Ordinance;

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

(c) "Institution" means any private institution, by what-ever name called, importing education and training to students for qualifying them for appointment as teachers;

(d) "prescribed" means prescribed by rules;

(e) "Registration Authority" means the Director, bureau of Curriculum and Extension Wing, Sindh, Jamshoro and includes any person appointed to perform the duties of the Registration Authority under this Ordinance;

(f) "rules" measn the rules made under this Ordinance.

Prohibition against establishing or continuing institution without registration.

3. No institution shall be established or run except in accordance with the provisions of this Ordinance.

Application for registration etc.

4. (1) Any person intending to establish an institution and any person intending that an institution already in existence should be continued on as such, shall make an application to the Registration Authority in the prescribed form accompanied by the prescribed registration fee and documents.

(2) The Registration Authority, on receipt of the application, shall make enquiries through an Enquiry Officer or Enquiry Committee appointed by it in order to satisfy itself---

(a) that the buildings and premises will provide adequate facilities with due regard to hygiene;

(b) that the staff will possess prescribed qualification and will be adequate and adequately paid;

(c) that there fees charged will not be disproportionate to the facilities provided;

(d) that there is no reason to believe that the institution will be run in an undesirable manner or by unsuitable persons;

(e) that the furniture and equipments are suitable; and

(f) that the requirements and conditions of the admissions and training programme including courses of study, practice teaching as laid down by the Registration Authority from time to time will be observed and completed.

(3) On receipt of the report of the Enquiry Officer of Enquiry Committee, if the Registration Authority, in respect of the matters set out in sub-section (2) above----

(a) is satisfied, it shall grant a certificate in the prescribed form, subject to such terms and conditions as it may thing fit to impose, and shall register in the prescribed manner the institution in respect of which the application is made, as a "Private Teachers' Training Institution", and endorse the fact of registration on the certificate;

(b) is not satisfied, it shall refuse the certificate; provided that if the deficiency is minor or capable of being made up, the certificate shall not be refused unless a written notice is issued requiring the applicant to make up the deficiency within a reasonable time and fails to comply with the notice.

(4) The Registration Authority shall record its reasons for granting or refusing to grant the certificate.

(5) The person to whom the certificate is granted shall be responsible for due compliance with the provisions of this ordinance, the rules and the terms and conditions, if any, on which the certificate is granted.

Establishment and continuance of private institution.

5. (1) An institution not already in existence shall be established only after a certificate has been granted under sub-section (3) of section 4.

(2) An institution already in existence in respect of which an application under sub-section (1) of section 4 has been made within thirty days of the coming into force of this Ordinance may continue pending the disposal of the application, but shall close down immediately if the certificate is refused.

(3) An institution, already in existence, in respect of which no application under sub-section (1) of section 4 has been made within a period of thirty days next after the coming into force of this Ordinance shall not continue after the expiry of that period.

Suspension or cancellation of certificate.

6. A certificate granted under sub-section (3) of section 4 may be suspended or cancelled by the Registration Authority if after such enquiry or inspection as deemed fit, it is satisfied that there is a contravention of any of the provisions of this Ordinance or the rules or any of the terms and conditions imposed: provided that the certificate shall not be suspended or cancelled without giving the persons concerned an opportunity of being heard.

Appeal.

7. If the Registration Authority refuses to grant a certificate under sub-section (3) of section 4, or suspends or cancels a certificate so granted, the applicant or the holder of certificate may within thirty days from the date of the order of the Registration Authority prefer an appeal a Government and the order passed by Government shall be final and given effect to by the Registration Authority.

Penalty.

8. Whoever runs an institution without registration shall be punished with imprisonment which may extend to one year or with fine which may extend to fifty thousand rupees or with both.

Cognizance of offence.

9. No court shall take cognizance of an offence under this Ordinance except upon a complaint in writing made by the Registration Authority or an officer authorized by it in this behalf and no court inferior to that of a Magistrate of the First Class shall try any such offence.

Overriding effect.

10. The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract, instrument, articles of associations, deed or other documents.

Indemnity

11. No suit or legal proceedings shall lie against Government, registration Authority or any other person in respect of anything which is, in good faith done or intended to be done under this Ordinance.

Power to make rules.

12. Government may, by notification in the official gazette, make rules for carrying out the purposes of this Ordinance.