

Regulatory Procedure

REGISTRATION AND OTHER LEGAL REQUIREMENTS FOR PRIVATE SCHOOLS / INSTITUTIONS IN THE PROVINCE OF SINDH



Small and Medium Enterprises Development Authority

Ministry of Industries & Production

Government of Pakistan

www.smeda.org.pk

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INTRODUCTION OF SMEDA

The Small and Medium Enterprise Development Authority (SMEDA) was established with the objective to provide fresh impetus to the economy through the launch of an aggressive SME development strategy. Since its inception in October 1998, SMEDA had adopted a sectoral SME development approach. A few priority sectors were selected on the criterion of SME presence. In depth research was conducted and comprehensive development plans were formulated after identification of impediments and retardants. The all-encompassing sectoral development strategy involved overhauling of the regulatory environment by taking into consideration other important aspects including finance, marketing, technology and human resource development.

After successfully qualifying in the first phase of sector development SMEDA reorganized its operations in January 2001 with the task of SME development at a broader scale and enhanced outreach in terms of SMEDA's areas of operation. Currently, SMEDA along with sectoral focus offers a range of services to SMEs including over the counter support systems, exclusive business development facilities, training and development and information dissemination through a wide range of publications. SMEDA's activities can now be classified into the three following broad areas:

1. Creating a Conducive Environment; includes collaboration with policy makers to devise facilitating mechanisms for SMEs by removing regulatory impediments across numerous policy areas
2. Cluster/Sector Development; comprises formulation and implementation of projects for SME clusters/sectors in collaboration with industry/trade associations and chambers
3. Enhancing Access to Business Development Services; development and provision of services to meet the business management, strategic and operational requirements of SMEs.

SMEDA has so far successfully formulated strategies for sectors, including fruits and vegetables, marble and granite, gems and jewellery, marine fisheries, leather and footwear, textiles, surgical instruments, transport and dairy. Whereas the task of SME development at a broader scale still requires more coverage and enhanced reach in terms of SMEDA's areas of operation.

Along with the sectoral focus a broad spectrum of services are now being offered to the SMEs by SMEDA, which are driven by factors like enhanced interaction amongst the stakeholders, need based sectoral research, over the counter support

systems, exclusive business development facilities, training and development for SMEs and information dissemination through wide range of publications.

ROLE OF SMEDA LEGAL SERVICES CELL

The Legal Services Cell (LSC) is a part of Business Development Division of SMEDA and plays a key role in providing an overall facilitation and support to SMEs. The LSC provides guidance based on field realities pertaining to SMEs in Pakistan and other parts of the world.

LSC believes that information dissemination among the SMEs on the existing regulatory environment is of paramount importance and it can play a pivotal role in their sustainable development.

In order to facilitate SMEs at the Micro Level LSC has developed user-friendly systems, which provide them detail description of the Laws, and Regulations including the process and steps required for compliance.

The purpose of this document is to provide information to the SMEs pertaining to the registration procedure and other legal requirements for Private Schools / Institutions in the Province of Sind. Entrepreneurs interested in enhancing their understanding about the procedures and rights can also use the document. For convenience of the readers, sample of various forms, instructions how to fill up the forms and important addresses are included in this document.

DISCLAIMER

Information in this document is provided only for general information purpose and on an "as is" basis without any warranties of any kind. Use of this information is at the user's sole risk. SMEDA assume no responsibility for the accuracy or completeness of this information and shall not be liable for any damages arising from its uses."

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1. Relevant Law

The Sindh Private Educational Institutions (Regulations and Control) Ordinance, 2001 (hereinafter referred as “the Ordinance”) and The Sindh Private Educational Institutions (Regulation and Control) Rules, 2002 (hereinafter referred as “the rules”) are the laws which deal with the registration and control of the private educational institutions in the Sindh Province. The said Ordinance and Rules apply to all educational institutions in the Sindh region.

2. Meaning of Institution

“Institution” means a private managed university, college, school, technical, professional, vocational or commercial institution imparting any type of education by any system of education or medium of instruction

3. Registering Authority

Registering Authority means in the case of schools, the director of School Education of the region; or in the case of technical education or vocational education, the Director of Technical Education, Sindh, or in any other case, any person or authority appointed as such by Government.

4. Registration Procedure

Under the said Ordinance, all privately managed institutions have to get themselves registered with the Registering Authority. Every institution or its branch running under the same management or name at different premises shall be registered separately. The following procedure shall be followed for registration:

1. An institute has to submit the application on form 'A' (attached herewith), to the registering authority accompanied by documents mentioned therein and the fee mentioned in the schedule.

Note:

No registration fee shall be charged from institutions located in rural or urban slum areas being run on a non-profit basis.

2. Upon receiving of application for registration, the registering authority shall constitute an Inspecting Committee and forward this application to this inspecting committee for its recommendations. The Inspection Committee shall submit its recommendations to the Registering Authority within thirty days of the receipt of application.

3. The certificate of registration will be granted in Form “B” (attached herewith), after consideration of the report of the inspecting committee and after making such further enquiry as it considers necessary, for a period of five years, which may be renewed on the payment of fees.

4. The registering authority may also reject the application. In such a case registering authority shall record reasons for rejecting the application. Provided that no order of refusal shall be made without giving the person concerned an opportunity of being heard.

5. Terms and Requirements

After registration the following are the terms/requirements which have to be followed by institution:

- a) No donation from a student, voluntary or otherwise, for development projects of an institution shall be permissible;
- b) The fee structure of an institution shall not be interfered with by the Registering Authority but fee shall not be increased during the course of an Academic year.
- c) The facilities allowed to a student at the time of admission shall not be subsequently withdrawn or reduced.
- d) The institution is also required to furnish to the registering authority the audit report and a report on the working curricular activities of the institution each year.
- e) An institution shall be subject to monitoring by the Registering Authority and for the purpose the Registering Authority or any person authorized by it may enter and inspect any institution with a view to see that such institution is maintained in accordance with the provisions of this Ordinance, rules and the terms and conditions of the certificate of registration, and the management of the institution shall afford all facilities for carrying out a proper inspection.
- f) The pay scales of the Teaching staff and non-teaching staff, allowances, leave facilities and other benefits shall be at least commensurate with the pay and allowances admissible to

such staff in a Government Institution and the deviation, if any, shall be subject to approval of the Registering Authority.

- g) An institution shall allow concessions to deserving students and award scholarships to the students having meritorious record; provided that at least 10% of the total strength of students in the institution is granted full freship.

6. Renewal of Registration

The Annual Registration or renewal of registration fee of an Educational Institution shall be equal to one month tuition fee charged by the institution at its highest tier class. The fee to be deposited with the State Bank of Pakistan / National Bank of Pakistan or the District Treasury under the “head 1251-Education Miscellaneous Receipts” and the receipted copy of the challan shall be attached to the application.

7. Cancellation of Registration

Where the Registering Authority, on receipt of a complaint or otherwise, after making such enquiry or inspection as deemed fit, is satisfied that there is a contravention of any of the provisions of the Ordinance or Rules or Term or Condition of the certificate of registration or any order passed or instruction issued by the Registering Authority, it may, after giving an opportunity to the person concerned of being heard, suspend or cancel the certificate of registration.

Provided that where the default as mentioned above is capable of being remedied no order of cancellation or suspension of certificate of registration shall be made unless an opportunity is provided to the person concerned to rectify such default within the specified period.

Where the Registering Authority rejects an application for registration or suspends or cancels the certificate of registration the aggrieved person may, within thirty days from the date of the order of the Registering Authority, prefer an appeal to Government of Sindh and the order passed by Government shall be final and given effect to by the Registering Authority.

8. Address

The following is the address of the Sindh Education Department:

Director Private School
Sindh Education Department
Sindh Secretariat No. 2,
Tughlaq House, Kamal-Atta Turk Road,
Karachi
P.O. Box: 74500
Phone:

To be printed on the letter head of the institution

FORM "A"

APPLICATION FOR REGISTRATION

(See rule 3)

1. *Name of the Educational Institution:* _____

2. *Location of the Institution:* _____

3. *Telephone No:* _____

4. *Fax:* _____

5. *Email:* _____

6. *Postal Address:* _____

7. *Details of Registration (applicable for Renewal of Registration)*

(a) Designation of Registering Authority: _____

(b) Date of issue of Registration Certificate: _____

(c) Period for which the Registration was issued: _____

8. *Date of establishment of the Institution:* _____

9. *Category of the institution (Mention Levels/Classes, use separate sheet if necessary)*

10. *Name of the Body (With brief history)*



11(a). *The Name, Address and Registration Number of the Body Managing the Institution (Enclose Name, Addresses of the Members of the Managing Committee together with copy of Certificate of Registration, the byelaws, Trust Deed etc. of the body.)*

(b). *Whether Commercial/Non Commercial*

12. *Name, address and Educational Qualification of the Members of the Managing Body with Administrator along with details of profession/business since last 10 years.*

13. *Number of Classes, Sections.*

(Attach separate sheet)

14. *Enrolment Class/Section-wise.*

(Attach separate sheet)

15. *Timings of the School:* _____

16. *Class-wise and Teacher-wise Time Table (Enclose copies):* _____

17. *Names, Qualifications, Designation, Pay and Allowances of the teaching and other staff.*

(i) *The Managing Staff:* _____ *(Attach Information Sheet)*

(ii) *The Teaching Staff:* _____ *(Attach Information Sheet)*

(iii) *The Supporting Staff:* _____ *(Attach Information Sheet)*

(Alongwith a copy of appointment letter and Service rules/Agreements concluded).

18. *Names of Teachers who are working in other Institutions simultaneously.*
(Attach Separate Sheet) _____
19. *Number of Teachers employed on Part Time hourly Basis.*
(Attach Separate Sheet) _____
20. *Schedule of Tuition Fees/Admission Fees charged from the students – class/Section-wise.*
(Attach Separate Sheet) _____
21. *Schedule of other Fees/Funds/Deposits charged under different head during the last and the current financial year.*

22. *Income and Expenditure Statement of the Last Financial Year duly audited by the Chartered Accountants (enclose copy)*

- 23(a). *Detail of all (Assets, plot, furniture, labs, libraries etc.)*
(b). *Details & liabilities if any.*
24. *Details of the building of the Institution with a sketch map: (Enclose copy)*
25. *If the building is Owned, the property documents and other details of the Ownership: (Enclose copy)* _____
26. *If the building is Rented, the copy of the rent Agreement and the documentary evidence of the Landlord-ship/Ownership of the Owner entering into Rent Agreement with the Institution: (Enclose copy)* _____
27. *State if the building or a part/portion of it is used for other purposes as well, during/after the working hours of the Institution. If so, submit details alongwith documentary evidences:* _____

28. *Any other information about the Institution that the applicant desires to submit:_____*

29. **DECLARATION:**

We, the undersigned declare that the information provided/enclosed in respect of the above named Educational Institution is correct to the best of our knowledge.

*Secretary of the
Managing Body*

NIC NO:_____

NO:_____

*Administrator/Owner
of the Institution.*

NIC

FORM "B"
(See rule 6)

CERTIFICATE OF REGISTRATION ISSUED UNDER SECTION-6 OF THE
SINDH PRIVATE EDUCATIONAL INSTITUTIONS (REGULATION AND
CONTROL) ORDINANCE, 2001

It is hereby certified that _____

School/College/Institute, Located at _____

And managed by

has been registered under the Sindh Private Educational Institutions (Regulation and Control) Ordinance, 2001, on the following terms and conditions:-

1. The institution shall run in accordance with the Sindh private Educational Institutions (Regulation and Control) Ordinance, 2001 and rules their under.
2. The management of every registered institution shall be responsible to provide:-
 - (a) proper teaching/learning facilities to all students of the institutions;
 - (b) professionally trained and qualified teachers for all the compulsory and optional subjects being taught in the institution;
 - (c) maximum participation of the students in various co-curricular activities organized at school, district, provincial and National Level.
 - (d) all basic amenities to all the students and staff members of the institution without any discrimination whatsoever.

3. The charges/Funds collected by an Institution other than the fee shall be approved by the Registering authority, at the time of registration.
4. The Charges/Funds structure so approved shall retain its proportional value with the fee Structure charge by the institution in the current and preceding Academic Sessions.
5. No discrimination shall be made on basis of Religion, Sex, Sect, Colour, income, Language while admitting the student.
6. The Institution shall observe all the Holidays / Vacations and schedule of examinations approved or announced by the Department of Education, Government of Sindh or its authorized functionaries from time to time through Notification/Circulars.
7. The Institute shall observe the Time Table and duration of studies submitted along with the application of Registration and a change shall be immediately intimated to the Registering Authority for information and approval.
8. The Institution shall not teach or cause to be taught any subject or matter which is repugnant to the generally accepted social, moral and religious values of Islam. Simultaneously, no text book/reference book which is not approved by the Competent Authority established for the purpose shall be taught.
9. No corporal punishment in any form shall be inflicted on students.
10. Every institution shall form parent Teachers Association.
11. No person of foreign origin shall be appointed to any post or admitted to the institute without prior approval of the Government.
12. No institute shall get affiliated or work in collaboration with a foreign institute without approval of the Government.

SIGNATURE OF REGISTERING

AUTHORITY

(STAMP / SEAL)

