

CONFIDENTIAL

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PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON EDUCATION REGARDING THE PUNJAB EDUCATION FOUNDATION (AMENDMENT) BILL 2015 (BILL NO. 4 OF 2016)

The Punjab Education Foundation (Amendment) Bill 2015 (Bill No. 4 of 2016) was referred to the Standing Committee on Education on 1st February 2016. The Committee considered the Bill in its meeting held on 24 February 2016.

2. The following were present:--

| | | |
|----|---|--------------------------|
| 1. | Engineer Qamar-ul-Islam Raja, MPA (PP-5) | Chairman |
| 2. | Mrs Joyce Rofin Julius Parliamentary Secretary for School Education | <i>ex-officio</i> Member |
| 3. | Mr Aamir Inayat Khan Shahani, MPA (PP-50) | Member |
| 4. | Rana Munawar Hussain <i>alias</i> Rana Munawar Ghous Khan, MPA (PP-36) | Member |
| 5. | Chodhary Muhammad Akram, MPA (PP-122) | Member |
| 6. | Mrs Shameela Aslam, MPA (W-312) | Member |
| 7. | Dr Murad Raas, MPA (PP-152) | Member |

3. Mr Abdul Rehman Shah, Additional Secretary (ER), Government of the Punjab, Schools Education Department and Mr Mohsin Abbas Syed, Director, Law and Parliamentary Affairs Department represented their Departments. Mr Faiz-ul-Basit, Additional Secretary (Committees), Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. The Additional Secretary (ER), Government of the Punjab, Schools Education Department apprised the Committee about the aims and objects of the Bill. He said that it was necessary to amend the Punjab Education Foundation Act 2004 (XII of 2004) for the purposes to establish regional offices outside Lahore with the approval of the Board. He requested the Committee that the Bill, as introduced, may be recommended for passage by the Assembly.

5. The Committee after hearing the Members, having view point of the Administrative Department as well as the Law and Parliamentary Affairs Department and discussing various points, unanimously decided to recommend that the Bill may be passed by the Assembly subject to the following amendments:-

AMENDMENTS IN THE BILL

(1) CLAUSE 1

in sub-clause (1), the figures "2015" be substituted by the figures "2016".

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(2) CLAUSE 4

in section 6 of Act XII of 2004 in the proposed subsection (3), the word "Government" be substituted by the word "Board".

6. A copy of the Bill as introduced in the Assembly is at Annexure-A and a copy of the Bill as recommended by the Committee is at Annexure-B.

Lahore
24 February 2016

(ENGINEER QAMAR-UL-ISLAM RAJA)
Chairman
Standing Committee on Education

Lahore
24 February 2016

Mumtaz Hussain
(RAI MUMTAZ HUSSAIN BABAR)
Secretary

ANNEXURE – A

(BILL AS INTRODUCED IN THE ASSEMBLY)
PROVINCIAL ASSEMBLY OF THE PUNJAB
Bill No. 4 of 2016

**THE PUNJAB EDUCATION FOUNDATION (AMENDMENT) BILL
2015**

A
Bill

to amend the Punjab Education Foundation Act 2004.

It is necessary to amend the Punjab Education Foundation Act 2004 (XII of 2004) for the purposes hereinafter appearing.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. **Short title and commencement.**– (1) This Act may be cited as the Punjab Education Foundation (Amendment) Act 2015.
(2) It shall come into force at once.
2. **Amendment in section 3 of Act XII of 2004.**– In the said Act, in section 3, for subsection (3), the following shall be substituted:
“(3) The Foundation shall have its Headquarter at Lahore and may, with the approval of the Board, establish regional offices outside Lahore.”
3. **Amendment in section 5 of Act XII of 2004.**– In the said Act, in section 5:
 - (a) for subsection (2), the following shall be substituted:
“(2) The Board shall consist of fifteen Directors including the Chairperson and Managing Director to be appointed by the Government in the following manner:
 - (a) eight Directors including at least three women from amongst the non-governmental organizations, philanthropists, technocrats, academicians, parliamentarians and public representatives;
 - (b) Secretary to the Government, Finance Department;
 - (c) Secretary to the Government, School Education Department;
 - (d) Secretary to the Government, Literacy and Non-Formal Basic Education Department;
 - (e) Secretary to the Government, Social Welfare and Bait-ul-Maal Department;
 - (f) Secretary to the Government, Planning and Development Department;
 - (g) Vice Chancellor, University of Education, Lahore; and

(h) Managing Director who shall also be the Secretary of the Board.

Explanation.- The members mentioned from (b) to (f) may be represented by their nominees not below the rank of an Additional Secretary.”;

(b) for subsection (3), the following shall be substituted:

“(3) The Board shall elect the Chairperson from amongst the Directors appointed under clause (a) of subsection (2) for a period of three years.”;

(c) subsection (5) shall be omitted;

(d) for subsection (6), the following shall be substituted:

“(6) Six Directors including at least three Directors appointed under clause (a) of subsection (2) shall constitute the quorum for a meeting.”; and

(e) after subsection (10), the following subsection (11) shall be inserted:

“(11) The Board shall establish an effective system for monitoring, supervision and control of the discharge of functions under the Act.”

4. Amendment in section 6 of Act XII of 2004.— In the said Act, in section 6:

(a) in subsection (1), for the word “Board”, the word “Government” shall be substituted; and

(b) after subsection (2), the following subsection (3) shall be inserted:

“(3) The Government shall determine the terms and conditions of service of the Managing Director.”

5. Amendment in section 7 of Act XII of 2004.— In the said Act, for section 7, the following shall be substituted:

“7. Filling in vacancy.— The Government may fill a vacancy of Director, other than an ex-officio Director, by appointing an eligible person for the unexpired period of the term of his predecessor.”

6. Insertion of section 13A in Act XII of 2004.— In the said Act, after section 13, the following section 13A shall be inserted:

“13A. Directions of the Government.— In the performance of its functions, the Foundation shall be bound by and shall give effect to the directions of the Government.”

7. Amendment in section 15 of Act XII of 2004.— In the said Act, in section 15, after the words “against any”, the expression “Director,” shall be inserted.

8. Repeal.— The Punjab Education Foundation (Amendment) Ordinance, 2015 (XXXVI of 2015) is hereby repealed.

MINISTER INCHARGE

Lahore:
1st February 2016

RAI MUMTAZ HUSSAIN BABAR
Secretary

ANNEXURE - B
(BILL AS RECOMMENDED BY THE STANDING
COMMITTEE ON EDUCATION)

A

Bill

to amend the Punjab Education Foundation Act 2004.

It is necessary to amend the Punjab Education Foundation Act 2004 (XII of 2004) for the purposes hereinafter appearing.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. Short title and commencement.— (1) This Act may be cited as the Punjab Education Foundation (Amendment) Act 2016.

(2) It shall come into force at once.

2. Amendment in section 3 of Act XII of 2004.— In the said Act, in section 3, for subsection (3), the following shall be substituted:

"(3) The Foundation shall have its Headquarter at Lahore and may, with the approval of the Board, establish regional offices outside Lahore."

3. Amendment in section 5 of Act XII of 2004.— In the said Act, in section 5:

(a) for subsection (2), the following shall be substituted:

"(2) The Board shall consist of fifteen Directors including the Chairperson and Managing Director to be appointed by the Government in the following manner:

(a) eight Directors including at least three women from amongst the non-governmental organizations, philanthropists, technocrats, academicians, parliamentarians and public representatives;

(b) Secretary to the Government, Finance Department;

(c) Secretary to the Government, School Education Department;

(d) Secretary to the Government, Literacy and Non-Formal Basic Education Department;

(e) Secretary to the Government, Social Welfare and Bait-ul-Maal Department;

(f) Secretary to the Government, Planning and Development Department;

(g) Vice Chancellor, University of Education, Lahore; and

(h) Managing Director who shall also be the Secretary of the Board.

Explanation.- The members mentioned from (b) to (f) may be represented by their nominees not below the rank of an Additional Secretary.”;

- (b) for subsection (3), the following shall be substituted:
“(3) The Board shall elect the Chairperson from amongst the Directors appointed under clause (a) of subsection (2) for a period of three years.”;
- (c) subsection (5) shall be omitted;
- (d) for subsection (6), the following shall be substituted:
“(6) Six Directors including at least three Directors appointed under clause (a) of subsection (2) shall constitute the quorum for a meeting.”; and
- (e) after subsection (10), the following subsection (11) shall be inserted:
“(11) The Board shall establish an effective system for monitoring, supervision and control of the discharge of functions under the Act.”

4. Amendment in section 6 of Act XII of 2004.— In the said Act, in section 6:

- (a) in subsection (1), for the word “Board”, the word “Government” shall be substituted; and
- (b) after subsection (2), the following subsection (3) shall be inserted:
“(3) The Board shall determine the terms and conditions of service of the Managing Director.”

5. Amendment in section 7 of Act XII of 2004.— In the said Act, for section 7, the following shall be substituted:

“7. Filling in vacancy.— The Government may fill a vacancy of Director, other than an ex-officio Director, by appointing an eligible person for the unexpired period of the term of his predecessor.”

6. Insertion of section 13A in Act XII of 2004.— In the said Act, after section 13, the following section 13A shall be inserted:

“13A. Directions of the Government.— In the performance of its functions, the Foundation shall be bound by and shall give effect to the directions of the Government.”

7. Amendment in section 15 of Act XII of 2004.— In the said Act, in section 15, after the words “against any”, the expression “Director,” shall be inserted.

8. Repeal.— The Punjab Education Foundation (Amendment) Ordinance, 2015 (XXXVI of 2015) is hereby repealed.
