

C O N F I D E N T I A L

Not to be released for publication in the press before presentation to the Assembly

PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE SPECIAL COMMITTEE NO.1 REGARDING THE PUNJAB BOARD OF TECHNICAL EDUCATION (AMENDMENT) BILL 2018 (BILL NO. 33 OF 2018)

The Punjab Board of Technical Education (Amendment) Bill 2018 (Bill No.33 of 2018) was referred to the Special Committee No.1 on 12 December 2018. The Committee considered the Bill in its meetings held on 26 December 2018 and 2 January 2019 .

2. The following were present:—

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|-----|---|--------------------------|
| 1. | Raja Yawar Kamal Khan, MPA (PP-25)
(attended on 26 December 2018) | Convener |
| 2. | Mian Muhammad Aslam Iqbal
Minister for Industries, Commerce and Investment
(attended on 26 December 2018) | <i>ex-officio</i> Member |
| 3. | Syed Yawar Abbas Bukhari, MPA (PP-1)
(Acting Convener for 2 nd January 2019) | Member |
| 4. | Mr Sajid Ahmad Khan, MPA (PP-67) | Member |
| 5. | Mr Muhammad Latasub Satti, MPA (PP-6) | Member |
| 6. | Mr Ali Akhtar, MPA (PP-99)
(attended on 26 December 2018) | Member |
| 7. | Mr Muhammad Rizwan, MPA (PP-41) | Member |
| 8. | Mr Muhammad Ashraf Khan Rind , MPA (PP-279) | Member |
| 9. | Mr Muhammad Raza Hussain Bukhari, MPA (PP-274) | Member |
| 10. | Mr Umar Farooq, Special Assistant/MPA (PP-106)
(attended on 2 January 2019) | Member |
| 11. | Mr Muzaffer Ali Sheikh, MPA (PP-70)
(attended on 2 January 2019) | Member |

3. Mr Nadeem-ur-Rehman, Secretary to Government of the Punjab, Industries, Commerce and Investment Department and Mr Mohsin Bukhari, Additional Director, Law and Parliamentary Affairs Department represented their Departments. Mr Inayatullah Lak, Director General (Parliamentary Affairs and Research), Provincial Assembly of the Punjab, functioned as Secretary to the Committee as well as Mr Faiz-ul-Basit, Additional Secretary (Committees) represented the Assembly Secretariat.

4. Since Raja Yawar Kamal Khan, MPA (PP-25) Convener Special Committee No.1 could not attend the meeting of the Committee held on 2 January 2019 due to some other engagements, Syed Yawar Abbas Bukhari, MPA (PP-1) in terms of rule 151(2) of the Rules of Procedure of the Provincial Assembly of the Punjab 1997, was chosen to act as Convener for the sitting.

5. Mr Nadeem-ur-Rehman, Secretary to Government of the Punjab, Industries, Commerce and Investment Department apprised the Committee about the aims and objects of the proposed Bill (Bill No 33 of 2018). He stated that it was necessary to amend the Punjab Board of Technical Education Bill to give effect to the regulatory, administrative and operational autonomy to the Punjab Skills Development Authority. He requested the Committee that the Bill as introduced may be recommended to be passed by the Assembly.

6. 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) **LONG TITLE**

before the word "to", occurring at the beginning, the word "further" be added.

(2) **CLAUSE 1**

in sub-clause (1), the figures "2018" be substituted by the figures "2019".

(3) **CLAUSE 2**

Clause 2 be substituted as under:-

"2. Substitution of section 4 of Ordinance XXXIX of 1962.— In the Punjab Board of Technical Education Ordinance, 1962 (*XXXIX of 1962*), hereinafter referred to as the Ordinance, for section 4, the following shall be substituted:

"4. The Board.— (1) The Board shall consist of the Chairman and not less than seven but not more than eleven members, including at least three female members to be appointed by the Controlling Authority on such terms and conditions as may be prescribed and until so prescribed as the Government may determine.

(2) Subject to section 14 of the Ordinance, the Chairman shall be a person of eminence from technical education and vocational training sector, and the members shall be the eminent persons from industrial, agricultural, services and technical education and vocational training sectors.

(3) Secretary to the Government, Industries, Commerce and Investment Department shall be *ex officio* member of the Board.

(4) Subject to subsection (5), the term of the Chairman and members, other than *ex officio* members, shall be three years and two years respectively but any of them may, subject to satisfactory performance, be appointed for a second term but no one shall be appointed for more than two consecutive terms.

(5) The Chairman and the members, other than *ex officio* members, shall serve during the pleasure of the Government and the Controlling Authority may, at any time, appoint another person as the Chairperson or, as the case may be, the member for the remaining term of the outgoing Chairman or the member.

(6) In case, the office of the Chairman is vacant temporarily or otherwise, by reason of leave, illness, or any other cause for a period not exceeding three months, the Controlling Authority shall make such arrangement for the performance of the duties of the office of the Chairman as it may deem appropriate.

(7) A non-official member may resign by writing under his hand and the Controlling Authority may, in the prescribed manner, appoint an eligible person for the remaining term of such member.

(8) No act or proceedings of the Board shall be invalid merely by reason of any vacancy or defect in the constitution of the Board.”.

(4) **CLAUSE 3**

in the rider clause, the word “for” be substituted by the word “in”.

(5) **CLAUSE 4**

Clause 4 be substituted as under:-

“4. **Amendment in section 19 of Ordinance XXXIX of 1962.**— In the Ordinance, in section 19, in sub-section (1), clauses (e) and (f) shall be omitted.”

7. 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
2 January 2019

(SYED YAWAR ABBAS BUKHARI)
Acting Convener
Special Committee No.1

Lahore
2 January 2019

(MUHAMMAD KHAN BHATTI)
Secretary

ANNEXURE – A

(BILL AS INTRODUCED IN THE ASSEMBLY)

PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 33 of 2018

THE PUNJAB BOARD OF TECHNICAL EDUCATION (AMENDMENT) BILL 2018

A
BILL

to amend the Punjab Board of Technical Education Ordinance, 1962

It is necessary further to amend the Punjab Board of Technical Education Ordinance, 1962 (*XXXIX of 1962*) to give effect to the regulatory, administrative and operational autonomy to the Punjab Skills Development Authority.

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 Board of Technical Education (Amendment) Act 2018.

(2) It shall come into force at once.

2. **Amendment in section 4 of Ordinance XXXIX of 1962.**— In the Punjab Board of Technical Education Ordinance, 1962 (*XXXIX of 1962*), hereinafter referred to as the Ordinance, for section 4, the following shall be substitute:

“4. **The Board.**— (1) The Board shall consist of the Chairman and not less than seven but not more than eleven members, including at least three female members to be appointed by the Chief Minister on such terms and conditions as may be prescribed and until so prescribed as the Government may determine.

(2) The Chairman shall be a person of eminence from technical education and vocational training sector, and the members shall be the eminent persons from industrial, agricultural, services and technical education and vocational training sectors.

(3) Secretary to the Government, Industries, Commerce and Investment Department shall be *ex officio* member of the Board.

(4) Subject to subsection (5), the term of the Chairman and members, other than *ex officio* member, shall be three years but any of them may, subject to satisfactory performance, be appointed for a second term but no one shall be appointed for more than two consecutive terms.

(5) The Chairman and the members, other than *ex officio* members, shall serve during the pleasure of the Government and the Government may, at any time, appoint another person as the Chairperson or, as the case may be, the member for the remaining term of the outgoing Chairman or the member.

(6) In case, the office of the Chairman is vacant temporarily or otherwise, by reason of leave, illness, or any other cause for a period not exceeding three months, the Government shall make such arrangement for the performance of the duties of the office of the Chairman as it may deem appropriate.

(7) A non-official member may resign by writing under his hand and the Government may, in the prescribed manner, appoint an eligible person for the remaining term of such member.

(8) No act or proceedings of the Board shall be invalid merely by reason of any vacancy or defect in the constitution of the Board.

(9) The Chairman or a member shall not, directly or indirectly, receive any sum or profit except such honorarium, fee, allowance or any other expenses incurred in performance of duties under the Ordinance which shall be disbursed to such members in the prescribed manner.”

3. Amendment in section 10 of Ordinance XXXIX of 1962.— In the Ordinance, for section 10:

(a) for subsection (1), the following shall be substituted:

“(1) Subject to the Ordinance, the Board shall have powers to conduct examinations and issue certificates of technical, vocational, industrial and commerce education.”; and

(b) in subsection (2), clause (ii), clause (iii), clause (iv), clause (v), clause (ix) and clause (x) shall be omitted.

4. Amendment in section 19 of Ordinance XXXIX of 1962.— In the Ordinance, in section 19, subsection (e) and subsection (f) shall be omitted.

5. Amendment in section 20 of Ordinance XXXIX of 1962.— In the Ordinance, in section 20, clause (i) shall be omitted.

STATEMENT OF OBJECTS AND REASONS

It is essential to amend the Punjab Board of Technical Education Ordinance, 1962 (XXXIX of 1962) to give effect to the regulatory, administrative and operational autonomy to the Punjab Skills Development Authority. Hence the Bill.

MINISTER INCHARGE

Lahore:
12 December 2018

MUHAMMAD KHAN BHATTI
Secretary

(BILL AS RECOMMENDED BY
THE SPECIAL COMMITTEE NO.1)

A
BILL

further to amend the Punjab Board of Technical Education Ordinance, 1962

It is necessary further to amend the Punjab Board of Technical Education Ordinance, 1962 (XXXIX of 1962) to give effect to the regulatory, administrative and operational autonomy to the Punjab Skills Development Authority.

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 Board of Technical Education (Amendment) Act 2019.

(2) It shall come into force at once.

2. **Substitution of section 4 of Ordinance XXXIX of 1962.**— In the Punjab Board of Technical Education Ordinance, 1962 (XXXIX of 1962), hereinafter referred to as the Ordinance, for section 4, the following shall be substituted:

"4. The Board.— (1) The Board shall consist of the Chairman and not less than seven but not more than eleven members, including at least three female members to be appointed by the Controlling Authority on such terms and conditions as may be prescribed and until so prescribed as the Government may determine.

(2) Subject to section 14 of the Ordinance, the Chairman shall be a person of eminence from technical education and vocational training sector, and the members shall be the eminent persons from industrial, agricultural, services and technical education and vocational training sectors.

(3) Secretary to the Government, Industries, Commerce and Investment Department shall be *ex officio* member of the Board.

(4) Subject to subsection (5), the term of the Chairman and members, other than *ex officio* members, shall be three years and two years respectively but any of them may, subject to satisfactory performance, be appointed for a second term but no one shall be appointed for more than two consecutive terms.

(5) The Chairman and the members, other than *ex officio* members, shall serve during the pleasure of the Government and the Controlling Authority may, at any time, appoint another person as the Chairperson or, as the case may be, the member for the remaining term of the outgoing Chairman or the member.

(6) In case, the office of the Chairman is vacant temporarily or otherwise, by reason of leave, illness, or any other cause for a period not exceeding three months, the Controlling Authority shall make such arrangement for the performance of the duties of the office of the Chairman as it may deem appropriate.

(7) A non-official member may resign by writing under his hand and the Controlling Authority may, in the prescribed manner, appoint an eligible person for the remaining term of such member.

(8) No act or proceedings of the Board shall be invalid merely by reason of any vacancy or defect in the constitution of the Board."

3. Amendment in section 10 of Ordinance XXXIX of 1962.— In the Ordinance, in section 10:

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4. Amendment in section 19 of Ordinance XXXIX of 1962.— In the Ordinance, in section 19, in sub-section (1), clauses (e) and (f) shall be omitted.

5. Amendment in section 20 of Ordinance XXXIX of 1962.— In the Ordinance, in section 20, clause (i) shall be omitted.
