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GOVERNMENT OF THE PUNJAB LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION

10 January 2017

Legis:13-29/2003(P-I): The following Ordinance promulgated by Governor of the Punjab is hereby published for general information:

THE PUNJAB PRIVATE EDUCATIONAL INSTITUTIONS (PROMOTION AND REGULATION) (AMENDMENT) ORDINANCE 2017

(I OF 2017)

AN
ORDINANCE

*to amend the Punjab Private Educational Institutions
(Promotion and Regulation) Ordinance, 1984.*

It is necessary to amend the Punjab Private Educational Institutions (Promotion and Regulation) Ordinance, 1984 (IV of 1984) to allow reasonable increase of fee per annum and, to deal with other purposes.

Provincial Assembly of the Punjab is not in session and Governor of the Punjab is satisfied that circumstances exist which render it necessary to take immediate action.

In exercise of the powers conferred under clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, Governor of the Punjab is pleased to make and promulgate the following Ordinance:

1. Short title and commencement.— (1) This Ordinance may be cited as the Punjab Private Educational Institutions (Promotion and Regulation) (Amendment) Ordinance 2017.

(2) It shall come into force at once.

2. Amendment in section 2 of Ordinance IV of 1984.— In the Punjab Private Educational Institutions (Promotion and Regulation) Ordinance, 1984 (IV of 1984), for brevity cited as the Ordinance, in section 2:

(i) for clause (8), the following shall be substituted:

“(8) “Registering Authority” means an officer or a committee notified by the Government under section 6 of the Ordinance;” and

(ii) for clause (10), the following shall be substituted:

“(10) “school” means:

(a) a school, by whatever name called, preparing students for pre-primary, primary, elementary, high, higher secondary, O-Level, A-Level, General Certificate of Secondary Education, Human Scale Education or any other similar system of education;

(b) any other institution imparting vocational, commercial, technical or other specialized education leading to a certificate recognized by the Government or a Board of Education; or

(c) an institution for Special Persons;”.

3. Amendment in section 3 of Ordinance IV of 1984.— In the Ordinance, in section 3, for subsection (2), the following shall be substituted:

“(2) The Registering Authority shall, within sixty days from the date of filing of an application for registration, decide the application.”

4. Amendment in section 5 of Ordinance IV of 1984.— In the Ordinance, in section 5, the following shall be substituted:

“**5. District Committees.**— The Government shall, by notification, constitute a District Committee in each district consisting of at least five members to perform such functions in relation to schools as may be prescribed.”

5. Amendment in section 6 of Ordinance IV of 1984.— In the Ordinance, in section 6, after subsection (4), the following subsection (5) shall be inserted:

“(5) The Government shall, by notification, constitute one or more Registering Authorities in a district and if more than one Registering Authority is constituted in a district, the Government shall specify the jurisdiction of each Registering Authority.”

6. Amendment in section 7A of Ordinance IV of 1984.— In the said Ordinance, in section 7A:

(a) for subsections (1) and (2), the following shall be substituted:

"(1) Subject to this section, a school charging fee at the rate of four thousand rupees per month or above shall not charge the fee at a rate higher than five percent of the fee charged for the class during the previous academic year but this limitation shall not apply to a school charging monthly fee from a class of students at the rate which is less than four thousand rupees per month inclusive of the increase in the fee.

(2) If there is reasonable justification for increase in the existing fee at a rate higher than five percent under subsection (1), the Incharge may, at least three months before the commencement of the next academic year, apply to the Registering Authority incorporating justification."

(b) for subsection (5), the following shall be substituted:

"(5) The Registering Authority may, after affording an opportunity of hearing to the Incharge and after recording reasons, reject the application for increase in the fee of the school or allow reasonable increase in the fee not exceeding eight per cent of the fee charged for the class during the previous academic year."

(c) subsection (6) shall be omitted; and

(d) for subsection (7), the following shall be substituted:

"(7) The Registering Authority shall, within thirty days from the receipt of the application for increase in the fee, take appropriate decision and inform the applicant of the decision taken."

7. Transition.— (1) Notwithstanding anything contained in this Ordinance, for the academic year 2016-17 and as one time dispensation, if a school charging fee from a class of students at the rate of four thousand rupees per month or above, and intends to apply for more than five per cent increase in the fee charged in the previous academic year, the Incharge may, within sixty days from the commencement of the Ordinance, apply for the proposed increase to the Registering Authority.

(2) The Registering Authority shall decide the application within fifteen days of the receipt of the application under subsection (1).

(MALIK MUHAMMAD RAFIQUE RAJWANA)
GOVERNOR OF THE PUNJAB

Dated: 09 / 01 / 2017

DR SYED ABUL HASSAN NAJMEE
Secretary
Government of the Punjab
Law and Parliamentary Affair Department