

# PROVINCIAL ASSEMBLY OF THE PUNJAB

## BILL NO 26 OF 2014

### THE PUNJAB CURRICULUM AND TEXTBOOK BOARD BILL 2014

#### A Bill

*to provide for the establishment of the Punjab Curriculum and Textbook Board.*

Whereas it is expedient to make arrangements for the formulation and implementation of curricula; development and approval of textbooks, manuscripts and supplementary material; production and publication of textbooks for classes I to XII and supplementary reading material relating to textbooks; production of reference and research material in respect of the problems relating to the schemes of studies and preparation of textbooks and such other conduct of research in the field of curricula, textbooks and other reading material; and, to provide for ancillary matters;

It is enacted as follows:

**1. Short title, extent and commencement.**— (1) This Act may be cited as the Punjab Curriculum and Textbook Board Act 2014.

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

**2. Definitions.**— In this Act:

- (a) “Advisory Council” means the Advisory Council constituted under the Act;
- (b) “agency” means any department or organization or directorate of the Government and includes a corporation or other autonomous or semi-autonomous body set up by the Government;
- (c) “Board” means Punjab Curriculum and Textbook Board established under the Act;
- (d) “Committee” means a committee of the Board;
- (e) “Fund” means Punjab Curriculum and Textbook Board Fund;
- (f) “Government” means Government of the Punjab;
- (g) “institution” means a school or an intermediate college and includes such other educational establishment or organization in public or private sector as the Government may, by notification, declare as an institution;
- (h) “Managing Director” means the Managing Director of the Board;
- (i) “member” means a member of the Board;
- (j) “prescribed” means prescribed by rules or regulations made under the Act;
- (k) “regulations” mean the regulations made under the Act;
- (l) “rules” mean the rules made under the Act;
- (m) “Secretary” means the Secretary of the Board;
- (n) “supplementary material” includes guides, guess papers, get through guides or any other reading material ancillary to a textbook, supports implementation and enhancement of learning given in curricula and which is printed, published or sold by any person or agency with the prior permission of the Board; and
- (o) “textbook” means a book or work developed in accordance with the curricula, and which is printed, published or sold by any person or agency with the prior permission of the Board.

**3. Establishment and incorporation.**— (1) There shall be established a Board to be known as Punjab Curriculum and Textbook Board for carrying out the purposes of this Act.

(2) The Board shall be a body corporate, shall have power to acquire, hold and transfer property, shall have perpetual succession and common seal and shall by the said name sue and be sued.

(3) The organizational set-up of the Board shall, amongst others, consist of the following five job specific wings:

- (a) Curricula Wing;
- (b) Manuscripts Wing;
- (c) Production Wing;
- (d) Administration Wing; and
- (e) Finance Wing.

(4) A Wing of the Board shall be headed by a Director or Secretary who shall be appointed by the Government.

(5) The Board shall consist of the following:

- (a) Chairperson;
- (b) Secretary to the Government, Finance Department or his nominee not below the rank of an Additional Secretary;
- (c) Secretary to the Government, School Education Department or his nominee not below the rank of an Additional Secretary;
- (d) Secretary to the Government, Special Education Department or his nominee not below the rank of an Additional Secretary;
- (e) Secretary to the Government, Higher Education Department or his nominee not below the rank of an Additional Secretary;
- (f) Secretary to the Government, Literacy Department or his nominee not below the rank of an Additional Secretary;
- (g) Secretary to the Government, Planning and Development Department or his nominee not below the rank of an Additional Secretary;
- (h) Chairman, Punjab Examination Commission;
- (i) Chairman, Punjab Education Foundation;
- (j) Programme Director, Directorate of Staff Development;
- (k) Chairman, Board of Intermediate and Secondary Education, Lahore;
- (l) six persons including at least two women, from amongst the academicians, professionals and technocrats, having known and certified expertise relating to curricula and textbooks development;
- (m) three teachers of schools, one from public sector and one from private sector including at least one female teacher; and
- (n) Managing Director.

**4. Appointment and duties of members.**– (1) The Government shall appoint the Chairperson and members other than the *ex officio* members.

(2) The Chairperson or a member other than an *ex officio* member shall:

- (a) hold office for a term of three years unless he resigns or removed from office by the Government before the expiry of his tenure;
- (b) be eligible for re-appointment;
- (c) receive such allowances as the Government may determine; and
- (d) perform such duties and functions as are assigned under the Act, rules and regulations.

(3) A person appointed as Chairperson or member shall divest himself of any other directorship or other interest held by him in any corporation, company or concern which has any dealing with the Board.

(4) No act or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy or any defect in the constitution of the Board.

**5. Managing Director.**– The Government shall appoint the Managing Director who shall be the chief executive officer of the Board.

**6. Disqualification and removal.**— (1) No person shall be or shall continue to be the Chairperson, member or Managing Director who is:

- (a) convicted of any offence involving moral turpitude; or
- (b) adjudicated as an insolvent; or
- (c) declared a lunatic or a person of unsound mind; or
- (d) dismissed from the service of Pakistan.

(2) The Government may, by order in writing, remove the Chairperson, member or Managing Director, if he:

- (a) refuses or fails to discharge or becomes, in the opinion of the Government, incapable of discharging his responsibilities under this Act; or
- (b) has, in the opinion of the Government, abused his position; or
- (c) has knowingly acquired or continued to hold without the permission in writing of the Government, directly or indirectly, or through a partner, any share or interest in any contract or employment with or by or on behalf of the Board or in any land or property which, in his knowledge, is likely to benefit or has benefited as a result of the operations of the Board.

**7. Meetings of the Board.**— (1) The Board shall meet at such time and place and in such manner as may be prescribed.

(2) The Chairperson shall preside over a meeting of the Board and, in his absence, the senior member as specified by the Government shall preside over the meeting.

(3) Seven members shall be present to constitute a quorum at a meeting of the Board.

(4) Each member shall have one vote, but in the event of equal votes, the Chairperson shall have a second or casting vote.

(5) The minutes of every meeting of the Board stating among other things the names of the members present, shall be drawn up and recorded in a book to be kept for the purpose, and shall be signed by the person presiding the meeting, and such book shall be open to inspection with the prior permission of the Chairperson.

(6) All decisions of the Board shall be authenticated under the signatures of the Chairperson and the Managing Director.

**8. Advisory Council.**— (1) The Board shall have an Advisory Council consisting of the following as its members:

- (a) Managing Director and Directors;
- (b) Directors of Public Instructions in the Punjab and the Programme Director of Directorate of Staff Development, Chief Executive Officer of Punjab Examination Commission;
- (c) Chairmen of the Boards of Intermediate and Secondary Education in the Punjab;
- (d) a Vice-Chancellor of a University in the Punjab to be nominated by the Government for a term of three years; and
- (e) three curriculum experts including at least one woman to be nominated by the Government for a term of three years.

(2) Five members present shall constitute the quorum for a meeting of the Advisory Council.

(3) The Advisory Council shall advise the Board in the performance of its functions under this Act.

**9. Powers and functions of the Board.**— (1) The Board may take such measures and exercise such powers as it considers necessary or expedient for carrying out the purposes of this Act.

- (2) Without prejudice to the generality of the foregoing power, the Board may:
  - (a) undertake any work;
  - (b) incur any expenditure;

- (c) procure plant, machinery and material required for its use;
  - (d) acquire by purchase, lease, exchange or otherwise any material or machinery or any interest therein; and
  - (e) enter into and perform all such contracts as it may consider necessary or expedient for purposes of this Act.
- (3) The Board shall prepare and execute schemes pertaining to any of the following matters:
- (a) implementation of the educational policies of the Government in respect of the curricula, textbook manuscripts, development, approval, production and publication of text-books and supplementary material;
  - (b) development, implementation, evaluation and updating of curricula;
  - (c) preparation of schemes of studies, curricula, manuscripts of textbooks and schedules or strategy for its introduction in various classes of an institution;
  - (d) approval of manuscripts of textbooks and supplementary material produced by a person or an agency before they are prescribed in various classes of an institution;
  - (e) arrangement for the production and publication of textbooks and supplementary material relating to the textbooks;
  - (f) laying down specifications to regulate and control production, printing, publication and sale of textbooks and other supplementary material;
  - (g) production of reference and research material relating to the problems of curricula and preparation of textbooks;
  - (h) regulate and control printing, publication and sale of textbooks and supplementary material;
  - (i) control of the policy relating to the distribution of text-books and supplementary material, and the appointment of agencies for that purpose;
  - (j) holding of training courses for the compilers and reviewers of curricula and writers of text-books;
  - (k) holding workshops and seminars for effective use of text-books and supplementary materials;
  - (l) conduct of research in curricula, textbooks and supplementary materials;
  - (m) exhibitions of textbooks and supplementary materials;
  - (n) maintenance of a library including mobile library; and
  - (o) implementation of general policy of the Government relating to performance of its functions.
- (4) Every scheme prepared by the Board shall be submitted to the Government with full details as regards its purpose and financial implications and the manner in which it is to be executed.
- (5) The Government may approve, reject or remit the scheme to the Board with its recommendations for further consideration.
- (6) In the preparation and execution of any scheme, the Board may seek advice from Directorates of Education or Boards of Intermediate and Secondary Education or institutions.

**10. Prohibition.**— (1) No person shall, except with the prior approval of the Board, print, publish, sell or prescribe in an institution any textbook or supplementary material.

(2) An application for approval to print, publish, sell or prescribe in an institution a textbook or supplementary material shall be made in such manner and form and on the payment of such fee as may be prescribed.

(3) The Board may direct any person to amend, delete or withdraw any portion or the whole of curriculum, textbook or supplementary material.

(4) The Board may prohibit any person or agency from producing, printing, publishing, selling or using in an institution any textbook or supplementary material or any part of it.

(5) The Board shall not approve the printing, publication, selling or prescribing in an institution of any textbook or supplementary material which is or is likely to be detrimental for examination or assessment purposes, or which contains anything repugnant to the injunctions of Islam, or contrary to the integrity, defence or security of Pakistan or any part of Pakistan, public order or morality.

(6) If the Board issues a direction or prohibition under subsections (3) or (4) to a person or an agency, such person or agency shall, within the time specified by the Board, submit an implementation report to the Board.

**11. Exemption.**— The Government may, by notification in the official Gazette, exempt any textbook or supplementary material from the provisions of this Act in public interest after recording detailed reasons for the exemption.

**12. Committees.**— (1) The Board may appoint such administrative, financial, technical and other committees as it may consider necessary.

(2) The constitution, functions and duties of the committees shall be such as may be prescribed.

**13. Technical experts.**— The Board, Advisory Council or a Committee may invite any technical expert or other person possessing specialized knowledge of any subject for assistance in the performance of its functions.

**14. Policy directions of the Government.**— (1) The Government may, in the prescribed manner, issue policy guidelines and directions to the Board.

(2) Subject to this Act, in the performance of its functions, the Board shall implement the education policy of the Government and the guidelines and directions given to it under subsection (1).

(3) The Managing Director shall ensure that the general policy, guidelines and directions received from the Government are faithfully implemented.

**15. Offence and penalty.**— (1) If a person to whom a direction or prohibition has been issued under this Act, fails to carry out the direction or prohibition, he shall be liable to punishment of imprisonment for a term which may extend to two years or fine or both.

(2) Notwithstanding anything contained in any other law and in addition to prosecution of the person under subsection (1), the Board may impose or recommend to the concerned authority any one or more of the following actions against such person:

- (a) initiation of disciplinary action for gross misconduct;
- (b) revocation of license or permit or cancellation of any registration pertaining to printing, publication or sale of any book, newspaper or any other supplementary reading material under any law; and
- (c) disqualify the person for registration or grant of any license or permission under any law relating to printing, publication or sale of any book, newspaper or any other supplementary reading material for a maximum period of five years.

**16. Forfeiture.**— On conviction for an offence under this Act, all copies of the book purporting to be the textbook or supplementary material, in respect of which the offence had been committed, shall stand forfeited to the Board.

**17. Cognizance and trial.**— (1) No court shall take cognizance of an offence punishable under this Act except on a report in writing made by an officer of the Board authorized by the purpose.

(2) An offence under this Act shall be triable by a Magistrate of the first class.

(3) The Magistrate competent to try an offence under this section may try the offence in a summary manner in accordance with the provisions of sections 260 to 265 of the Code of Criminal Procedure, 1898 (V of 1898).

**18. Officers of the Board.**— (1) The following shall be the officers of the Board:

- (a) Managing Director;
- (b) Directors;
- (c) Secretary; and
- (d) such other officers as may be appointed by the Board.

(2) The Board may employ such officers and servants or appoint such whole-time or part-time experts or consultants as it may consider necessary for the performance of its functions.

**19. Delegation of powers.**— (1) Subject to subsection (2), the Board may delegate to a committee, the Managing Director, a Director or any other officer any of its powers, duties and functions, under this Act and subject to such conditions as it may think fit to impose.

(2) The Board shall not delegate the following functions:

- (a) frame, amend or repeal regulations;
- (b) constitute a committee or fill a vacancy in a committee;
- (c) take policy decisions; and
- (d) approve the annual budget, audit accounts and the annual reports.

**20. Employees to be public servants.**—The Managing Director, Directors, officers and servants of the Board shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

**21. Fund.**— (1) There shall be established a Fund to be known as the Punjab Curriculum and Textbook Board Fund which shall be administered and controlled by the Board.

(2) The Fund shall consist of:

- (a) grants from the Government or the Federal Government;
- (b) donations or grants from any person, local, national or international organization or agency; and
- (c) fees, charges, fines or confiscations under this Act; and
- (d) income from any other source.

**22. Budget.**— In the month of April each year, the Managing Director shall submit a statement of the estimated receipts and expenditure in respect of the next financial year for approval of the Board.

**23. Maintenance of accounts.**— (1) The Board shall maintain complete and accurate books of accounts in such manner and in such form as may be prescribed.

(2) The Board shall submit to Government the annual statement of the accounts once a year.

**24. Annual report.**— (1) The Board shall, within three months of the close of a financial year, submit to the Government an annual report.

(2) The report shall consist of:

- (a) the statement of accounts under this Act;
- (b) a comprehensive statement of the work and activities of the Board during the preceding financial year and its future plans; and
- (c) such other matters as may be prescribed or as the Board may consider appropriate.

(3) The Government shall, as soon may be after the receipt the report from the Board, lay the report in Provincial Assembly of the Punjab.

**25. Audit.**— (1) The Auditor General of Pakistan shall annually audit the accounts of the Board.

(2) The Government, in addition to the audit under subsection (1), may cause the accounts of the Board annually audited by a Chartered Accountant or a firm of Chartered Accountants.

**26. Rules.**— The Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

**27. Regulations.**— (1) Subject to this Act and the rules, the Board may, by notification in the official Gazette, make regulations to give effect to the provisions of the Act.

**28. Protection of acts and orders.**— No suit for damages or other legal proceedings shall be instituted against the Government, the Board, Advisory Council, Managing Director, any Director or other employee of the Board in respect of anything done or purported to have been done in good faith in pursuance of this Act, rules or regulations.

**29. Appeal.**— Any person, aggrieved by a direction or order of the Board, may, within thirty days of communication of the direction or order, prefer an appeal to the Government whose decision on such appeal shall be final.

**30. Act to have overriding effect.**— The provisions of this Act shall have overriding effect notwithstanding anything contained in any other law.

**31. Repeal and savings.**— (1) The Punjab Textbook Board Ordinance, 1962 (XLI of 1962), the West Pakistan Publication of Books Regulation and Control Ordinance, 1969 (XV of 1969), the West Pakistan Textbook (Regulation and Control) Ordinance, 1970 (XXVII of 1970) and the Punjab Curriculum Authority Act 2012 (XXXIX of 2012) are hereby repealed.

(2) Notwithstanding the repeal of the laws mentioned in subsection (1), anything done or action taken under the repealed Act, shall have the effect as if the thing is done or action taken under the Act.

(3) The Board shall be successor in interest of the Punjab Textbook Board and the Punjab Curriculum Authority established under the laws repealed under subsection (1), and all assets and liabilities of the Punjab Textbook Board and the Punjab Curriculum Authority and all their employees shall stand transferred to the Board.

**MINISTER INCHARGE**

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Lahore:  
20 October 2014

**RAI MUMTAZ HUSSAIN BABAR**  
Secretary