

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION, PROFESSIONAL TRAINING, NATIONAL HERITAGE AND CULTURE ON THE RIGHT TO FREE AND COMPULSORY EDUCATION (AMENDMENT) BILL, 2021

I, Chairman of the Standing Committee on Federal Education, Professional Training, National Heritage and Culture have the honor to present this report on the Bill to amend the Right to Free and Compulsory Education Act, 2012 (Act XXIV of 2012) [The Right to Free and Compulsory Education (Amendment) Bill, 2021] (Private Member's Bill) referred to the Committee on 14th July, 2020.

2. The Committee comprises the following:-

1.	Mian Najeeb Ud Din Awaisi	Chairman
2.	Mr. Ali Nawaz Awan	Member
3.	Mr. Sadaqat Ali Khan	Member
4.	Ms. Javairia Zafar Aheer	Member
5.	Mr. Umar Aslam Khan	Member
6.	Mr. Muhammad Farooq Azam Malik	Member
7.	Ms. Nafeesa Inayatullah Khan Khattak	Member
8.	Ms. Andleeb Abbas	Member
9.	Ms. Ghazala Saifi	Member
10.	Ms. Asma Qadeer	Member
11.	Ms. Tashfeen Safdar	Member
12.	Mrs. Farukh Khan	Member
13.	Ms. Mehnaz Akber Aziz	Member
14.	Ch. Muhammad Hamid Hameed	Member
15.	Ms. Kiran Imran Dar	Member
16.	Ms. Musarrat Asif Khawaja	Member
17.	Mr. Abid Hussain Bhayo	Member
18.	Ms. Mussarat Rafiq Mahesar	Member
19.	Dr. Shazia Sobia Aslam Soomro	Member
20.	Mr. Asmatullah	Member
21.	Mr. Shafqat Mahmood, Minister for Federal Education, Professional Training, National Heritage and Culture	Ex-officio Member

3. The Committee considered the Bill as introduced in the National Assembly, placed at Annexure-'A', in its meeting held on 11-01-2021 and recommends that the Bill may not be passed by the National Assembly.

Sd/-
(TAHIR HUSSAIN)

Secretary
Islamabad, the 5th March, 2021

Sd/-
(MIAN NAJEEB UD DIN AWAIISI)
Chairman

[AS REPORTED BY THE STANDING COMMITTEE]

A

Bill

to amend the Right to Free and Compulsory Education Act, 2012

Whereas it is expedient to amend the Right to Free and Compulsory Education Act, 2012 (XXIV of 2012), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Right to Free and Compulsory Education (Amendment) Act, 2021.

(2) It shall come into force at once.

2. **Amendment of section 10, Act XXIV of 2012.**- In the Right to Free and Compulsory Education Act, 2012 (XXIV of 2012), hereinafter referred to as the said Act, in section 10, in clause (b), in the Proviso, for the full stop at the end a colon shall be substituted and thereafter the following new proviso shall be added, namely:-

"Provided further that every school established under sub-clause (ii) and (iii) of clause (k) of section 2, shall submit annual report to the Government of all admissions in the school and name of the disadvantaged children admit in the school on the prescribed quota under clause (b).

3. **Amendment of section 13, Act XXIV of 2012.**- In the said Act, for section 13, the following shall be substituted, namely:-

"13. Admission, expulsion and corporal punishment.- (1) Subject to such exceptions as may be prescribed, a school shall admit children at the commencement of every academic year.

(2) Subject to the provisions of sections 3 and 5, a school shall not transfer or expel a child admitted in the school till the completion of the prescribed education until:

(a) arrangement is made for transfer of the child to any other school in the prescribed manner;

(b) the child has been assessed in two consecutive annual examinations as being below the educational standard of the school;

(c) a reasoned judgment has been passed by the disciplinary committee of the school that further retention of the child in such school shall be detrimental to the discipline of the school; or

(d) the child or parent fails to fulfill any prescribed condition including non payment of fee of a private school.

(3) If a child is expelled from a school under sub-section (2), the incharge of the school shall immediately inform the local government and to such officer as the Government may authorize to receive such communication.

(4) The teacher or incharge of a school shall ensure that a child studying in the school is not subjected to corporal punishment or harassment.

(5) A person who contravenes any provision of this section shall be guilty of gross misconduct and shall be liable to disciplinary action under the law or contract of service of such person."

4. **Amendment of section 15, Act XXIV of 2012.**-Inthe said Act, in section 5, after sub-section (4), the following new sub-sections shall be added, namely:-

"(5) class size of every school is forty to fifty children per teacher, however, class size may be increased to sixty to seventy pupils per teacher if there is a teacher aide.

Classroom size and land of the school should be appropriate as per requirements of necessary equipment.

(6) Furniture such as tables, chairs, shelves lockers and cabinets, should be proportionate to children's sizes. Playground apparatus must be installed in the school ground such as jungle gym, sandbox, slide, balance beams and simple obstacles.

(7) Health facilities such as toilet, safe drinking and washing facilities must be adequate and suitable to children's height, size and other special needs. First aid kits must be available. A rest area may be provided for the children. The area should be free from hazards and proper and adequate lighting and ventilation should be provided.

(8) The classroom should have activity areas for the personal care and grooming, house and garden care, communication skills, sensory-perceptual and numeracy skills corner and creative development corner etc.

(9) Space for playground must be provided, otherwise, easy and safe access to the nearest part or open space not more than 200 meters walking distance from the school site may be presented as an alternative. This arrangement must be approved in writing by the authorized representative of the park or open space.

(10) The school site must be used for educational purposes only. It must not serve as the residence of the owner. It should not also be a convertible school," that is during the day it is used as a school and after class hours converted into a residence or used for commercial purposes."

5. **Amendment of section 17, Act XXIV of 2012.**- In the said Act, in section 17, in sub section (2), for the full stop at the end a colon shall be substituted and thereafter the following new proviso shall be added, namely:-

"Provided further that teachers shall participate in the refresher courses designed by the authority so that the teachers keep abreast with the latest in their field and what new teaching methodology do they need to incorporate for the betterment of students. The courses will be subject-specific and will be updated every year."

6. **Insertion of new section 25A, Act XXIV of 2012.**- In the said Act, after section 25, the following new section 25A, shall be inserted, namely:-

"25A. Residuary penalty and liability of corporations.- (1) Unless otherwise provided, if any responsible person contravenes the Act or any order made under this Act, he shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to two hundred thousand rupees or with both.

(2) If the person contravening an order made under this Act or any penal provision of the Act is a Company or other body corporate, every director, manager, secretary or other officer or agent thereof