

**ISLAMABAD CAPITAL TERRITORY COMPULSORY PRIMARY EDUCATION
ORDINANCE, 2002.**

ORDINANCE No. XIV OF 2002

AN

ORDINANCE

to provide for compulsory primary education in the Islamabad Capital Territory

WHEREAS it is expedient to provide for compulsory primary education in the Islamabad Capital Territory and for matters connected therewith or incidental thereto ;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action ;

NOW, THEREFORE. in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999 and the Provisional Constitution Order No. I of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

1. Short title, extent and commencement.—(1) This Ordinance may be called the Islamabad Capital Territory Compulsory Primary Education Ordinance, 2002.

(2) It extends to the whole of Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.—(1) In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) "child" means a child of either sex whose age at the beginning of the school year is not less than five years and not more than ten years;

(b) "Committee" means Union Committee on Education constituted under section 4;

(c) "Government" means the Federal Government ;

(d) "parent" includes a guardian or any other person who has the custody of a child ;

(e) "Primary education" means education pertaining to all or any of the classes I to V in a school ; and

(f) "primary school" means a school in which primary education is imparted.

3. Compulsory Primary Education.—(1) The parent of a child shall, except in the case of a reasonable excuse, cause a child to attend a primary school until the child has completed the primary education course.

(2) The Committee may consider non-attendance of school by child for reasonable excuse where—

(a) it is satisfied that the child is incapable of attending school by reasons of sickness or infirmity ;

(b) the child is receiving, otherwise than in a school, instructions which in its opinion is sufficient ; or

(c) there is no school or literacy Centre within a distance of 1.5 Kilometers according to the nearest route from the residence of the child.

4. Constitution of Authority.—(1) The Government may, by notification in the official Gazette, constitute an Authority to be known as Union Committee on Education consisting of such persons as it may specify, for carrying out the purposes of this Ordinance.

(2) The Committee shall ensure that every child, required to attend a school under this Ordinance, attends a school and for this purpose shall take such steps as it may consider necessary or as may be specified by the Government.

(3) Where the Committee is satisfied that a parent who is required under this Ordinance to cause a child to attend school has failed to do so, the Committee, after giving the parent an opportunity of being heard and after such enquiries as it considers necessary, pass an order directing the parent to cause such child to attend a school from a date which shall be specified in the order.

5. Offences.—(1) Any parent who fails to comply with an order issued under sub-section (3) of section 4 shall, on conviction by a Magistrate, be punishable with fine which may extend to five hundred rupees and with further fine which may extend to twenty rupees for every day after the conviction for which the failure continues.

(2) An employer of such a child who, after receiving due warning from the Committee, continues to employ a child, whether on remuneration or otherwise, required under this Ordinance to attend a school shall, on conviction by a Magistrate, be punishable with fine which may extend to one thousand rupees and with a further fine which may extend to fifty rupees for every day after the conviction for which the non-attendance at a school continues.

6. Cognizance of offences. No court shall take cognizance of any offence punishable under this Ordinance except on a complaint in writing made by the Committee or an officer of the Committee authorized by it in this behalf.

7. Power to make rules. The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.