

Punjab, Punjabi and Learning of Other Languages Act, 2008

(Punjab Act No.25 of 2008)

(Received the assent of the Governor of Punjab on the 10th October, 2008 and first published in the Punjab Government Gazette (Extraordinary), on 22nd October 2008)

An Act to provide for learning of Punjabi as compulsory subject by all students studying in First to Tenth Class and for learning of other languages also, and for the matters connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Punjab in the Fifty-ninth Year of the Republic of India, as follows:

1. Short title and other commencement - (1) This Act may be called the Punjab Learning of Punjabi and Languages Act, 2008.

(2) It shall come into force at once.

2. Definitions - In this Act, unless the context otherwise requires:

(a) "academic year" means the year commencing with effect from the 1st day of April of every year;

(b) "board or institution" means an authority, empowered by law or an order of any Government to award matriculation certificate;

(c) "Competent authority" means the authority, appointed under Section 6 of this Act;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "school" includes any primary school, middle school, high school and senior secondary school, established and maintained by the State Government or a local body or panchayat or society or trust or such other schools, as may be notified by the State Government from time to time;

(f) "section" means a section of this Act;

(g) "society" means a society registered under the Societies Registration Act, 1860 (Central Act No.21 of 1860);

(h) "State Government" means the Government of the State of Punjab; and

(i) "trust" includes any trust registered under the Indian Trusts Act, 1882 (Central Act No.2 of 1882)

3. Teaching of Punjabi as compulsory subject: (1) Punjabi shall be taught as a compulsory subject in all schools from First Class to Tenth Class from the academic year 2009-10.

(2) No board or institution shall award matriculation certificate to any student, unless he has passed the Tenth Class examination in Punjabi subject.

4. Teaching of Hindi as compulsory subject - Hindi shall be taught as a compulsory subject in all schools from Eighth Class from academic year 2009-10.

5. Teaching of English - Notwithstanding anything contained in sections 3 and 4, there shall be no bar in teaching English in any school.

6. Competent authority - (1) The State Government may, by notification in the Official Gazette, appoint any officer of the Department of School Education, not below the rank of the District

Education Officer, to be the competent authority for the purposes of carrying out the provisions of this Act and the rules made there under.

(2) The competent authority shall exercise such powers and perform such functions, as may be prescribed to carry out the provisions of this Act.

7. Power to exempt - The State Government may, subject to such conditions, as it may deem fit by general or special order, to be published in the Official Gazette, exempt any class or category of students from all or any of the provisions of this Act.

8. Penalty - (1) Any school, which contravenes the provisions of this Act or the rules made there under for a month for the first time, shall be liable for a penalty of rupees twenty five thousand:

Provided that if such a school contravenes the provisions of this Act or the rules made there under for a month for the 2nd time, then it shall be liable for a penalty of rupees fifty thousand:

Provided further that if such a school contravenes the provisions of this Act or the rules made there under for a month for the third time and thereafter, then it shall be liable for a penalty of rupees one lac.

(2) If any school continues to make contravention of the provisions of this Act and the rules made there under beyond a period of one year, the State Government may, direct the board or institution, as the case may be, to disaffiliate the school to which such a school is affiliated.

(3) No penalty as provided under sub-section (1) shall be imposed, unless the school concerned is given an opportunity of being heard.

9. Recovery of penalty as arrears of land revenue - The penalty imposed under this Act, shall be recoverable as arrears of land revenue.

10. Protection of action taken in good faith - No suit, prosecution or other legal proceeding shall lie against the State Government, competent authority or any officer or official of the State

Government in respect of anything, which is in good faith done or intended to be done in pursuance of the provisions of this Act or the rules made there under.

11. Over-riding effect - Save as otherwise provided in this Act, the provisions of this Act, or, the rules made there-under, shall have effect, notwithstanding anything inconsistent therewith contained in any other law enacted by the Punjab State Legislature.

12. Power to make rules - (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session, for a total period of ten days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rule, or House agrees, that the rule should not be made, the rule shall thereafter, have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

13. Power to remove difficulties - If any difficulty arises in giving effect to the provisions of this Act. The State Government may, by order, published in the Official Gazette, make such provision, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty.

14. Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.