



RIGHT  
TO EDUCATION  
PAKISTAN



# ▶ THE GREEN BOOK

## EVIDENCE ON IMPLEMENTATION OF RTE ON SELECTED THEMES



Article 25 A:  
“The State shall provide free and compulsory education to all children of age 5-16 years in such a manner as may be determined by law” was finally made a part of the constitution”



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## CHAPTER 1

# BACKGROUND AND INTRODUCTION





## Chapter 1: BACKGROUND AND INTRODUCTION

This Green Book outlines and details the implementation of Right to Education (RTE). This booklet will function as a public resource to raise awareness of all the steps and initiatives taken under the banner of RTE after the passage of Article 25A.

The goal of 25A and its associated Acts is to frame and accelerate implementation of RTE, acknowledging prior and existing work on the ground in the form of federal and provincial government initiatives, civil society initiatives, educational campaigns, public interest litigation, and judicial activism. This booklet will act as a guide on what steps have been taken to implement the Right to Education by these stakeholders at the federal/national and provincial levels.

### How to use this book:

- Navigate to Chapter 1 for an overview of this book, and an introduction to implementation of Article 25A in Pakistan
- Navigate to Chapter 2 to find out about implementation at the Federal Level, including policies, manifestos, budgets and specific initiatives
- Navigate to Chapter 3 for implementation at the provincial level, including policies, manifestos, reports, budgets and specific initiatives
- Navigate to Chapter 4 for a discussion on the steps taken by Civil Society in Pakistan toward Right to Education
- Navigate to Chapter 5 for commentary on Public Interest Litigation, and how the Judiciary has protected Article 25A Right to Education in Pakistan
- Navigate to Chapter 6 for concluding remarks

## 1.1 Chronology of Events Important for RTE Implementation

2010	18th Amendment to the Constitution; Article 25 A
2012	Islamabad- Right to Free and Compulsory Education Act, 2012
2013	The Sindh Right of Children to Free and Compulsory Education Act, 2013
2013	General Elections - PML-N forms Federal Government
2014	The Balochistan Compulsory Education bill, 2014
2014	The Punjab Free and Compulsory Education Act, 2014
2015	UN Sustainable Development Goals 2030; SDG 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
2016	The Right of Free and Compulsory Education Rules, 2016 (Sindh)
2017	The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act, 2017
2018	General Elections; Manifestos - Promises for Education
2018	PTI forms government in Center, Khyber Pakhtunkhwa and Punjab, PPP in Sindh, Balochistan Awami Party in Balochistan
2018	National Education Policy Framework 2018
2019	New Deal - Punjab Education Policy
2019	New Education Sector Plans for the provinces in development

Figure 1: Chronological overview of developments in Education legislation since the 18<sup>th</sup> Amendment



## 1.2 Legislation and Implementation

The 18<sup>th</sup> Amendment to the Constitution of Pakistan was passed in 2010. Under the amendment, Article 25A Right to Education was inserted into the Constitution, and Education was primarily devolved to the provinces.

**Article 25A states:**

*“The State shall provide free and compulsory education to all children of the age five to sixteen years in such manner as may be determined by law.”*

RTE Acts were subsequently introduced in ICT, Sindh, Balochistan, Punjab, and Khyber Pakhtunkhwa from the period 2012-2017, in order to comply with Article 25A. Table 1 gives a summary of the Acts and Rules in this regard.

Table 1: The salient features of Acts and Rules that complement Article 25A

Province/ Area	Status of Legislation	Title of the Act	Components of the bill
<b>Islamabad Capital Territory</b>	Passed by the Parliament on December 19 <sup>th</sup> , 2012 – Rules of business not notified.	<a href="#">Right to Free and Compulsory Education Act, 2012<sup>1</sup></a>	The Act has 29 articles: <ul style="list-style-type: none"> <li>• Definitions</li> <li>• Responsibility of government</li> <li>• Responsibility of teachers</li> <li>• Duty of parents</li> <li>• School Management Councils (SMCs)</li> <li>• Private schools and their roles</li> <li>• Financial responsibility</li> <li>• Standard of schools</li> </ul>
<b>Sindh</b>	Assented by Governor on March 6 <sup>th</sup> , 2013; published as Act on March 11 <sup>th</sup> , 2013.	<a href="#">The Sindh Right of Children to Free And Compulsory Education Act, 2013<sup>2</sup></a>	The Act has 8 chapters and 30 Articles: <ul style="list-style-type: none"> <li>• Titles and Definitions</li> <li>• Rights of the child</li> <li>• Duties of Govt, local authority and parents</li> <li>• Responsibility of private schools</li> <li>• Duties of teachers</li> <li>• Curriculum</li> <li>• Implementation and Monitoring</li> <li>• Prosecution of offences</li> </ul>

<sup>1</sup> [http://asarpakistan.org/document/learning\\_resources/2017/Right-to-Education-Provincial-Legislation/Islamabad-Free-and-compulsory-Education-Act-2012.pdf](http://asarpakistan.org/document/learning_resources/2017/Right-to-Education-Provincial-Legislation/Islamabad-Free-and-compulsory-Education-Act-2012.pdf)

<sup>2</sup> <http://www.pas.gov.pk/uploads/acts/Sindh%20Act%20No.XIV%20of%202013.pdf>

	Rules of Business Finalized in 2016 and Notified by Sindh Education and Literacy Department (SELD) in 2017	<a href="#">Sindh Free and Compulsory Education Act Rules 2016<sup>3</sup></a>	The Rules are elaborated with 13 Parts/Chapters, detailing implementation of each article of the Act. These are inclusive, child and child protection-centered, mindful of 21 <sup>st</sup> century skills, and governance focused from school to provincial level.
<b>Balochistan</b>	Passed by the Provincial Assembly on January 28 <sup>th</sup> , 2014; assented by the Governor Balochistan Feb. 4 <sup>th</sup> , 2014; published as an Act on February 6 <sup>th</sup> , 2014; rules not formed.	<a href="#">The Balochistan Compulsory Education Act 2014<sup>4</sup></a>	The Act has 12 articles: <ul style="list-style-type: none"> <li>• Titles and Definitions.</li> <li>• Formation of Parent School Management Committee (PSMCs)</li> <li>• School Attendance authorities</li> <li>• Provision of education by provincial government</li> <li>• Cognizance of offence</li> <li>• Power of provincial government to make rules</li> <li>• Repeal and saving</li> </ul>
<b>Punjab</b>	Punjab Governor promulgated the Punjab Free and Compulsory Education Ordinance 2014 on May 13, 2014. It is now an Act.	<a href="#">Punjab Free and Compulsory Education Act 2014<sup>5</sup></a>	The Act has 26 Articles and 6 Chapters covering the following. <ul style="list-style-type: none"> <li>• Preliminary</li> <li>• Right to free and compulsory Education</li> <li>• Duties of Teacher, Local authority and parents</li> <li>• Responsibility of teachers and Schools</li> <li>• Right of Protection of Children</li> <li>• Miscellaneous</li> </ul>
<b>Khyber Pakhtunkhwa</b>	Passed in April 2017	<a href="#">The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act 2017<sup>6</sup></a>	<ul style="list-style-type: none"> <li>• The Act has 9 articles covering key areas of:</li> <li>• Short title, extent and commencement</li> <li>• Definitions</li> <li>• Free Compulsory Primary &amp; Secondary education</li> <li>• Reasonable Excuse for Non-Attendance</li> <li>• School Attendance Authority</li> <li>• Offence</li> <li>• Taleem Fund</li> <li>• Power to make rules</li> <li>• Repeal and Savings</li> </ul>
<b>Azad Jammu and Kashmir</b>	N/A	N/A	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>Gilgit Baltistan</b>	N/A	N/A	<ul style="list-style-type: none"> <li>• N/A</li> </ul>

<sup>3</sup> [http://www.sindheducation.gov.pk/Contents/Others/\(G-III\)E&L-F&CER-3-669-16%20NOTIFICATIONS.pdf](http://www.sindheducation.gov.pk/Contents/Others/(G-III)E&L-F&CER-3-669-16%20NOTIFICATIONS.pdf)

<sup>4</sup> <http://emis.gob.pk/Uploads/ACT%20ON%20FREE%20AND%20COMPULSORY%20EDUCATION.pdf>

<sup>5</sup> <http://punjablaws.gov.pk/laws/2580.html>

<sup>6</sup> <http://www.pakp.gov.pk/2013/acts/the-khyber-pakhtunkhwa-free-compulsory-primary-and-secondary-education-act2017/>

### 1.3 Education ministries and departments

The federal, provincial and area governments all have education ministries/departments that are responsible for the implementation of education and 25A in their respective provinces and areas. Their websites can be accessed at the following links. The relevant intuitions are listed below.

- [Ministry of Federal Education and Professional Training](http://www.moent.gov.pk/)<sup>7</sup>
- [Punjab School Education Department](https://www.schools.punjab.gov.pk/)<sup>8</sup>
- [Sindh Education and Literacy Department](http://www.sindheducation.gov.pk/)<sup>9</sup>
- [Balochistan Secondary Education Department](http://balochistan.gov.pk/index.php?option=com_docman&task=cat_view&gid=1565&Itemid=677)<sup>10</sup>
- [KPK Elementary and Secondary Education Department](http://www.kpese.gov.pk/)<sup>11</sup>
- [AJK Directorate of Public Instructions Elementary & Secondary Education](http://www.ajkese.gov.pk/)<sup>12</sup>
- [Gilgit Baltistan Department of Education](http://gbdoe.edu.pk/)<sup>13</sup>

### 1.4 SDG4

The United National Sustainable Development Goals (SDGs) were introduced in 2015. SDG4 is a stand-alone goal for Education:

*“Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”*

It has [7 targets and 3 means of implementation](#)<sup>14</sup>. The SDGs 2030 have been fully endorsed by the Government of Pakistan globally and nationally. The Government of Pakistan is fully committed to provide free primary and secondary quality education to all children, 5 to 16 years of age as well as Early Childhood Care and Education (ECCE), Technical and Vocational Education and Training (TVET) and Tertiary Education progressively.

The SDGs, specifically SDG4, are discussed in more detail in the **Blue Book**.

### 1.5 2018 General Elections: New Governments and Resolves for Education

The 2018 Elections saw a transition from PML-N led governments at the Centre and Punjab to PTI led governments. PTI retained control of the Khyber Pakhtunkhwa government while PPP retained control in Sindh. PTI leads the coalition government in Punjab, and is part of the Balochistan Awami Party (BAP) led

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<sup>7</sup> <http://www.moent.gov.pk/>

<sup>8</sup> <https://www.schools.punjab.gov.pk/>

<sup>9</sup> <http://www.sindheducation.gov.pk/>


<sup>10</sup> [http://balochistan.gov.pk/index.php?option=com\\_docman&task=cat\\_view&gid=1565&Itemid=677](http://balochistan.gov.pk/index.php?option=com_docman&task=cat_view&gid=1565&Itemid=677)

<sup>11</sup> <http://www.kpese.gov.pk/>

<sup>12</sup> <http://www.ajkese.gov.pk/>

<sup>13</sup> <http://gbdoe.edu.pk/>

<sup>14</sup> <https://sustainabledevelopment.un.org/sdg4>

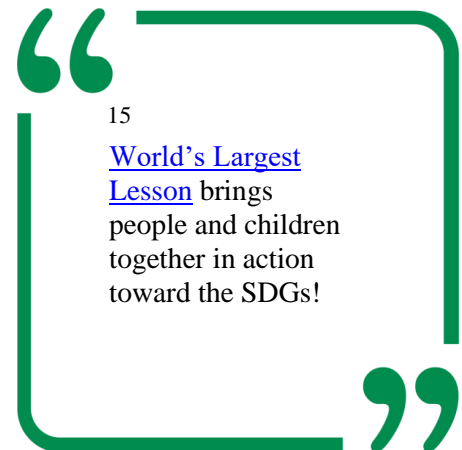


government in Balochistan. The manifestoes and 100-day agendas of these major parties pertaining to education will be discussed in Chapter 2 and Chapter 3 of this book.

## 1.6 The Issues of Implementation and Persistence of the Education Emergency

9 years after the introduction of 25A, there are still 22.8 million out of school children, according to the Academy of Education Planning and Management (AEPAM).

The following chapters will detail the steps undertaken since 2010 to address this serious issue, by Federal and Provincial Governments and Civil Society.



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<sup>15</sup> <http://worldslargestlesson.globalgoals.org/>



## CHAPTER 2

# INITIATIVES AT THE FEDERAL AND NATIONAL LEVEL

## Chapter 2: INITIATIVES AT THE FEDERAL AND NATIONAL LEVEL

### 2.1 ICT - Right to Free and Compulsory Education Act 2012

After being passed by the Senate and National Assembly, the [Right to Free and Compulsory Education Act 2012](#)<sup>16</sup> for Islamabad Capital Territory (ICT) was signed by the President on 19 December 2012. The Act makes all five to sixteen year old children residing in ICT eligible for free and compulsory education by law – implementation of which will be dependent on “Rules of Business” which still need to be agreed upon.

A milestone of previous PMLN led federal government is the draft [National Education Policy](#)<sup>17</sup> formed in 2017. It outlines federal role on education, in line with the 18th amendment and provides guidelines for future action. However, it was not implemented and still remains a draft, as the new Government has identified priorities for education for action which will be referred below in Section 2.5.

“  
18  
**ASER 2010**  
(rural) reflects statistics on school enrolment and out of school children, early years schooling, age class composition, learning levels, parental education, paid tuition, attendance, teacher qualification etc. Read the report [here](#)!”

<sup>16</sup> <http://rtepakistan.org/legislation/islamabad/>

<sup>17</sup> <http://www.moent.gov.pk/userfiles1/file/National%20Educaiton%20Policy%202017.pdf>

<sup>18</sup> [http://asERPakistan.org/document/asER/2018/reports/national/ASER\\_National\\_2018.pdf](http://asERPakistan.org/document/asER/2018/reports/national/ASER_National_2018.pdf)

## 2.2 Budget for Fiscal Year 2018-2019

The Government of Pakistan announced the [budget for fiscal year 2018-19<sup>19</sup>](#) on 27 April 2018. HEC was allocated Rs. 111.23 billion. Education Affairs and Services were allocated Rs. 97.42 billion compared to Rs. 90.818 billion in the previous budget. Tertiary Education Affairs and Services were allocated Rs. 71.824 billion.

The budget allocated to Pre-Primary and Primary Education Affairs was Rs. 10.12 billion compared to Rs. 8.748 billion in the previous budget. Secondary Education was allocated Rs. 12.365 billion compared to Rs. 10.798 billion of the previous budget.

The general elections 2018 was an opportunity for each political party to upgrade its manifesto in all areas including education. Pakistan Tehreek-e-Insaf highlighted education as a priority in their manifesto, discussed as follows.

## 2.3 Pakistan Tehreek-e-Insaf Manifesto 2018 – The Road to Naya Pakistan

*“PTI will put in place the most ambitious education agenda in Pakistan’s history, spanning reform of primary, secondary, tertiary, vocational, and special education.”*

Following the 2018 Elections, Pakistan Tehreek-e-Insaf (PTI) formed the government at the Centre, and in Khyber Pakhtunkhwa and Punjab. The party made a number of promises and commitments regarding the provision of education, which are detailed in their [manifesto<sup>20</sup>](#).

These commitments include: the establishment of minimum standards for all public schools to ensure provision of facilities and a child-friendly learning environment, the upgradation of girls’ schools, and investment in the provincial special education departments and institutions for a more inclusive strategy. Pursuing the promises made in the manifesto, upon coming in to power, the PTI published the 100-Day Agenda Report.

## 2.4 PTI 100-Day Agenda Report

The 100-Day Agendas are an initiative by the PTI for the sake of transparency and accountability. PTI’s [100-Day Agenda<sup>21</sup>](#) and the Prime Minister’s [100 Days Progress Report<sup>22</sup>](#) are both available for public access online. The 100-Day agenda promises to launch PTI’s education blueprint, detailing how access, quality and management of education services will be transformed and depoliticized in the five years of PTI government. This section summarizes some of the goals and accomplishments of the Federal Government per the Agenda and the Progress Report.

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<sup>19</sup> <https://propakistani.pk/2018/04/28/education-budget-for-fiscal-year-2018-19-announced/>

<sup>20</sup> <http://insaf.pk/public/insafpk/content/manifesto>

<sup>21</sup> <http://www.insaf.pk/public/insafpk/news/imran-khan-reveals-100-days-agenda-pti-govt>

<sup>22</sup> <http://pm100days.pmo.gov.pk/downloads/100%20Days%20Progress%20Report.pdf>



Since PTI has been in office, it has aimed to bring all out of school children (OOSC) to schools and provide uniform quality education to each child of Pakistan. Regarding enhancement in enrolment of OOSC and targeting interventions toward the population living below the poverty line, the Federal Government plans to:

- Improve primary school enrolment of children from the poorest of Pakistan's poor families
- Achieve enrolment of 9 million children by 2023
- Implement an additional Rs. 750/- Conditional Cash Transfer per quarter per child (in addition to Rs. 5000/- unconditional cash transfer per quarter to be provided on the basis of 70% compliance)
- Ensure enrolment and retention with the stipend amount
- Expansion in all districts of the country
- Rs. 81 billion to be distributed by 2023

According to the 100 Days Progress Report, a set of actions are being taken at the federal level to achieve the goal of providing quality education:

- National Task Force on Education: The final document emerging from the task force is the [National Education Policy Framework \(NEP\) 2018<sup>23</sup>](#), discussed in [Section 2.5](#)
- Establishment of Islamabad National University (INU) at PM House
- Enrolment of 27,500 Out of School Children (OOSC) in Islamabad Capital Territory
- Establishment of National Curriculum Council (NCC)
- Implementation of Centralized Biometric Attendance System in Public Schools
- Expanding education enrolment programme through Benazir Income Support Program

Further to the 100 Days Report, the Ministry of Federal Education and Professional Training announced the National Education Policy Framework, discussed in [Section 2.5](#) below.

## 2.5 National Education Policy Framework (NEP) 2018

On 27<sup>th</sup> November, 2018 The Government of Pakistan announced the [National Education Policy Framework<sup>24</sup>](#). In an unprecedented move NEP Framework 2018 honors Article 25A of the Constitution. This Framework is a comprehensive document targeting the bottle-necks and requirements of Education provision in the country. The Framework identifies educational challenges, priorities and the way forward for a just and equitable Education system, summarized below.

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<sup>23</sup> [http://asarpakistan.org/document/2018/National\\_Eductaion\\_Policy\\_Framework\\_2018\\_Final.pdf](http://asarpakistan.org/document/2018/National_Eductaion_Policy_Framework_2018_Final.pdf)

<sup>24</sup> [http://asarpakistan.org/document/2018/National\\_Eductaion\\_Policy\\_Framework\\_2018\\_Final.pdf](http://asarpakistan.org/document/2018/National_Eductaion_Policy_Framework_2018_Final.pdf)

### 2.5.1 The Educational Challenges

The challenges highlighted by the Framework are:

- Providing uniform and quality education for all children
- Progress in education indicators has been extremely inadequate over the past decade
- Out of School Children (OOSC); issue even more alarming at middle and high level of education
- Creating uniform education for all children
- Disparity in acquisition of language skills (private schools use English as medium of instruction)
- Non-standardized education services across the various school systems
- Providing quality education to all children across the system
- Skills and Higher Education: Pakistan 125<sup>th</sup> out of 140 Economies on the [Global Competitive Index 2018<sup>25</sup>](#) – low and inequitable access and participation, poor quality and relevance of teaching and research conditions, weak linkages in industry and inadequate sector governance and management.

### 2.5.2 The Education Priorities and Way Forward:

The Framework gives 4 priority areas that the government aims to target:

Priority 1: Decrease OOSC and Increase School Completion

Priority 2: Uniformity in Education Standards

Priority 3: Improve the Quality of Education

Priority 4: Enhance Access to and Relevance of Skills Training

The Framework also highlights many avenues for future action in line with the priorities:

- Recognizing human capital and investing in the citizens of Pakistan
- Education improvements across the country will rely on five important pillars, (1) national cohesion, (2) effective use of information, (3) improved governance and financial efficiency of the education system, (4) innovative use of technology, and (5) active communication campaign to promote equity and quality in education and to sustain strong political will for implementation.
- Federal Ministry of Education will restructure itself around priority areas and implementing all priority policy action in FDE (Federal Directorate of Education) schools.

The Framework provides several ways in which the priority areas are to be dealt with to solve the challenges; these include:

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<sup>25</sup> <http://reports.weforum.org/global-competitiveness-report-2018/>

- Infrastructure – converting primary schools to middle and high schools, double shifts, improving facilities in existing schools and redeploying unused Government buildings as education facilities.
- Removing Financial barriers – Waseela-e-taleem (implemented in KP), girls’ stipends (Punjab for 5 years)
- Taleemi Razakar/Teach for Pakistan – volunteer programs, integration of basic skills programs will non-formal programs
- Improving and creating non-formal programs and use of technology.
- Uniform Education system – curriculum reforms, national teaching and learning standards, multi-lingual policy, English taught as a second language, establish and strengthen regulatory bodies to ensure cohesion and coordination across the school system, strengthening of [Inter Board Committee of Chairman](#)<sup>26</sup>, build capacity of [National Education Assessment System](#)<sup>27</sup>, active campaigns and reforms to raise awareness about the quality of education in public sector schools, and tracking results.
- Quality – improving teacher management, increasing equity in teacher placement, improving learning in early grades, strengthening student assessments, improving the school environment, improving nutrition and health outcomes.
- Skills – common certification framework, regulation and licensing at national level, leverage multi source funding, tapping in to different resources, capacity enhancement, communication campaign to raise a “skills brand”, improve the quality and relevance of the courses offered, strengthening the institutional framework of the sector, improving efficiency and effectiveness of public sector skills, industry led skills councils in key economic sectors, industry engagement enhancement, and national skills information system.

## 2.6 Institutions

A number of institutions are responsible for the provision and implementation of education at the federal and national levels. An overview of these institutions is given in this section.

### 2.6.1 Ministry of Federal Education and Professional Training

As per Constitutional provisions (25-A and Federal Legislative List part-I and II) the [Ministry of Federal Education and Professional Training](#)<sup>28</sup> has to function in the following fields:

- Higher Education and Standards in Higher Education
- Technical Education and Vocational/Professional Training
- Non Formal Basic Education
- Adult Literacy
- Coordination with Provinces/Areas
- Secretariat of Inter Provincial Education Ministers’ Conference (IPEMC)
- National Curriculum Council (NCC)
- National Education Policy (NEP)
- International Cooperation

<sup>26</sup> <http://www.ibcc.edu.pk/>

<sup>27</sup> <http://www.neas.gov.pk/>

<sup>28</sup> <http://www.moent.gov.pk/>

## 2.6.2 National Education Management Information System (NEMIS)

The main purpose of the [NEMIS<sup>29</sup>](#) is to consolidate and collate education statistics, maintain comprehensive national education database, set standards for quality improvement of education data, and provide technical support to the provincial and district EMISs for enhancing their capacity to generate and maintain education data.

### Educational Management Information System (EMIS)

Educational Management Information Systems (EMIS) is a data collection, storage, retrieval, processing and dissemination system specifically designed for use by decision makers and administrators to plan and administer education system more efficiently and effectively.

The purpose of EMIS is to:

- Improve the quality and integrity of data and information
- Systematize the data need identification, data collection, processing, generation, dissemination and evaluation
- Strengthen the capability to manage, plan, and control the flow of information within and outside of the organization
- Provide the mechanism to meet the increasing demand for data and information
- Produce up-to-date data bulletins, status reports, brochures and other statistics needed for management activities/function
- Provide baseline data and information to generate performance indicators as measuring tools in the attainment of educational objectives and policies, and in setting targets for the sector

## 2.6.3 National Education Assessment System (NEAS)

The [National Education Assessment System<sup>30</sup>](#) has been institutionalized in Pakistan at national level with the cooperation of provincial and area Assessment Centers. NEAS is a subordinate Office under Ministry of Federal Education & Professional Training. It carries out national assessments with the overall objective of enhancing quality, equity and access to education, and the vision to promoting quality learning among children of Pakistan.

## 2.6.4 Directorate General of Special Education and Social Welfare

DGSE provides an enabling environment and opportunities through policies, plans, programs and projects that promote social progress, educate and rehabilitate children/persons with disabilities and vulnerable groups of society.

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<sup>29</sup> <http://www.aepam.edu.pk/Index.asp?PageId=2>

<sup>30</sup> <http://www.neas.gov.pk/>

After devolution of Ministry of Social Welfare & Special Education, DGSE became attached department of Capital Administration & Development Division and projects running under defunct M/o SW&SE are working under the administrative control of [DGSE&SW<sup>31</sup>](#). Thereafter, the new Directorate, namely the Directorate General of Special Education and Social Welfare, came into being comprising of the following projects:

- National Special Education Centre for Visually Handicapped Children (VHC), Islamabad
- National Special Education Centre for Physically Handicapped Children (PHC), Islamabad
- National Institute of Special Education, Islamabad
- National Training Centre for Special Persons (NTCSP), Islamabad
- [National Library and Resource Centre, Islamabad<sup>32</sup>](#)
- National Braille Press, Islamabad
- Computerization of National Braille Press, Islamabad
- Vocational Rehabilitation and Employment of Disabled Persons (RU), Islamabad
- Vocational Rehabilitation and Employment of Disabled Persons (Service Centre-I), Islamabad
- National Mobility and Independence Training Centre Islamabad
- National Special Education Centre for MRC, Islamabad
- National Special Education Centre for Hearing Impaired Children (HIC), Islamabad
- Provision of Hostel Facilities at National Special Education Centre (VHC, HIC, and NTCSP), Islamabad

These Special Education Centers are providing the following services:

- Special Education
- Rehabilitation services i.e. physiotherapy, speech therapy, occupational therapy, audiometer, optometry, brail, mobility training, training of teachers/professionals and other social welfare services, counseling & guidance and vocational services
- Sports competitions
- Special students participations in national & international games
- Extra-curriculum activities
- Recreational services
- Walks, seminars and recreational trips
- Free pick and drop services, and hostel facilities


The future plans of the Directorate General of Special Education and Social Welfare include:

- To implement UN Convention on the Rights of Persons with Disabilities
- To conduct survey for persons with disabilities in Islamabad Capital Territory
- To start early detection /intervention centers
- Up-gradation of existing academic facilities
- Introduction of evening OPDs
- To promote sport activities at national level

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<sup>31</sup> <https://cadd.gov.pk/directorate-general-of-special-education-and-social-welfare/>

<sup>32</sup> <http://www.digitallibrary.edu.pk/natlib-res-centre.html>

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- To escalate awareness about disabilities in the public
  - Capacity building of all cadres at national and international level
  - To start the program of publication/newsletter and pamphlets for general public
  - Establishment of a club for old students
  - To boost research and community based rehabilitations
  - To establish mechanisms for selling items prepared by the children
  - To introduce barrier-free accessible buildings, roads and parks

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<sup>33</sup>  
**ASER 2018**  
(rural) collected information on disability from children aged 3 to 16, from rural Punjab, KP and ICT, of over 119,400 children. Read the report [here](http://aserpakistan.org/document/aser/2018/reports/national/ASER_National_2018.pdf)!  
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<sup>33</sup> [http://aserpakistan.org/document/aser/2018/reports/national/ASER\\_National\\_2018.pdf](http://aserpakistan.org/document/aser/2018/reports/national/ASER_National_2018.pdf)



## CHAPTER 3

# INITIATIVES AT THE PROVINCIAL LEVEL



## Chapter 3: INITIATIVES AT THE PROVINCIAL LEVEL

### 3.1 Introduction

After the 18<sup>th</sup> Amendment, Education was devolved to the Provinces and each province was tasked with producing and passing Right to Education legislation, and an Education Sector Plan (a requirement of [Global Partnership for Education](#)<sup>34</sup> (GPE) funding) in order to implement Article 25-A.

This chapter discusses the progress made at provincial levels towards implementation of Article 25A. In this regard, the Provincial Governments have passed Acts and formulated Education Sector Plans. The political parties also published Manifestos prior to the General Elections 2018, highlighting their commitment to Education. The chapter also includes the budget allocations made by Provincial Governments for Education, the institutions responsible for Education policy implementation and initiatives, and the Alif Ailaan reports on Education that outline progress and impediments in RTE implementation.

### 3.2 Sindh

The [Sindh Right of Children to Free and Compulsory Education Act](#)<sup>35</sup> came into force in 2013, with [Rules of Business](#)<sup>36</sup> being made official in 2016. The Pakistan People's Party has been in charge of the provincial government since 2008 and in all likelihood will be till 2023, so there is a continuity of policy and governance in the province. The Sindh Government has undertaken a number of initiatives in order to implement Article 25A and the provincial RTE Act, and they are identified and described in this section.

#### 3.2.1 Sindh Education Sector Plan

[Sindh Education Sector Plan 2014-2018](#)<sup>37</sup> “provides a new vision and an instrument to implement the legal obligation of Article 25A of the 18th amendment that mandates Sindh Province to provide Free and Compulsory Education to all children aged five to sixteen years in Sindh.”<sup>38</sup> The Sector Plan covers the state of education in the province, the policy framework and priorities for the period 2014-2018, governance and accountability, early childhood education, primary and elementary education, secondary and higher secondary education, literacy and non-formal basic education, teacher education and development, curriculum and assessment, education infrastructure development, cross-cutting issues and priority areas (including gender equity and public-private partnership), costing and financing of the Sector Plan, and key risks and risk mitigation measures. The Sindh Education Sector Plan for 2019-2024 is currently under development.

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<sup>34</sup> <https://www.globalpartnership.org/>

<sup>35</sup> <http://www.pas.gov.pk/uploads/acts/Sindh%20Act%20No.XIV%20of%202013.pdf>

<sup>36</sup> [http://www.sindheducation.gov.pk/Contents/Others/\(G-III\)E&L-F&CER-3-669-16%20NOTIFICATIONS.pdf](http://www.sindheducation.gov.pk/Contents/Others/(G-III)E&L-F&CER-3-669-16%20NOTIFICATIONS.pdf)

<sup>37</sup> <http://www.sindheducation.gov.pk/Contents/Menu/Final%20SESP.pdf>

<sup>38</sup> Message from Senior Minister of Education, Government of Sindh

To gauge the situation and progress made on Education between 2013 and 2018, and to provide a background on the performance of Education policy in the province, the Five Years of Education Reform Report by Alif Ailaan should be consulted.

### 3.2.2 Alif Ailaan Education Report for Sindh

Prior to the 2018 General Elections, Alif Ailaan released a report titled “[2013-2018 Five years of education reform: SINDH; Wins, losses and challenges for the future 2018-2023<sup>39</sup>](https://elections.alifailaan.pk/wp-includes/file/SindhEducationReport18.pdf)”. The report details what changes for the better in Sindh and what the key education challenges for the province are in the coming years. The findings of the report are summarized below.

<i>Improvements</i>
<ul style="list-style-type: none"> <li>• Better government schools               <ul style="list-style-type: none"> <li>o School management committees</li> <li>o School specific budgets</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Improved learning outcomes               <ul style="list-style-type: none"> <li>o Merit-based recruitment of teachers</li> <li>o Standardised testing of learning levels</li> <li>o Sindh Education Foundation</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Improved education data and statistics               <ul style="list-style-type: none"> <li>o Biometric verification of teachers</li> <li>o Human resource management information system</li> <li>o Real time monitoring</li> <li>o Management cadre</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Increased and improved funding of education               <ul style="list-style-type: none"> <li>o Adherence to the 20% of budget commitment</li> </ul> </li> </ul>
<b>Key Challenges</b>
<ul style="list-style-type: none"> <li>• No discernible improvement in ratio of middle and high schools to primary schools, leading to high dropout and low retention rates.</li> </ul>
<ul style="list-style-type: none"> <li>• No large increase in enrolment in Sindh</li> </ul>
<ul style="list-style-type: none"> <li>• Slow, but steady and substantial increase in learning outcomes as evidenced by SAT results. Results indicate improvement, but are still worryingly low.</li> </ul>

This Report addressed and informed many of the election manifestos of political parties. The PPP’s Manifesto for General Elections 2018 is discussed below.

<sup>39</sup> <https://elections.alifailaan.pk/wp-includes/file/SindhEducationReport18.pdf>

### 3.2.3 PPP Manifesto

In Education affairs, the PPP Manifesto highlights the need for initiatives that integrate differently-abled people into the society, provide quality and free education for all, improving access for all, fostering 21st century skills and values of critical thinking, compassion and creativity, and improving quality of education. This section describes the plans proposed in the Manifesto about these goals.

In order to provide free and quality Education for all, the PPP commits to the following:

- Increasing the public expenditure on education to 5 % of the GDP by 2025. The education budget allocated in 2015/16 was 2.3 % of the GDP ([Pakistan Economic Survey, 2016/17<sup>40</sup>](#)), which is short of the required commitment of 4 per cent of the GDP
- Ongoing focus on teacher absenteeism and hiring on merit; and around improving financial management systems to improve the efficiency, utilization and targeting of resources to remote, marginalized and under-served areas. We will also ensure that the government's current commitments of providing free school supplies to students are met in a timely fashion
- Ensuring that all provinces develop and implement strong plans for education. The 18th Amendment gave provinces the responsibility of providing education, and there have been varying levels of progress across the country since. Only Sindh and ICT have developed rules for its implementation thus far
- Working with a number of stakeholders to achieve these goals, such as the [Federal Ministry of Education and Professional Training<sup>41</sup>](#) which mobilizes provinces through the Inter-Provincial Education Ministers' Conference


The Manifesto highlights that issues of access and inclusion have to be worked at from the highest policy circles to the classroom unit. PPP plans to take concrete steps to ensure that no child is left behind:

- Geographical inequalities: target education service delivery in districts with the lowest indicators of educational quality
- Girls' education: in order to increase retention of students beyond primary level, particularly that of girls, primary schools will be upgraded to at least lower secondary level; more resources will be allocated for girls' education, and stipends will be awarded to girls to complete secondary school and Higher Secondary School Certificate (HSSC).
- Measurement and evaluation: develop clear indicators to calculate the quality and access of education at the school level, measured separately for marginalized groups; both public and private schools will perform against set benchmarks to attain incentives like performance grants, to ensure they are providing quality education
- Teachers to foster inclusion: At the classroom level, teachers will be trained in strategies and mindsets to focus not just on high performing students, but all students, especially those from marginalized groups; more teachers will be staffed on merit to reduce the teacher-to-student ratio in order to ensure greater focus on each child

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<sup>40</sup> [http://www.finance.gov.pk/survey/chapters\\_17/pakistan\\_es\\_2016\\_17\\_pdf.pdf](http://www.finance.gov.pk/survey/chapters_17/pakistan_es_2016_17_pdf.pdf)

<sup>41</sup> <http://www.moent.gov.pk/>



PPP promises to make sure the education system fosters harmony, and creates compassionate, confident, and creative individuals. PPP will take the following steps to achieve this vision:

- Curriculum reform: They will ensure that principles of excellence, equity, empowerment and accountability; and values of compassion, empathy, civic engagement and critical thinking are promoted through the curriculum.
- Incentivizing innovation in education: They will incentivize the use of innovative methods in education especially in the areas of Early Childhood Education, encouraging the use of technology, and Socioemotional Learning, with international collaborations.
- Cost-effective alternatives for learning: These include distance learning programmes and study centers to act as remedial centers before board and for enrolment in higher education programmes.
- Fostering resilience: For children impacted by natural or man-made disasters and trauma which may hinder their performance at school, PPP will encourage special in-school and afterschool programmes.

The [PPP Manifesto](#)<sup>42</sup> prioritizes a more inclusive society, with emphasis on integration of differently-abled people. In order to ensure access to quality education for differently-abled people, PPP pledges to do the following:

- Review quota allocation for differently-abled people in public sector colleges and universities and update it as per prevailing circumstances
- Provide full fee exemptions to differently-abled people studying in public sector educational institutions
- Introduce legislation/laws to ensure significant fee discounts for differently-abled people studying in private sector educational institutions
- Significantly improve the literacy rate among differently-abled people in the country

Another priority area is to enhance quality of education provision. To ensure that all the youth has access to education of the highest standard, PPP promises to:

- Implement a comprehensive teacher training programme
- Create a separate management and teaching cadre in Education Departments

A Government output that shows its commitment to a matter of public service is the Provincial Budget. Below, we outline the budget allocations made by the Government in Sindh for Education.

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<sup>42</sup> <http://www.pppp.org.pk/manifestos/PPP%20MANIFESTO%202018%20-%20ENGLISH.pdf>

### 3.2.4 Budget Fiscal Year 2018-2019

Rs. 208.23 billion [have been allocated](#)<sup>43</sup> for the education sector in the fiscal year 2018-2019, which is 27% of the entire budget. This marks a 14.67% increase from the previous fiscal year.

The public institutions responsible for governance and implementation of Education policy in Sindh are discussed below.

### 3.2.5 Institutions

- Sindh Education and Literacy Department

The [Sindh Education and Literacy Department](#)<sup>44</sup> was established with the aim of fulfilling the state's responsibility of providing basic education to its people. It aims to increase equitable access to quality ECCE, primary and secondary education, promoting social cohesion and providing greater opportunities for learning, participation and skills to marginalized groups, particularly women. It works to improve the quality of learning outcomes through strengthening the teaching/learning process. It also functions toward improving governance and service delivery by strengthening the performance capacity at all levels. The Department is headed by the Minister of Education and Literacy, Sindh.

- Sindh Education Foundation, Government of Sindh

The [Sindh Education Foundation \(SEF\)](#)<sup>45</sup>, was established under the [Sindh Education Foundation Act, 1992](#)<sup>46</sup> as a semi-autonomous organization with a mandate to support education in the province through multifarious interventions. The Act provides wide ranging powers to the Foundation to support education sector through a large number of instruments and support activities. The Foundation has worked to increase access to quality education for the students across Sindh, including those in the remote and under developed regions of the province.

### 3.2.6 List of various initiatives taken

Per the [Sindh Education and Literacy Department](#)<sup>47</sup>, a number of other initiatives have been or are currently being undertaken which are as follows:

[Biometric Verification](#)<sup>48</sup> - Mapping of all government school teachers and compiling of their information on a central database with the goal to make data-driven decisions in order to regulate teacher recruitment, allocation and attendance, and salary allotment.

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<sup>43</sup> <https://nation.com.pk/11-May-2018/education-health-budget-increased>

<sup>44</sup> <http://www.sindheducation.gov.pk/>

<sup>45</sup> <https://www.sef.org.pk/>

<sup>46</sup> <https://sef.org.pk/wp-content/uploads/2017/12/SEF-ACT-1992-1.pdf>

<sup>47</sup> <http://www.sindheducation.gov.pk/>

<sup>48</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=biometricverification>

[Curricular Reforms](#)<sup>49</sup> - Enhancing quality of learning material by restructuring content and improving publishing standards. New textbooks are being developed in line with the Sindh School Education Standards and Curriculum Act 2015, inculcating modern teaching trends, a focus on student learning outcomes, and 21<sup>st</sup> century skill development.

[Education Management Organisations \(EMO\)](#)<sup>50</sup> - Outsourcing operation and management of eligible public sector schools in Sindh to EMOs from the private sector on a public-private partnership basis.

[Free Textbooks](#)<sup>51</sup> - Providing free textbooks to all students enrolled in public sector schools (Katchi to Grade X). Distribution of free textbooks greatly reduces cost burden of attending school, thereby creating a conducive environment for incremental school enrolment.

[Girls' Stipend](#)<sup>52</sup> - A specific amount of money allotted to girl students from Class VI-X in all government schools to enable them to continue their education.

[School Management Committees \(SMC\)](#)<sup>53</sup> - Revival of the institution of SMCs in order to revive the interest of the community as the quality of students in an area is linked with community participation and accountability mechanisms.

[Standardized Achievement Test](#)<sup>54</sup> (SAT)- Assessing the progress of student learning for grade V and VIII in public schools for the subjects of Languages, Math and Science.

[School Specific Budget](#)<sup>55</sup> - Under this program, all functional primary, middle, elementary, secondary and higher secondary schools falling under the SELD will get related non-salary budgets to run schools in an efficient and smooth manner.

[Sindh Education Management Information System \(SEMIS\)](#)<sup>56</sup> - Gathering information needed to support the activities of Education department including management, planning, and decision-making. This includes an annual school census, geographic information system, and data consolidation.

### 3.3 Balochistan

The Balochistan Compulsory Education Act was passed in 2014. The Act with 12 articles puts the onus of implementation more on communities, parents and Parents Teaches School Management Committees (PTSMCs) than on government and local government at the time, the government in Balochistan was led by PMLN, in a coalition with National Party and Pakhtunkhwa Milli Awami Party (PkMAP). The Rules of the Act have not yet been formed. The governing party has changed to BAP following the General Elections

<sup>49</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=curriculumreforms>

<sup>50</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=curriculumreforms>

<sup>51</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=freetextbooks>

<sup>52</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=GirlsStipendProgram-Overcomingabarriertofemaleeducation>

<sup>53</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=schoolmanagementcommittees>

<sup>54</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=standardizedachievementtest>

<sup>55</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=schoolspecificbudget>

<sup>56</sup> <http://www.sindheducation.gov.pk/pages.jsp?page=SEMIS-TrackingprogressintheEducationLandscape>

2018. This party has not been in power before, therefore, some changes may be anticipated. In this section, we first discuss the Education Sector Plan devised by the previous government, and later outline the BAP Manifesto for 2018.

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57  
**ASER 2018**  
(rural) shows the prevalence of out-of-school children, children in pre-school, private schooling, learning levels etc. in Balochistan. Read the report [here!](http://aserpakistan.org/document/aser/2018/reports/national/ASER_National_2018.pdf)”

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<sup>57</sup> [http://aserpakistan.org/document/aser/2018/reports/national/ASER\\_National\\_2018.pdf](http://aserpakistan.org/document/aser/2018/reports/national/ASER_National_2018.pdf)



### 3.3.1 Balochistan Education Sector Plan 2013 - 2018

[The Balochistan Education Sector Plan 2013 – 2018](#)<sup>58</sup> was developed by the [Policy Planning and Implementation Unit \(PPIU\)](#)<sup>59</sup>, Education Department, Government of Balochistan. The Plan aimed to focus on cross-cutting strategies of coordination, high standards, development of education experts, research culture, information communication technologies and capacity development. The plan was also to develop a high quality curriculum, textbooks, in-service teacher training, pre-service teacher training, assessment mechanisms, a healthy school environment, adult literacy and alternate learning pathways, early learning focus and pre-primary early childhood Education. The issue of access and equity was prioritized and special emphasis was placed on inclusive education and disaster risk reduction. Various issues of governance, financing and data limitations were also discussed.

To study the condition and progress made on Education between 2013 and 2018, and to provide a background on the implementation of Education policy in the province, the Five Years of Education Reform Report by Alif Ailaan should be consulted.

### 3.3.2 Alif Alilaan Education Report for Balochistan

Prior to the 2018 General Elections, Alif Ailaan released a report titled “[2013-2018 Five years of education reform: BALOCHISTAN; Wins, losses and challenges for the future 2018-2023](#)”<sup>60</sup>. The report details what changes for the better in Balochistan and what the key education challenges for the province are in the coming years. The findings of the report are summarized below, and show that even though some improvements have been made, there is still a long way to go.

Improvements
<ul style="list-style-type: none"><li>Marginally better government schools</li></ul>
<ul style="list-style-type: none"><li>Improved learning outcomes<ul style="list-style-type: none"><li>Merit-based recruitment of teachers</li><li>Standardized testing of learning levels</li></ul></li></ul>
<ul style="list-style-type: none"><li>Education data and statistics<ul style="list-style-type: none"><li>Real Time Monitoring System</li></ul></li></ul>
<ul style="list-style-type: none"><li>Increased and improved funding of education</li></ul>
<ul style="list-style-type: none"><li>Devolution of responsibility to<ul style="list-style-type: none"><li>District Education Authorities</li><li>District Education Groups</li><li>Cluster-based Management System</li></ul></li></ul>

<sup>58</sup> <http://emis.gob.pk/Uploads/Balochistan%20Education%20Sector%20Plan.pdf>

<sup>59</sup> <http://emis.gob.pk/website/PPIU.aspx>

<sup>60</sup> <https://elections.alifailaan.pk/wp-includes/file/BalochistanEducationReport18.pdf>

### Key Challenges

- There has been only a slight improvement in the provision of post primary school infrastructure, with government primary schools still accounting for over 80% of the total number of government schools in the province; dramatic drop in the enrolment of children after grade 5.
- The national assessment through [NEAS<sup>61</sup>](#) does point towards a significant lag between teacher-related reforms and what, and how, children are learning in the classrooms.
- The increase in budget allocation has not been matched with an improved ability to spend efficiently, and in service of the targets set out in the BESP; financial management is disorganized.

This Report addressed and informed many of the election manifestos of political parties regarding Education. The BAP's Manifesto for General Elections 2018 is discussed below.

### 3.3.3 BAP Manifesto

The Balochistan Awami Party made various promises for Education in its [Manifesto for Elections 2018<sup>62</sup>](#).

- The BAP promised to increase in the education expenditure of the provincial revenue budget, launch of extensive training and refresher courses for primary and secondary school teachers, initiation of legislation to provide a road map for achieving 100% enrollment up to middle level, decreasing the dropout rate at primary level by providing missing facilities in schools and free text books, offering incentives, especially for girls.
- Maximum facilities for science and skill development will be provided in all parts by upgrading and providing grants for such laboratories in all secondary schools.
- Computer labs shall be established in all the government high schools so that technological awareness is created.
- Education Endowment Funds shall be set up to award merit scholarships to poor and needy students for higher education.
- Vocational and technical education will be promoted, especially in rural areas. Efforts will be made to integrate vocational trainings with mainstream education.
- Public universities will be established in collaboration with the private sector in each district to give access to higher education. A policy will be formulated to encourage greater public-private partnership in expanding the network and improving standards of educational institutions.
- Emphasis shall be put on teacher training by setting up standard facilities in all districts to ensure the availability of sufficient number of local teachers in each district.

<sup>61</sup> <http://www.neas.gov.pk/>

<sup>62</sup> [http://rtepakistan.org/wp-content/uploads/2018/07/Balochistan\\_Awami\\_Party\\_manifesto\\_election\\_2018\\_BAP.pdf](http://rtepakistan.org/wp-content/uploads/2018/07/Balochistan_Awami_Party_manifesto_election_2018_BAP.pdf)

- Establishment of a mechanism in collaboration with the religious scholars and Educationists to improve the *madaris* schooling structure.

A public indicator that shows the Government's commitment to a specific public service is the Provincial Budget. Below, we outline the budget allocations made by the Government in Balochistan for Education.

### 3.3.4 Budget Fiscal Year 2018-2019

Rs. 43.9 billion [have been allocated](#)<sup>63</sup> in non-developmental mode for department schools in the education sector in the fiscal year 2018-2019. This marks an increase of 25% from the previous fiscal year. Rs.83.3 million has been allocated for the provision of new furniture, stationery, scientific instruments, and sports goods to all the schools across the province. A total amount of Rs. 52 million has been allocated to Balochistan Textbook board for the printing and supply of text books.

The public institutions responsible for governance and implementation of Education policy in Balochistan are discussed below.

### 3.3.5 Institutions

- Education Department, Balochistan

The [Education Department](#)<sup>64</sup> is supported by various other departments that facilitate service delivery. These include the Bureau of Curriculum (BOC), the Provincial Institute of Teacher's Education (PITE), the Balochistan Textbook Board (BTBB), the Balochistan Board of Intermediate and Secondary Education (BISE), the Policy, Planning and Implementation Unit (PPIU), the Directorate of Schools, the Directorate of Colleges, the Balochistan Assessment Commission (BEAC), and the Balochistan Education Endowment Fund (BEEF).

- Policy Planning and Implementation Unit

The [Policy, Planning and Implementation Unit](#)<sup>65</sup> (PPIU) comes under the Education Department. Its role is to:

- Lead planning and coordination of education sector initiatives
- Develop policy in coordination with relevant provincial departments
- Develop sector plans and action plans
- Undertake occasional targeted research in support of planning (e.g. understanding the major barriers to access)

<sup>63</sup> <https://www.urdupoint.com/en/pakistan/balochistan-presents-rs-352-billion-budget-f-344259.html>

<sup>64</sup> <http://emis.gob.pk/Default.aspx>

<sup>65</sup> <http://emis.gob.pk/website/PPIU.aspx>

- Monitor performance and implementation
- Further develop the BEMIS system to provide more information on the performance of schools
- Monitor implementation of initiatives regularly
- Commission third party evaluations of impact
- Communicate sector and action plans throughout the system
- Coordinate implementation of key priorities (e.g. textbook improvement)
- Ensure coordination between government agencies, districts, donors, and the provincial leadership

The organization highlights its challenges to be attracting staff and technical assistance of sufficient quality, establishing working practices, preventing high staff turnovers, building a delivery network to link the provincial department to the districts, obtaining strong leadership backing and commitment to the PPIU's role, structuring donor support to encourage sustained leadership commitment, and aligning donors around a focused set of priorities.

### 3.3.6 List of various initiatives taken

According to the [Education Management Information System<sup>66</sup>](#), Government of Balochistan, two main initiatives have been undertaken recently.

[Water, Sanitation and Hygiene \(WASH\) in Public Sector Schools Strategic Plan for Balochistan 2017 – 2022<sup>67</sup>](#) - The strategic plan covers important components of a development plan such as situation analysis, goals, objectives and targets, strategies to achieve the objectives and targets, actions and activities to complete the strategy, and performance evaluation indicators. It also includes possible risks and bottlenecks, cost estimates and output/outcome. The objectives and targets of the strategic plan are creating awareness, shaping a behavior of school children around health and hygiene and providing latrines and adequate access to water by 2022.

*Development of [Education Management Information System \(EMIS\) Policy<sup>68</sup>](#)* - The Education Department, Government of Balochistan, is implementing the Education Management Information System (EMIS) to enhance planning and management of all educational activities. The EMIS policy is a guiding document which streamlines the framework within which the EMIS will collect and disseminate data.

<sup>69</sup> Have you seen the animated series called [Quaid Se Baatain?](#) It's entertaining and educational, perfect for inculcating responsible citizenship in children!

<sup>66</sup> <http://emis.gob.pk/http://emis.gob.pk/>

<sup>67</sup> <http://emis.gob.pk/Uploads/Balochistan%20Strategic%20Plan%20for%20%20%20WinS-Final-16-01-2018.pdf>

<sup>68</sup> <http://emis.gob.pk/Uploads/EMIS%20Policy-Draft%202.pdf>

<sup>69</sup> <https://www.dailymotion.com/video/x48yde8>

## 3.4 Punjab

The previous PMLN led government in Punjab passed the [Punjab Free and Compulsory Education Act in 2014<sup>70</sup>](#). The Rules of the Act have not been formed yet. As a result of the 2018 elections, the governing party has changed to PTI. This may result in some shift in policy. This section first discusses the Education Sector Plan devised by the previous government, and later outlines the progress made by PTI government in this province. PTI's Manifesto has been discussed in [Section 2.3](#), beforehand.

### 3.4.1 Punjab Education Sector Plan 2013 - 2017

The key strategies outlined in [Punjab Education Sector Plan 2013-2017<sup>71</sup>](#) prioritize quality of education, Early Childhood Education (ECE), school language policy, enrolment, and governance and management of Public Education Sector. The Plan aims toward

- A high quality curriculum, textbooks and learning materials, teacher development, examinations and assessments, and school environment
- Institutionalization and expansion of ECCE and awareness and training of educationists
- Developing a policy that ensures a balance between proficiency in the English and Urdu languages and cognitive development
- Increased enrolment by provision of relevant education, cost reduction, community involvement, improved confidence in Education System, effective Non-Formal Education, Disaster Risk Reduction and inclusivity
- Strengthened governance of Public Education Sector by merit-based recruitment, performance appraisal and promotions, retention of quality managers and educationists, improve managerial efficiency and development of expertise, utilization of data, integrated and research-based planning process, improved monitoring and evaluation, coordination mechanism to strengthen reform process, gender sensitized management, public-private partnership, use of ICT, private sector schools, awareness and involvement of key stakeholders

To gauge the current situation and progress made on Education between 2013 and 2018, and to provide a background on the performance of Education policy in the province, the Five Years of Education Reform Report by Alif Ailaan should be consulted.

### 3.4.2 Alif Ailaan Education Report for Punjab

Before the 2018 General Elections, Alif Ailaan released a report titled “[2013-2018 Five years of education reform: PUNJAB; Wins, losses and challenges for the future 2018-2023<sup>72</sup>](#)”. The report details what improvements have been made in Punjab and what the key education challenges for the province are in the

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<sup>70</sup> <http://punjablaws.gov.pk/laws/2580.html>

<sup>71</sup> [http://asarpakistan.org/document/learning\\_resources/2014/Sector\\_Plans/Punjab%20Sector%20Plan%202013-2017.pdf](http://asarpakistan.org/document/learning_resources/2014/Sector_Plans/Punjab%20Sector%20Plan%202013-2017.pdf)

<sup>72</sup> <https://elections.alifailaan.pk/wp-includes/file/PunjabEducationReport18.pdf>

coming years. The findings of the report are summarized below, highlighting the marginal improvements and trends.

Improvements
<ul style="list-style-type: none"> <li>Better government schools               <ul style="list-style-type: none"> <li>Improved school facilities</li> <li>Enrolment and retention</li> <li>Increased student attendance</li> <li>Closing the gender gap</li> <li>Local monitoring: From DMOs to enhanced AEOs</li> <li>The role of the <a href="http://www.pef.edu.pk/">Punjab Education Foundation</a><sup>73</sup> and PPPs</li> <li>Early Childhood Education</li> </ul> </li> <li>Improved learning outcomes               <ul style="list-style-type: none"> <li>Improved teaching</li> <li>Improved content</li> <li>Improved assessments</li> <li>Literacy and Numeracy Drive</li> </ul> </li> <li>Education data and statistics               <ul style="list-style-type: none"> <li>Chief Minister's Stocktake</li> <li>School Census</li> <li>District Rankings</li> <li>Student-level data to improve retention</li> </ul> </li> <li>Increased and improved funding of education</li> <li>Devolution of responsibility to local institutions</li> </ul>
Trends
<ul style="list-style-type: none"> <li>The out of school children crisis (OOSC) in the Punjab may be ending for primary school children, but persists for middle, high, and higher secondary school eligible children; many students drop out as they get older.</li> <li>Budget allocation for Education has increased; while this increase has led to incremental improvements in physical infrastructure, teacher quality, and student enrolment, it is insufficient to address these problems.</li> <li>The gains recorded in learning improvements in recent years remain insufficient, especially at the middle school level; students in grade 4 and 8 scored barely a little higher than the scaled mean score, indicating that children in primary and middle school tiers are not being provided an ideal environment to learn.</li> </ul>

<sup>73</sup> <http://www.pef.edu.pk/>

- There are wide intra-provincial disparities in Punjab in school infrastructure, retention, learning outcomes and gender parity score.

This Report addressed and informed many of the election manifestos of political parties regarding Education. Due to the change in governing party, we now consider the progress made by the PTI in the Education sector, by studying their 100 Days Agenda Report (the PTI Manifesto has already been discussed in [Section 2.3](#)).

### 3.4.3 Ruling Party (PTI) Manifesto and 100 Days Agenda Report

According to the [100 Days of Punjab Government Complete Report](#)<sup>74</sup>, the government has made strides toward transforming school education. The Report says that in the first 100 days since coming into Office in Punjab, The New Deal for School Education (2018-2023) has been formulated. The Deal is a comprehensive 5-year-plan for the transformation of school education. The New Deal frames educational reform within a narrative of justice and transparent governance focused on solutions for education service delivery.

In addition, a number of additional initiatives also gained ground during this period:

- Initiation of the [School Education Department](#)<sup>75</sup> (SED) Integrated Data Management
- [Information System](#)<sup>76</sup> (IMIS) to bring efficiency and transparency to Punjab's educational administration
- Signing of private partnerships with the Government of the Punjab to facilitate the provision of at least 100 libraries and 200 labs, female-friendly toilets, water, sanitation and hygiene (WASH) programmes, water filtration plants, and ECE assistance to meet SDG 4 goals for the province
- Expansion of [Sustainable Transition and Retention in Delivering Education \(STRIDE\)](#)<sup>77</sup> across 20 districts of the Punjab through bicycles and transportation vouchers, especially for girls
- Restoration of school structures in flood-affected areas with assistance from [National Disaster Risk Management Fund](#)<sup>78</sup>.
- Uplift of 2 schools (Central Model High School and Kabutarpora Girls High School) into model schools as benchmarks for future development of schools in Punjab
- The Government has formally unveiled the Punjab government's five-year education policy entitled "[The New Deal 2018-23](#)<sup>79</sup>" to transform school education with a focus on improving, learning, access, retention and equity and governance.

The Report also includes future plans and strategy like legal reforms and empowerment of local institutions and communities.

<sup>74</sup> <https://drive.google.com/file/d/1pw8tZWjUJ8nvx--SL3fKjoDjolVRgC1o/view>

<sup>75</sup> <https://schools.punjab.gov.pk/>

<sup>76</sup> <https://sis.punjab.gov.pk/user/login>

<sup>77</sup> <http://i-saps.org/program/service/1/37>

<sup>78</sup> <https://www.ndrmf.pk/>

<sup>79</sup> <https://www.dawn.com/news/1465295>



The Provincial Budget is a crucial document that shows the Government's commitment to a specific public service. Below, we outline the budget allocations made by the Government in Punjab towards Education.

### 3.4.4 Budget Fiscal Year 2018-2019

The Government of Punjab [has allocated](#)<sup>80</sup> Rs. 373 billion for the education sector in the fiscal year 2018-2019. This marks an increase of Rs. 28 billion from the previous fiscal year.

The public institutions responsible for governance and implementation of Education policy in Punjab are discussed below.

### 3.4.5 Institutions

- Schools Education Department

The [Schools Education Department \(SED\)](#)<sup>81</sup> performs the functions of legislation, policy formulation and planning, maintaining standards of Education, monitoring and evaluation, promotion of quality Education and staff development. These tasks include:

- Legislation, policy formulation and planning of primary education, elementary education, secondary and Higher Secondary education
- Maintenance and formulation of the curricula and syllabi up to class XII, and production and publication of text books for class I to XII
- Maintaining a system for distribution of free textbooks, development schemes, presence of teaching and non-teaching staff, updating online-access information and redressal of public complaints
- Ensuring quality through Punjab education assessment system, student assessment and terminal examination of Grade-V and VIII, elementary education through Punjab Examination Commission, grant of scholarships and production and distribution of educational and scientific films
- Staff development includes pre-service and in-service teachers training, and Continuous Professional Development (CPD)
- Responsible for regulatory policy concerning private sector schools, children libraries and libraries affiliated with [Children Library Complex](#)<sup>82</sup>, promotion of sports in schools, provision of compulsory and free education to all of age 5-16 years, the matters relating to the [Punjab Daanish Schools and Centers of Excellence](#)<sup>83</sup>, to promote quality education through public-private partnership through [Punjab Education Foundation](#)<sup>84</sup>, and the Punjab Teachers' Foundation

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<sup>80</sup> <https://www.thenews.com.pk/print/381911-rs28b-increase-in-overall-education-budget>

<sup>81</sup> <https://schools.punjab.gov.pk/>

<sup>82</sup> <https://clc.punjab.gov.pk/>

<sup>83</sup> <http://daanishschools.edu.pk/centersofexcellence>

<sup>84</sup> <http://www.pef.edu.pk/>

- Budget, accounts and audit matters
- Punjab Education Sector Reforms Programme (PESRP)

The [Punjab Education Sector Reforms Programme \(PESRP\)<sup>85</sup>](#) aims to support School Education Department in achieving its goals of better access, quality and governance in all schools by bridging the implementation gaps through increasing access to high quality data and leading innovative reforms in partnership with donor organizations.

### 3.4.6 List of initiatives taken

Some of the initiatives and progress made by the current government has been highlighted in [Section 3.4.3](#) above.

PTI-led Punjab government is working to bring [3 new education bills<sup>86</sup>](#) to change mechanisms of school education in the province. Salient points of these are given below.

#### *Punjab Educational Professionals Standards Council Bill*

- Targeted at teachers; aims to set standards for the teaching profession at school level
- Objective is to define performance management framework for teachers and educational managers at tehsil, district and province levels
- Teachers transfer policy to also be reviewed

#### *Punjab Private Education Reform Bill*

- Will set a mechanism to regulate private schools
- Unregistered private schools advised to immediately get themselves registered with School Education Department

#### *Punjab School Truancy and Compulsory Admission Bill*

- Objective is to regulate the school system and improve matters pertaining to schooling of students
- Parents would be made liable to sending their children to school under the proposed law

Some other [initiatives<sup>87</sup>](#) of the SED include

- Online field visits of CEOs/DEOs
- Hotline (042-111-11-20-20)
- Detail of relevant Court Cases
- Vacancy Position of Teaching Staff
- Enrolment Campaign - 2018

<sup>85</sup> <http://www.pesrp.edu.pk/home>

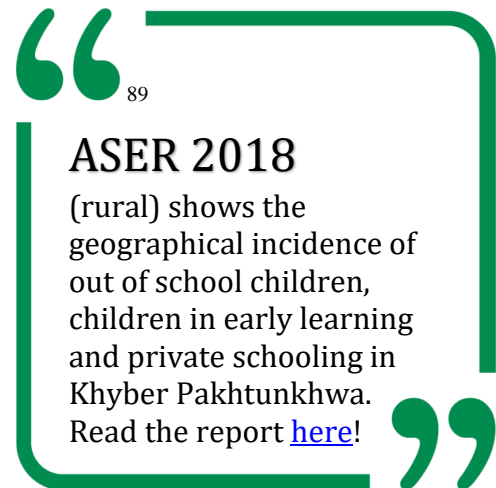
<sup>86</sup> <https://academiamag.com/three-new-education-bills/>

<sup>87</sup> <https://schools.punjab.gov.pk/initiatives>

- Attendance System of BK by PITB (MEAs)
- Brick Kiln Khidmat Card and School Supplies (uniform, socks etc.)
- Real Time Monitoring Information (Public)

### 3.5 Khyber Pakhtunkhwa

[The Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act 2017<sup>88</sup>](#) was passed by the PTI government in its previous tenure. Rules for this Act have not been formulated so far. PTI continues to be the party in power in this province, hence, there may be some consistency in policy and implementation. In this section, we discuss the Education Sector Plan formulated by the PTI government in its previous term, the FATA and Khyber Pakhtunkhwa merger and its implications for Education, the progress made by the PTI on its Manifesto, and the budget allocation for Education for fiscal year 2018-2019. This section also includes the relevant government institutions responsible for Education, their various initiatives, and an overview of the Alif Ailaan Report prior to General Elections 2018.



#### 3.5.1 Khyber Pakhtunkhwa Education Sector Plan

[Education Sector Plan \(ESP\) 2015<sup>90</sup>](#) is a strategic document with five main purposes:

1. To assess the status of Education system, identify barriers to reform, and use these to identify the Elementary and Secondary Education Department's specific priorities.
2. To provide department officials with a roadmap, enabling them to develop detailed, costed work plans annually and focus their efforts on delivering results.
3. To provide development partners with an overview of the Department's programme, to facilitate their own decision making about the future support for the sector.
4. To provide the Government of Khyber Pakhtunkhwa with an indication of how work in education fits into the broader reform agenda, and the support required to achieve its vision.
5. To safeguard continuity of purpose by setting out a clear long-term strategy.

<sup>88</sup> <http://www.pakp.gov.pk/2013/acts/the-khyber-pakhtunkhwa-free-compulsory-primary-and-secondary-education-act2017/>

<sup>89</sup> [http://aserpakistan.org/document/asere/2018/reports/national/ASER\\_National\\_2018.pdf](http://aserpakistan.org/document/asere/2018/reports/national/ASER_National_2018.pdf)

<sup>90</sup> <http://www.kpese.gov.pk/Downloads/esp/Education%20Sector%20Plan%202015.pdf>

The document explicitly acknowledges that providing free, high quality and inclusive education involves a sustained and long-term commitment to reform. ESP 2015 seeks to achieve international education goals in the province by 2030. ESP 2015 builds on the experience of previous sector plans by (1) adopting quality work that has been done, (like situational analysis and a working statistical model for inputs), and (2) analyzing the challenges of the past decade in delivering substantive improvements, and using these lessons to produce a five year plan that will build foundations for transformation of service delivery by 2030.

This process identifies five interdependent barriers to reform, due to which there is lack of substantive progress over the last decade. These barriers are:

1. Weaknesses in data and information management
2. Weaknesses in budgeting and financial management
3. Limited capacity to deliver across the Department
4. Politicization of employees
5. The geography and social fabric of the province

Since the Education Sector Plan, a vital change has occurred in the province, the merger of FATA and Khyber Pakhtunkhwa, which may have deep and long-term effects on the implementation of Article 25A in the area.

### 3.5.2 Merger of FATA and Khyber Pakhtunkhwa – Implications for 25A

Before the merger, [Directorate of Education, FATA<sup>91</sup>](#) had been responsible for overseeing education policy and implementation in the area. In Khyber Pakhtunkhwa, this responsibility has been undertaken by the [Elementary and Secondary Education Department, Government of Khyber Pakhtunkhwa<sup>92</sup>](#) (KPESED). Upon the merger, the Directorate of Education, FATA, is to be merged with the KPESED. This may result in additional responsibilities and governance issues in the KPESED, and the education stakeholders in FATA (students, parents and education providers) may also face multifaceted changes.

To study the condition and progress made on Education between 2013 and 2018, and to provide a background on the implementation of Education policy in the province, the Five Years of Education Reform Report by Alif Ailaan should be consulted.

### 3.5.3 Alif Ailaan Education Report for Khyber Pakhtunkhwa

To provide a background on the progress made in Education sector in Khyber Pakhtunkhwa, before the 2018 General Elections, Alif Ailaan released a report titled “[2013-2018 Five years of education reform: KHYBER PAKHTUNKHWA: Wins, losses and challenges for the future 2018-2023<sup>93</sup>](#)”. The report details what improvements have been made in the province and what the key education challenges for the province are in the coming years. The findings of the report are summarized below, highlighting where improvements have been made and trends.

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<sup>91</sup> <http://fata.gov.pk/Global-fac.php?iId=376&fid=46&pId=325&mId=174>

<sup>92</sup> <http://www.kpese.gov.pk/>

<sup>93</sup> <https://elections.alifailaan.pk/wp-includes/file/KpEducationReport18.pdf>

## Improvements

- Better government schools
  - Improved infrastructure and school facilities
  - Area for play in schools and sports tournaments
  - Inclusion of technology and science initiative in schools
- Improved learning outcomes
  - Improved teaching
  - Boards of Intermediate and Secondary Education
  - Assessments at primary and middle level
- Education data and statistics
  - Independent Monitoring Unit (IMU)
  - School Quality Management Initiative (SQMI)
  - Student level data
  - District Performance Evaluation System (DPES)
- Increased and improved funding
  - School specific budgets

## Key Challenges

- The Education budget has increased from Rs.117.4 billion to Rs. 168 billion, since 2014. This increase has led to incremental improvements in physical infrastructure, teachers' pay scales, and student enrolment, it is still insufficient to fully address these problems confronting the sector.
- In the absence of the complete operationalization of the Private Schools Regulatory Authority, there is no definitive data to assess if the issue of OOSC and imbalance between school tiers is being addressed by the private sector provision; according to the Pakistan Education Statistics 2015-2016, there are 2.5 million children out of school in the province.
- Primary schools outnumber cumulative middle and high schools by a ratio of 4:1. Students are forced to travel further from their homes to access schooling beyond the primary level; a high rate of student attrition after primary schooling remains.
- The gap between the enrolment numbers of girls with that of boys has remained almost constant each year; seamless mechanism is required to expand opportunities for females to remain in the system.
- The scores achieved by children of Khyber Pakhtunkhwa in the tests conducted by NEAS are disappointingly low. Stagnating enrolment rates and low retention at higher tiers of school is linked to both lack of student achievement in class, as well as the wider perception of low quality of schooling. Improving the quality of instruction and raising overall levels of learning is vital.

- To have a sustainable supply of skilled talent, the government needs to undertake reforms to the teacher training centers such as Provincial Institute for Teacher Education (PITE) across the province to make them more effective nurseries of teachers.
- To improve the quality of content taught, contracts should be issued for textbooks on a competitive basis overseen by a technical committee formed by the government. Khyber Pakhtunkhwa government introduced the content of the textbooks in English three years ago. This is a radical change, and it must be found how have teachers coped with such a change, to what extent are they complying in instruction, and how has it affected pupils in learning.
- Large intra-provincial disparities in primary school infrastructure score, middle school infrastructure score, education score and beyond primary readiness score still exist.

As the PTI is now in power in the center as well as in the Province, its progress and efficiency in delivery results must be accessed. This is done by studying the 100 Days Agenda Report.

### 3.5.4 Ruling Party (PTI) Manifesto and 100 Days Agenda Report

The PTI's Manifesto has already been discussed in [Section 2.3](#). The PTI government in Khyber Pakhtunkhwa has released a [100 Days Agenda Report](#)<sup>94</sup> about progress on ambitions set out in the Manifesto.

According to the Report, the government has completed the promise of transforming education. The government committed to launching PTI's education strategy on education transformation and depoliticization. The Report says that in the first 100 days, the most important achievement has been the development of the 2018-2023 Education Blueprint. The blueprint aims to improve the quality and standard of learning in every school in Khyber Pakhtunkhwa. [Table 3](#) shows the plans detailed in the Report toward transforming education in Khyber Pakhtunkhwa.

The government plans to prepare work plans and costing in 2019, and teacher trainings, recruitment and assessments will be introduced/implemented by 2020. Focused literacy and numeracy campaigns will be launched by 2021, implementation and streamlining of FATA- Khyber Pakhtunkhwa merger and local government reforms will also be done by 2021. Kachi classrooms and matric examination will be upgraded by 2023.

<sup>94</sup> <https://drive.google.com/file/d/1PUcnpl8cCxZSHSBRrovBhXOgp4a9tSWq/view>

Table 2: PTI government's plan for transforming education in Khyber Pakhtunkhwa

PRIMARY EDUCATION	SECONDARY EDUCATION	PUBLIC PRIVATE PARTNERSHIPS	EDUCATION MANAGEMENT	CITIZEN OWNERSHIP	MERGE D AREAS	SPECIAL INITIATIVES
Ensure that every child in school in Khyber Pakhtunkhwa demonstrates basic competencies in language and mathematics	Get more girls and boys to go through secondary school	Support the development of a vibrant private sector in the education landscape that complements public sector delivery	Motivate and train teachers and head teachers to lead better schools	Implement school rating programme enabling communities to hold schools accountable	Introduce a special education package for merged areas	Provide special play areas in Khyber Pakhtunkhwa schools
Endeavor to get at least 90% of primary aged children in school	Raise standards of teaching and learning in secondary schools	Expand and improve existing public-private partnerships	Strengthen and empower district education management and deploy improved evidence-based performance management	Launch education hotline to empower parents to take an active role in their child's education		Introduce IT solutions to solve education challenges
Transform pre-primary education for the 800,000 children in Kachi and develop ECE	Reform assessments in line with global best practices		Ensure that every one of our 27,000 schools is a center of learning			Lead a tree plantation campaign in schools

A Government output that shows its commitment to a particular public service is the Provincial Budget. Below, we outline the budget allocations made by the Government in Khyber Pakhtunkhwa for Education.

### 3.5.5 Budget Fiscal Year 2018/2019

This year, the [government intends to spend<sup>95</sup>](https://tribune.com.pk/story/1826589/1-priority-allocation-education-get-27-budget/) a total of Rs167.3 billion on the education sector, up 27.7 % from the Rs131 billion in Fiscal Year 2017-18. Of this Rs146.11 billion will be spent on elementary and secondary education, Rs18.8 billion on higher education and Rs2.42 billion on technical education. This budget allocation is very encouraging, however, it is also important to ensure that finances are used efficiently.

<sup>95</sup> <https://tribune.com.pk/story/1826589/1-priority-allocation-education-get-27-budget/>

The public institutions responsible for governance and implementation of Education policy in Khyber Pakhtunkhwa are discussed below.

### 3.5.6 Institutions

Elementary and Secondary Education Department, Government of Khyber Pakhtunkhwa

[Elementary and Secondary Education Department \(KPESED\)](http://www.kpese.gov.pk/)<sup>96</sup> has the following functions:

- Formulation of policies, strategies and regulations for schools Education and literacy
- Preparation of Annual Developmental Program (ADP) for elementary and secondary Education sector
- Processing of developmental projects.
- Monitoring and review of developmental projects and schemes in coordination with concerned Directorates/PIUs
- Improvement of literacy and quality at primary and secondary education level
- Financial management (recurring/non-recurring budgets) and auditing of the provincial level releases to schools and literacy department including PAC/DAC
- Education Management Information System and Geographic Information System
- Regulation, registration and supervision of private teacher training institutions through BISEs
- Preparation of draft Acts/Ordinances as per need for the approval of provincial assembly/ Chief Executive of the Province
- Attending to the questions/queries of the Provincial/National Assemblies and Senate pertaining to schools and literacy sector in the province
- Dealing with the matters of BISEs and public schools in Khyber Pakhtunkhwa
- Inter District posting/transfers of officers of Provincial cadre (BPS-17 and above) in schools on recommendations of the Directorates of Elementary and Secondary Education Department
- Processing of selection grade, move-over, pension, GP fund final payment and promotion cases for approval of the competent forum at provincial level in accordance with the existing approved policy
- Coordination with the Federal Government and donors
- Inter Provincial admissions in teachers training institutes on reciprocal basis
- Performance evaluation reports of Provincial cadre Officers (ACRs)
- Processing the cases of short and long-term foreign visits/training and award of Scholarships for approval of the competent forum
- Any other task assigned by the government
- Higher Education Department

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<sup>96</sup> <http://www.kpese.gov.pk/>



The [Higher Education Department](#)<sup>97</sup> has the following functions:

- Section Officer (C-I, C-II, C-III) deal with official business and administrative affairs of Professors (BPS-20), Associate Professors (BPS-19), Assistant Professor (BPS-18) and Lecturer (BPS-17) of Government college cadre of Higher Education Department.
- The Department serves as an administrative department of public sector universities, and processes the appointment of vice chancellors
- Takes initiative to established new universities and sub campuses
- Works on the complaints received against the private sector universities
- The Department also deals with cases of autonomous bodies working under the department, including Civil Presidential awards
- Provincial Assembly business
- Notifications and communication of holidays
- Coordination and communication with attached institutions
- Matters related with Accountant General Office
- Works as drawing and disbursement office of the department
- Arrangement of Pre-PAC, PAC, DAC meetings
- Appropriation accounts and finance accounts
- Financial grants to retired employees
- Pension contribution of employee
- Advance Paras of attached departments and public sector universities
- All the matters related to the Supreme Court, High Court and Lower Courts

### 3.5.7 List of various initiatives taken

In this section, we highlight some of the recent public sector initiatives that have taken root in Khyber Pakhtunkhwa.

*[Revamping of Elementary Education Foundation \(EEF\)](#)* - [Elementary Education Foundation](#)<sup>98</sup> is an autonomous government organization working in Khyber Pakhtunkhwa to support the private and non-formal sector in providing quality education in the province.

*[Early Childhood Care and Education \(ECCE\)](#)* – The KPESD has introduced [ECCE](#)<sup>99</sup> in 500 schools in 5 districts; an additional Early Childhood Room has been approved by PDWP and DDWP, and funds have been transferred to districts and Parent Teacher Councils.

*[Stipend for Girl Students](#)* - Aimed at promoting the education of girls at the secondary level, the [stipend programme](#)<sup>100</sup> had been introduced in the province in 2006, but was later halted for various reasons. The

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<sup>97</sup> [http://hed.gkp.pk/?page\\_id=1125](http://hed.gkp.pk/?page_id=1125)

<sup>98</sup> <http://www.eef.org.pk/>

<sup>99</sup> [http://ese.kp.gov.pk/page/earlychildhoodcareandeducationecce/page\\_type/citizen](http://ese.kp.gov.pk/page/earlychildhoodcareandeducationecce/page_type/citizen)

<sup>100</sup> [http://ese.kp.gov.pk/page/stipendforgirlstudents/page\\_type/citizen](http://ese.kp.gov.pk/page/stipendforgirlstudents/page_type/citizen)

PTI government then restarted the programme in 2013-14. Now the amount of stipend has been increased and the programme covers all districts of the province.

*Independent Monitoring Unit (IMU)* - To make policies through an informed decision making process based on reliable and current data, and existing accountability mechanisms have not been sufficient and successful. An independent monitoring system gathering data at the school level can address many of the obstacles and bring greater accountability to education service delivery in the province. This system provides information on a monthly basis throughout the school year to capture data on key indicators. The Unit<sup>101</sup> has been established for monitoring and data collection for all the 28000 schools in Khyber Pakhtunkhwa. Selection of 500 monitoring assistants, training of DMOs and monitoring assistants has been completed. The initiative has been operational from February 2014.

*Tameer-e-School (Adopt a Schools concept)* - The Grievance Redressal System<sup>102</sup> is planned to be implemented gradually through a phase-wise approach and will cover all departments of Khyber Pakhtunkhwa Government. In first phase, the complaints regarding five government departments (Education, Health, Police, Revenue and Local Government) are being redressed using this system. In second phase, the system would be extended to all remaining Government Departments. So far, 646 (76% of total) complaints have been addressed.

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Read about how education is the cornerstone for achieving the other SDGs [here!](#)

”

<sup>101</sup> <http://kpimu.gov.pk/background.php>

<sup>102</sup> <http://kp.gov.pk/page/ecomplaintgrievanceredressalsystem>

<sup>103</sup> <https://educationaboveall.org/uploads/library/file/2a8e15847d.pdf>



## CHAPTER 4

# CIVIL SOCIETY INITIATIVES

## Chapter 4: CIVIL SOCIETY INITIATIVES

While the federal and provincial governments have been slow on ensuring the full implementation of Article 25A Right to Education, this has not precluded individual citizens and members of civil society from taking action to pressurize the governments and to spread awareness to the masses of their rights under this article.

This chapter details some of the civil society campaigns, initiatives and organizations that have been contributing towards implementation of Article 25A all over Pakistan, along with an overview of their activities.

### 4.1 Alif Ailaan

Launched in February 2013, [Alif Ailaan](#)<sup>104</sup> was a 5-year campaign that sought to put education at the front and center of public discourse in Pakistan. The goal was to get every Pakistani child into school, keep them learning and ensure that they receive a quality education. Alif Ailaan's work included political advocacy at all levels of government, outreach to parents and communities through grassroots' activism and civil society partners, engagement with school heads, teachers and education managers, targeted campaigns in print, radio, television and social media, and research and compilation of data to assist decision makers and inform the discourse on education.

Some of the campaigns run by Alif Ailaan are listed below:

- [It's in our hands](#)<sup>105</sup>
- [3 steps to begin the journey](#)<sup>106</sup>
- [Not Free at All](#)<sup>107</sup>
- [Taleemi Budget barhao](#)

### 4.2 Right to Education (RTE)

[RTE](#)<sup>108</sup> is an advocacy campaign for ensuring equal access of every child to quality Education. The RTE campaign stems from the unfortunate status of education in Pakistan depicted by the Annual Status of Education Report (ASER). It functions under the *Citizens Movement for Quality Education (CMQE)*, an initiative of [Idara-e-Taleem o Aagahi \(ITA\)](#)<sup>109</sup>.

This campaign urges the government to implement its duty on providing free and compulsory education to ALL children between the ages of 5-16 years under the constitution. The responsibility is not only to be claimed by the government in the center but also by the provincial governments and legislative bodies as the subject of education has been devolved to provinces, due to the 18<sup>th</sup> Amendment. Additionally, RTE

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<sup>104</sup> <https://www.alifailaan.pk/>

<sup>105</sup> [https://www.alifailaan.pk/it\\_s\\_in\\_our\\_hands](https://www.alifailaan.pk/it_s_in_our_hands)

<sup>106</sup> [https://www.alifailaan.pk/3\\_steps](https://www.alifailaan.pk/3_steps)

<sup>107</sup> <https://www.alifailaan.pk/notfreeatall>

<sup>108</sup> <http://rtepakistan.org/>

<sup>109</sup> <http://www.itacec.org/>

aims to mobilize parents, teachers, students/youth and civil society in this struggle to demand Free and Compulsory Quality Education for ALL children.

Some of the campaigns run by RTE are listed below:

- [Youth Agency and Community Mobilization Social Accountability for Learning & Right to Education](#)<sup>110</sup>
- [#EducationCountdown](#)<sup>111</sup>
- [#UpForSchool – Signature Campaign](#)<sup>112</sup>
- [One Million Signature Campaign](#)<sup>113</sup>

### 4.3 Annual Status of Education Report (ASER)

[ASER](#)<sup>114</sup> is a citizen-led, household-based initiative that aims to provide reliable estimates on the schooling status of children aged 3-16 years residing in all rural and few urban districts of Pakistan. The 2018 report will be released in February 2019, while the reports from preceding years until 2008 can be found [here](#)<sup>115</sup>.

### 4.4 Pakistan Coalition for Education (PCE)

[Pakistan Coalition for Education](#)<sup>116</sup> (PCE) is a network of civil society organizations doing education advocacy across Pakistan since 2005. It consists of members from local Community-Based Organizations (CBOs), Non-Government Organizations (NGOs), Parent-Teacher Associations (PTAs), Civil Society Organizations (CSOs) and Education Reporters' Associations (ERA) in the media, who aim to bring about change in the education system of the country through policy advocacy and civic engagement. PCE works on the implementation of Right to Education, Education governance, girls' Education, public-private partnerships in education and the Sustainable Development Goals.

The PCE organized a campaign called [Vote for Education](#)<sup>117</sup>, developed a draft agenda and celebrated the Global Action Week for Education, 2017.

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<sup>110</sup> <http://rtepakistan.org/youth-agency-and-community-mobilization/>

<sup>111</sup> <http://rtepakistan.org/1490-2/>

<sup>112</sup> <http://rtepakistan.org/upforschool-petitions/>

<sup>113</sup> <http://rtepakistan.org/one-million-signature-campaign/>

<sup>114</sup> <http://asERPakistan.org/index.php>

<sup>115</sup> <http://asERPakistan.org/report>

<sup>116</sup> <https://www.pcepak.org/>

<sup>117</sup> <https://www.pcepak.org/campaigns>

## 4.5 Human Rights Commission of Pakistan (HRCP)

[HRCP](#)<sup>118</sup> works for the ratification and implementation of the [Universal Declaration of Human Rights](#)<sup>119</sup> and of other related Charters, Covenants, Protocols, Resolutions, Recommendations and internationally adopted norms by Pakistan. They monitor human rights violations and seek redress through public campaigns, lobbying and intervention in courts. They have also worked on ensuring the implementation of Right to Education. The [annual reports](#)<sup>120</sup> of the HRCP, called State of Human Rights, cover issues of Rule of Law, enforcement of law, fundamental freedoms, democratic development, and rights of the disadvantaged and social and economic rights.

## 4.6 Special Talent Exchange Program (STEP)

[STEP](#)<sup>121</sup> is a cross disability organization that is committed to mainstreaming disability inclusiveness in development through empowering individuals and organizations of persons with disabilities as well as sensitizing society about the rights-based approach. One of their objectives is to create a bridge between persons with disabilities and the facilities of health, education and livelihood through promoting accessible information. STEP sets out to:

- Advocate for the rights of people with disabilities through awareness campaigns and demonstrations
- Achieve inclusion of disabled persons in overall development processes through lobbying with policy makers in public, private and development sector
- Lobby for empowerment of disabled persons through training and counseling
- Support development of an accessible environment through creating awareness and consultations

## 4.7 Centre for Social Justice (CSJ)

[CSJ](#)<sup>122</sup> is a research and advocacy organization. Their work covers human rights, minorities (including education), and interventions on peacebuilding, hate speech and de-weaponization. They are committed to ensuring Right to Education without discrimination and seek to ensure an equal playing field for all minorities in the field of education in terms of access and quality. Their many collaborative projects include research reports and studies, books, pamphlets and documentaries, in both Urdu and English.

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<sup>118</sup> <http://hrcp-web.org/hrcpweb/>

<sup>119</sup> [http://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)

<sup>120</sup> <http://hrcp-web.org/publication/book-genre/annual-reports/>

<sup>121</sup> <http://www.step.org.pk/about-us>

<sup>122</sup> <http://csjpak.org/>

## 4.8 Ilm Ideas 2

[Ilm Ideas 2](#)<sup>123</sup> is a four-year programme in Pakistan funded by the [DFID](#)<sup>124</sup>. It aims to engage a wide range of players, primarily from the private sector, to develop innovative approaches to improving the supply and demand for quality of education in Pakistan. The programme has three strands:

1. Supporting new businesses (start-ups) that aim to improve quality or access to education and to develop their ideas into a successful businesses
2. Providing grants and advice to organizations or businesses that are already working on education challenges
3. Mobilizing support and interest for education innovation in the private and public sector

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125  
Find out about the  
implementation  
status of RTE in  
countries around  
the world [here](#)!”

<sup>123</sup> <http://www.ilmideas2.pk/>

<sup>124</sup> <https://www.gov.uk/government/organisations/department-for-international-development>

<sup>125</sup> <https://www.right-to-education.org/page/where-find-information>



## CHAPTER 5

# FUNDAMENTAL RIGHTS AND INITIATIVES AT THE JUDICIAL LEVEL



## Chapter 5: FUNDAMENTAL RIGHTS AND INITIATIVES AT THE JUDICIAL LEVEL

The Judiciary in Pakistan, particularly the High Courts and the Supreme Court, have taken a proactive role with regards to Article 25A Right to Education and engaged in significant judicial activism to ensure its implementation. They have heard constitutional petitions, including public interest litigation, on violations of the right. They have issued rulings with wide and progressive interpretations of 25A, going beyond the defined age of 5-16 in the article and dealing with higher/tertiary education and professional case as well. They have formed committees and issued directives to ensure full implementation of the article. The following section features a number of such cases, along with the verdicts issued.

### 5.1 Fundamental Rights in the Constitution of Pakistan

The Constitution of Pakistan provides a set of [Fundamental Rights](#)<sup>126</sup> that are enjoyed by each Pakistani; these are summarized below. The Right to Education (Article 25A) is, thus, protected by the Constitution of Pakistan as a fundamental right, mandatory for the State to fulfil.

#### Article Number and Fundamental Right Guaranteed

9.	Security of person
10.	Safeguards as to arrest and detention
10A.	Right to fair trial
11.	Slavery, forced labour, etc., prohibited
12.	Protection against retrospective punishment
13.	Protection against double punishment and self-incrimination
14.	Inviolability of dignity of man, etc.
15.	Freedom of movement, etc.
16.	Freedom of assembly
17.	Freedom of association
18.	Freedom of trade, business or profession
19.	Freedom of speech, etc.
19A.	Right to information.
20.	Freedom to profess religion and to manage religious institutions
21.	Safeguard against taxation for purposes of any particular religion
22.	Safeguards as to educational institutions in respect of religion, etc
23.	Provision as to property

<sup>126</sup> [http://www.lead.org.pk/hr/attachments/Human\\_rights\\_constitution.pdf](http://www.lead.org.pk/hr/attachments/Human_rights_constitution.pdf)

24. Protection of property rights
25. Equality of citizens
- 25A. Right to education
26. Non-discrimination in respect of access to public places
27. Safeguard against discrimination in services
28. Preservation of language, script and culture

## 5.2 Right to Education (RTE) 25-A cases settled by the High Courts and Supreme Court from 2011-2015

There is precedence for judicial verdicts that protect the Right to Education in Pakistan. Knowledge of these cases enlightens one to the breadth and depth of the applicability of their Right to Education. This section outlines the key features of many legal cases related to Education as a Human Right in Pakistan.

Table 3: Key cases in the domain of Right to Education in Pakistan

Case No/Date of decision/Court	Violation	Verdict
2011 C L C 1375 – 27/04/11 Islamabad High Court	Higher	For
2012 C L C 168 -12/09/11 Balochistan High Court	Secondary	For
2013 S C M R 764 – 11/02/13	Primary/Secondary	For
2014 S C M R 396 – 22/11/13 Supreme Court		
P L D 2013 S C 188 – 25/09/12 Supreme Court	ALL	For
P L D 2014 86 - 23/10/13 – Balochistan High Court	Primary/Secondary	For
P L D 2014 Lahore 408 – 04/11/13 – Lahore High Court	Higher	For
2014 C L C 1810 – 07/07/14 Balochistan High Court	Primary/Secondary	For
2014 M L D 353 – 20/09/13 Lahore High Court	Secondary	For
2015 Y L R 58 – 18/08/14 Balochistan High Court	Professional	For
2015 Y L R 1262 - 24/04/14 Lahore High Court	Higher	Against
P L D 2018 Lahore 509 – 05/04/18 Lahore High Court	Professional	Mixed verdict
2016 M L D 20 - 27/03/15 Peshawar High Court	Higher	Against

“<sup>127</sup> Some landmark international cases in Right to Education can be accessed [here!](https://www.right-to-education.org/taxonomy/term/22?page=1)”

<sup>127</sup> <https://www.right-to-education.org/taxonomy/term/22?page=1>

### 5.2.1 Kiran Shahzadi vs. Quaid-e-Azam University

**2011 C L C 1375**

**Writ Petition 213 of 2011**

**Kiran Shahzadi vs. Quaid-e-Azam University**

**Islamabad High Court**

**Date of hearing: 1 April 2011. Decided on 27 April 2011**

The petitioner was alleged to have been using unfair means in her MBA Marketing Research Examination. She was exonerated of the charge. She was subsequently not allowed by the same teacher to appear for the Comprehension Paper. Per the petition, due to maladministration of the University, the petitioner suffered great loss to her studies, and therefore her fundamental right to pursue studies under Article 25-A had been violated.

Court intervention was sought. Islamabad High Court ruled in favour of the petitioner.

### 5.2.2 Students of Government Girls College Kuchlak vs. Government of Balochistan

**2012 C 168**

**Const. Petition 577 of 2011**

**Students of Government Girls College Kuchlak vs. Government of Balochistan**

**Balochistan High Court**

**Date of hearing and decision: 12 September 2011**

This case was brought to the Balochistan High Court as a matter of public importance. A sizable portion of state land that had been earmarked for construction of Government Girls College had been encroached by influential persons through the construction of a metaled road through the center of the land. Per the petition, people could not be deprived of their fundamental rights just because they are unaware or do not have wherewithal to approach the High Court. Inaction of the High Court would result in the public college being deprived of valuable property and girl students robbed of the benefit thereof, which would violate their fundamental rights under 25A.

Additional Advocate-General referred to Surah Alaq and Articles 25A, 25(2), 34, 37 and 38, to emphasize that both men and women have a right and duty to acquire education, and that discrimination on the basis of sex is prohibited. The Balochistan High Court directed the Executive Engineer and any other officer of the Government of Balochistan who is executing the project, to ensure the construction of a boundary wall around the parameters of the College land and directed the police to provide necessary assistance.

### 5.2.3 Petition Regarding Miserable Condition of the Schools

**2013 S C M R 764**  
**Const. Petition 37 of 2012**  
**Petition Regarding Miserable Condition of the Schools**  
**Supreme Court**  
**Date of hearing and decision: 11 February 2013**

Per the petition, the condition of schools in all Provinces was poor for several reasons, including the illegal occupation of school buildings by police or other government departments, school staffs being paid salaries despite providing no services, and the existence of ghost schools. There was a lack of progress on fulfilling requirements under Article 25-A.

The Supreme Court directed Provincial Governments through Chief Secretaries or Secretary Education(s) to implement order of the court in letter and spirit. The Court ordered carrying out of surveys of schools to determine how many are fully functioning, the number of ghost schools, the allocation of educational funds, the ratio of students studying in those areas, reasons for encroachments of school buildings, and in case of litigation between education department(s) and private person(s), why those cases were not being expedited by the Courts.

### 5.2.4 Const. Petition 37 of 2012

**2014 S C M R 396**  
**Const. Petition 37 of 2012**  
**Supreme Court**  
**Decided on 22 November 2013**

The District and Sessions Judges and District Education Officers conducted surveys and submitted reports to the Supreme Court (following Court order of Feb, 2013 - 2013 S C M R 764) regarding the condition and functioning of schools in their respective districts.

Their findings included: untrained teachers, under-staffed/over-staffed schools, teacher absenteeism, recruitment and posting of teachers on political and monetary basis, illegal occupation/encroachment on school properties, lack of basic amenities, existence of ghost schools, and financial mismanagement and lack of audit in the Education Departments.

The Supreme Court directed that Accreditation Boards be established in all provinces and ICT to improve miserable conditions of institutions, ordered the removal of ghost schools with penal action taken against persons shirking their duties, and ordered the implementation of recommendations to make improvement of schools visible.

Provincial Governments were directed to enforce Fundamental Rights enshrined in Articles 9 and

25A. Provincial Governments and ICT were directed to enhance budgetary allocations for improvement of the education system and to provide a mechanism to ensure presence of students at primary, middle and high school levels. Provincial Governments were directed to ensure recovery of possession of school buildings illegally occupied by influential persons. In case of pending litigation, registrars of High Courts were directed to ensure expeditious disposal of cases.

### 5.2.5 Dr. Muhammad Aslam Khaki vs. S.S.P (Operations) Rawalpindi

**P L D 2013 Supreme Court 188**

**Const. Petition 43 of 2009**

**Dr. Muhammad Aslam Khaki vs. S.S.P (Operations) Rawalpindi**

**Date of hearing and decision: 25 September 2012**

The petition sought the restoration of fundamental rights of transgender persons, which includes the right to get education under Article 25(A) for all genders (including transgender persons). Supreme Court Chief Justice Iftikhar Chaudhry directed all relevant authorities to ensure equal treatment of transgender persons under the Constitution of Pakistan, and to ensure their participation in all walks of life, including in equal access to education.

### 5.2.6 Syed Nazeer Agha vs Government of Balochistan

**P L D 2014 Balochistan 86**

**Const. Petitions 194 and 216 of 2013**

**Syed Nazeer Agha vs Government of Balochistan**

**Balochistan High Court**

**Date of hearing: 12 September 2013. Decided 23 October 2013**

Per the petition, the Provincial Government was not providing books to students of government schools. Per Article 25 A, the State must ensure all children go to school. Merely constructing a school and providing free textbooks would not be enough to get children to school, creation of right environment was needed.

The Balochistan High Court directed the Provincial Government to carry out physical audits of schools, prevent the encroachment and illegal transfer of school properties, ensure the disclosure of teachers employed at each school, inform the Board about the number of books and subjects required for the next academic year well in advance, ensure that principals or teachers of each school maintain attendance records, devise a comprehensive format for inspection of schools, and to ensure that school buildings are designed and constructed in accordance with the prevailing physical environment, look welcoming, are environmentally friendly and do not require frequent maintenance.

### 5.2.7 Sidra Yasin vs Mrs. Ishrat Ishaq and others

**P L D 2014 Lahore 408**  
**Writ Petition 23186 of 2013**  
**Sidra Yasin vs Mrs. Ishrat Ishaq and others**  
**Lahore High Court**  
**Date of hearing and decision: 4 November 2013**

For admission to a Lady Health Visitor course, the petitioner was asked to submit a bond that after successful completion of the course, she would serve the government health department for 2 years. After completion of the course and a lapse of 7 months, she was not offered a job due to a lack of vacancies. The Petitioner was refused a No Objection Certificate (NOC) to get admission for further studies on the grounds that she was required to serve the health department. This violated her fundamental right to education (25A), profession, lawful trade or business.

Lahore High Court directed the department to issue NOC to the petitioner for getting admission in nursing school for further studies.

### 5.2.8 Maher Gul vs Government of Balochistan Education Department

**2014 C L C 1810**  
**Const. Petition 440 of 2011**  
**Maher Gul vs Government of Balochistan Education Department**  
**Balochistan High Court**  
**Date of hearing and decision: 7 July 2014**

Under Article 25A, children have a right to free and compulsory education in Balochistan. Per the petition, a number of issues were prevalent in the province including the presence of Ghost Schools, contracts for repair/renovation of schools being awarded without publication, and collusion of education dept officials. Inaction on these issues demonstrated the Government's lack of desire to stem pilferage and fraud. Therefore, a substantial number of children in the province were being deprived of their Fundamental Right to free and compulsory education.

The Balochistan High Court directed that each school be photographed and its GPS coordinates determined, the particulars of all schools in the revenue record be recorded by the Provincial Government, the names of all teachers at all schools be inscribed at a conspicuous place in the school, disciplinary action be taken in case the District Education Officer or revenue officer did not fulfill their required duties, a website be launched containing the aforementioned information, and that the Provincial Government provide requisite resources for the storage and display of such data.

### 5.2.9 Muhammad Nadeem Nasir vs Chairman Board of Intermediate and Secondary Education, Lahore

**2014 M L D 353  
Writ Petition 19664 of 2013**

**Muhammad Nadeem Nasir vs Chairman Board of Intermediate and Secondary Education, Lahore  
Lahore High Court  
Decided on 20 September 2013**

The Petitioner was a student of F.Sc. that appeared in the Intermediate examination and was issued a date sheet for the practical examination. Due to illness, the petitioner failed to appear in the practical examination; despite submitting a medical certificate, he was denied permission to appear in the second batch. The right to education and to appear in examinations under the rules and regulations was a fundamental right of the student (Article 25A).

The Lahore High Court ruled in favour of the petitioner and directed Board authorities to administer his practical examination.

### 5.2.10 Akhtar Hussain Langove vs IGP, Balochistan

**2015 Y L R 58  
Const. Petitions 242 and 250 of 2014  
Akhtar Hussain Langove vs IGP, Balochistan  
Balochistan High Court  
Decided on 18 August 2014**

Per the petition, the Lands of Sports Complex were not being utilized to realize their full potential. They were being encroached upon and misused. The Sports Complex is meant to provide access to sport facilities, and training to sportsmen and sportswomen to enable them to compete. The Right to Education (25A) is not limited to academic knowledge. It includes the provision of sports facilities, and therefore the Government is bound to provide students with sporting facilities.

Balochistan High Court issued directions to ensure that Sports Complex is efficiently run and properly used.

### 5.2.11 Awais Iqbal vs VC, Baha-ud-din Zakriya University, Multan

**2015 Y L R 1262**  
**Writ Petition 6634 of 2013**  
**Awais Iqbal vs VC, Baha-ud-din Zakriya University, Multan**  
**Lahore High Court**  
**Decided on 24 April, 2014**

The petitioners were students who had been rusticated, fined and barred from getting admission in the University by the Disciplinary Committee. A period of more than a year had elapsed, no complaints had been noticed about the petitioners, and they had mended their behavior.

The High Court declined to interfere in the disciplinary matter of the University, stating that the Office of the VC was able to exercise power to maintain discipline. The punishment was for reforming irresponsible attitude, not to destroy the education career of the students (their right under 25A). The petitioners expressed repentance and gave an undertaking to not indulge in wrong activities in future, therefore their punishment was set aside.

### 5.2.12 City School Private Limited vs Government of the Punjab

**P L D 2018 Lahore 509**  
**Writ Petition 29724 of 2015**  
**City School Private Limited vs Government of the Punjab**  
**Lahore High Court**  
**Date of final hearing: 15 March 2018. Decided on 5 April 2018**

The petitioner questioned whether the Government could regulate the fee structure of unaided private schools, and whether it could lay down a specific cap on increase in fees for any academic year. Arguments on both sides included the following: 1) The State has a responsibility to see that private educational institutions set up with Government permission were not involved in profiteering, capitation or exploitation of parents. 2) Private institutions being businesses were covered under the definition of “trade” and could thus be regulated by a licensing system. 3) The fee structure could be regulated under Article 18; however, any restrictions/regulations must be reasonable and should not impinge on the fundamental rights of the institutions.

Lahore Court found that private schools could fix the fees and charges payable by students, as long as the increase in fees was not exploitive and did not ravel into the arena of commercialization. The High Court directed that the Provincial Government notify The Punjab Free and Compulsory Act (2014) to ensure enforcement of the Fundamental Right of Education under Article 25A, and that the Government frame a uniform regulatory regime through rules to determine the increase claimed by schools in fees by considering certain factors.



### 5.3 Law and Justice Commission of Pakistan – A Federal Government Institution

The [Law & Justice Commission of Pakistan](http://ljcp.gov.pk/nljcp/home#1)<sup>128</sup> (IJCP) is a Federal Government institution, headed by the Chief Justice of Pakistan and comprises other members including the Chief Justice of Federal Shariat Court, Chief Justices of the High Courts, Attorney General for Pakistan, Secretary Ministry of Law, Justice and Human Rights and the Chairperson of National Commission on the Status of Women. It has been pushing 25 A cases and asking Provincial Governments to pursue action on implementation.

The IJCP set up a committee to produce a report on Education sector reforms, comprising of political leadership, experts in education and provincial and federal Education Secretaries, and chaired by Honorable Wafaqi Mohtasib Syed Tahir Shahbaz. The Committee published a report on [Education Sector Reforms in Pakistan, Implementation of Article 25-A of the Constitution of the Islamic Republic of Pakistan](http://ljcp.gov.pk/tg/edureport.pdf)<sup>129</sup>. The Report reiterates the importance of Education and implementation of 25A, provides a situational analysis of primary Education, a GAP analysis of the overall issues, and gives recommendations. 3 sub-committees were also constituted to develop a template identifying major issues in education system with input from Provinces, and to examine the challenges relating to uniformity in education, and to propose revision and roadmap for short, medium and long-term goals. The Report also highlights the following key points and recommendations:

- Education Sector Plans prepared by Provincial Governments which highlight challenges, opportunities and targets; however, significant gaps were identified in terms of infrastructure, teachers, budget and quality education
- Per latest census 2017, total number of children aged 5 to 16 has risen to 68.4 million out of which 39.36 million are out of school (2 million children estimated to be added every year)
- Challenges of availability of quality teachers, schools and basic facilities, curriculum and text books
- Curricula do not fulfill requirements of technological era, nor prepare students for the market
- Urgent need to declare an “education emergency”
- Increase education sector budget from 2.2% of GDP to 4%; minimum allocation of 25% total budget of provinces/areas should reach target in 4 years
- Construct new public sector schools, recruit and train large number of teachers, make ghost schools functional, provide basic facilities for existing schools on fast track basis
- Bind private schools to rationalize fee structure & enroll at least 10% students belonging to poor families
- Issue directions to housing societies to give plots earmarked for community services for establishment of Government schools at subsidized rates
- Introduce double shifts in all schools where sufficient number of students available
- Incentivize sending of children to school for poor families. Provinces should share and expand best practices in community schools, non-formal schools, public-private partnership, and voucher scheme
- Encourage private entrepreneurial firms and individuals to adopt schools for infrastructure development and provision of necessary facilities, could be in the shape of tax rebates or attribution of schools to the sponsors
- Consult with *Deeni Madaras* representatives to devise programme for imparting formal education

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<sup>128</sup> <http://ljcp.gov.pk/nljcp/home#1>

<sup>129</sup> <http://ljcp.gov.pk/tg/edureport.pdf>

- Merit-based management of [National Commission of Human Development](#) and [Basic Education Community Schools](#)<sup>130</sup> with enhanced funding (50% annually) recommended to promote literacy and enrollment of out of school children
- Establish effective oversight and monitoring arrangements
- Quality of education and standardization of curriculum require attention; Federal Government and Ministry of Education along with Provincial Governments should undertake immediate review and upgradation measures
- Introduce skill-based education; ask [NAVTCC](#)<sup>131</sup>, [TEVTA](#)<sup>132</sup>, etc., to develop accredited vocational training courses
- Role of regulatory bodies needs to be made more effective by appointing proper persons
- Quality education be focused by improving contents of training courses for enhancing teaching skills
- In sum, for effective enforcement of 25-A, a paradigm shift is required to accord appropriate priority to this sector in terms of financial and human resources

The Report faced some criticisms for not elaborating on reasons leading to failure of State in provision of quality education for all, lacking details on facilities, middle and higher secondary schools, ratio of girls to boys' schools and accessibility.

## 5.4 Federal Ombudsman

The [Office of the Federal Ombudsman](#)<sup>133</sup> aims toward prompt and inexpensive relief to citizens by redressing their grievances against federal Government agencies and to promote good governance. The team is dedicated to resolving citizen's grievances against the Federal Government Agencies.

The Federal Ombudsman has offices in Lahore, Karachi, Peshawar, Quetta, Sukkur, Multan, Faisalabad, Dera Ismail Khan, Hyderabad, Abbottabad, Gujranwala and Bahawalpur. The Office works in collaboration with Federal Tax Ombudsman Pakistan, Federal Insurance Ombudsman, Federal Ombudsman against Harassment of Women at Workplace, Provincial Ombudsman Sindh, Provincial Ombudsman Punjab, Provincial Ombudsman Khyber Pakhtunkhwa, Mohtasib Office AJK, Secretaries (Wafaqi Mohtasib Secretariat) and Provincial Ombudsman Balochistan.

The Federal Ombudsman resolves complaints and provides relief to the public by carrying out independent investigations into complaints about 'maladministration' in any Federal Government agency. They work to make corrections, share lessons learnt and help improve public services as a result. Their independent [complaints handling service](#)<sup>134</sup> is free and open to everyone. They also entertain the complaints from Federally Administrated Tribal Areas (FATA). The Office examines all facts related to the case; if it is found that the agency complained about has already acted fairly, the complainant will be informed. If it is found that the agency has acted wrongly, the Office may recommend the agency to make correction which may include recommendations that relief may be provided as per the provisions in the law.


<sup>130</sup> <https://www.becs.gov.pk/>

<sup>131</sup> <http://navttc.org/>

<sup>132</sup> <http://www.tevta.gop.pk/>

<sup>133</sup> <http://www.mohtasib.gov.pk/>

<sup>134</sup> <http://complaints.mohtasib.gov.pk/complaints/complaintstatus.aspx>



Areas which are outside the purview of Ombudsman Secretariat are matters that are sub judice, matters relating to External Affairs, matters relating to Defense, Service Matters, and Federal Public Service Commission. In addition, there are independent Mohtasibs (Ombudsman) for (i) tax matters, (ii) insurance matters concerning private insurance companies, (iii) banking matters concerning private banks, and (iv) harassment of women at workplace.



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<sup>135</sup> <http://www.sparcpk.org/2015/Publications.html>



## CHAPTER 6

# RESOURCES AND CONCLUSION

## Chapter 6: RESOURCES AND CONCLUSION

The Green Book is a comprehensive resource on the Education Sector in Pakistan for young professionals, RTE champions and laypersons embedded in a Right Based Approach. It includes information and guidance about regulations, public interest litigation, civil judicial activism and public and private initiatives toward Right to Education. It provides access to research reports and evidence based advocacy documents prepared by RTE campaigns in Pakistan. It also shows that education is at the center of social and economic welfare of a country, and that everyone is a stakeholder in the pursuit toward and achievement of Free and Quality Education for All.

Being a stakeholder in the Right to Education, it is also important to be aware of the discourse in social media, journalism and academia. Some important blogs, articles and resources are discussed below.

### 6.1 Blogs, Articles and Resources

Ms. Baela Raza Jamil, the Chief Executive Officer of Idaro-e-Taleem-o-Aagahi, wrote a captivating note on [Judicial Activism and ASER](#)<sup>136</sup>. She highlights the contributions made by ASER in tracking the progress on Right to Education (RTE) legislation. She comments on the impact of Articles in RTE Acts on related empirical indicators. Ms. Jamil also [wrote a piece](#)<sup>137</sup> commemorating the fourth anniversary of Article 25A, stressing the tragedy that numerous children are still marginalized, and excluded from access to Free and Quality Education.

Mr. Faisal Bari writes a [thought-provoking article](#)<sup>138</sup> about Education for All, reiterating the undisputable universal Right to Education, while emphasizing the nuances that exist in its implementation. He says that it is vital to design well-informed, feasible and appropriate policies for attempting and doing this successfully.

Mr. Waqas Hussain [writes an article](#)<sup>139</sup> on the rise in prominence of human rights cases in Apex Courts' activism. The article outlines the role of suo-moto notices in addressing human rights violations, and the recent trends in judicial activism.

The LUMS Law Journal also [provides a detailed report](#)<sup>140</sup> on Right To Education and Article 25A, specifying the evolution of the Right to Education in Pakistan. The article highlights the transition of Education's status from a principle of policy to a fundamental right, and discusses the implications of both statuses.

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<sup>136</sup> [http://asERPakistan.org/document/asER/2013/notes\\_asER\\_2013/Baela\\_Raza\\_Jamil.pdf](http://asERPakistan.org/document/asER/2013/notes_asER_2013/Baela_Raza_Jamil.pdf)

<sup>137</sup> [http://asERPakistan.org/blog/The-illusion-of-Entitlements\\_Commemorating-the-Fourth-Anniversary-of-Article-25-A-right-to-education\\_but-children-in-Pakistan-continue-to-suffer-exclusion](http://asERPakistan.org/blog/The-illusion-of-Entitlements_Commemorating-the-Fourth-Anniversary-of-Article-25-A-right-to-education_but-children-in-Pakistan-continue-to-suffer-exclusion)

<sup>138</sup> <https://www.dawn.com/news/1436937>

<sup>139</sup> <http://cirp.pk/human-rights-cases-become-prominent-part-of-pakistans-apex-court-activism/>

<sup>140</sup> <https://sahsol.lums.edu.pk/law-journal/impact-justiciability-right-education-its-enforcement-india-and-pakistan>

Ms. Nadia Naviwala has penned an [eye-opening piece](#)<sup>141</sup> on the dire lack of quality education and the crisis of out of school children in Pakistan, shedding light on the regional context as well. According to her, Pakistan's Education crisis is a supply side issue as the quality and output of Education is very low.

Mr. Mosharraf Zaidi [paints a vivid picture](#)<sup>142</sup> of the obstacles children in Pakistan face every day in their pursuit of Education. The security and infrastructure situation is fragile, and the brunt of the issue is borne by girls. He also uses the story of Ms. Malala Yousafzai to portray the tragic situation.

Mr. Shahrukh Wani has [written an engaging piece](#)<sup>143</sup> on Education spending and policy. He highlights that even though there are increasing budgetary allocations for Education, the efficiency of spending needs to be strengthened urgently. This is also reiterated by the Alif Ailaan reports discussed in [Chapter 3](#).

- Resource for youth/ young professionals, RTE champions and laypeople
- Information and guidance on political promises, regulations, public interest litigation and public/private initiatives on RTE
- Overview of Education debate in social media, journalism and academia

What is the  
Green Book

- Youth; development professionals
- Teachers
- State officials & Parliamentarians
- Judicial officers
- Civil society; Education Activists
- Media
- Private sector,, industry-CSR sections & education investors

Who is it  
for?

## 6.2 Conclusion

Although many steps have been taken at the Federal and Provincial levels, and across all segments of society, the heart-breaking reality is that there are still 22.6 million out of school children. Much work remains to be done.


Sadly, 9 years down the road since 25 A was made part of the constitution of the country, the implementation is underway at a meagre pace, with only one province (Sindh) where the rules of business have been created for the act (2017). However, that does not stop the citizens from seeking remedies for violation of 25 A; many case laws/judgements have been shared in the Green Book.

How are youth, teachers, citizens, and other active groups like media, parliamentarians and decision makers going to be empowered to push for accelerated implementation of 25 A? This empowerment, as a fundamental right without discrimination, can only take place through knowledge about the acts and what they entail (in the Blue Book), and the mechanisms through which we can thoroughly understand the

<sup>141</sup> <https://www.nytimes.com/2017/10/18/opinion/pakistan-education-schools.html>

<sup>142</sup> <https://www.nytimes.com/2014/10/15/opinion/how-pakistan-fails-its-children.html>

<sup>143</sup> <https://www.theguardian.com/global-development-professionals-network/2017/jun/27/for-too-long-pakistani-schools-have-been-a-means-to-provide-jobs-rather-than-education>



political commitments (manifestos for human development/education, provincial initiatives, laws, budgets etc. contained in the Green Book) that would uphold a fundamental right for inclusion, learning, access and governance.

The book offers rich information and resources that can be used by all citizens of the country – young girls/women, young boys/men – and many constituencies of citizens who have committed to the struggle for a fundamental right viz. youth, teachers, media and parliamentarians. Education is a public good and so is this Green Book that will be updated from time to time through a consultative process across Pakistan.

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