

**WORKERS' CHILDREN (EDUCATION) ORDINANCE, 1972  
(XI OF 1972)**

|                 |
|-----------------|
| <b>CONTENTS</b> |
|-----------------|

- 1. Short title, extent and commencement**
- 2. Definitions.**
- 3. Levy of Education Cess**
- 4. Education of workers' children**
- 5. Manner of levying cess**
- 5A. Collection and administration of cess**
- 6. Power to make rules**

**TEXT**

**WORKERS' CHILDREN (EDUCATION) ORDINANCE, 1972  
(XI OF 1972)**

[13<sup>th</sup> April, 1972]

**An  
Ordinance**

*to provide for the education of workers' children and matters ancillary thereto.*

**Preamble.— Whereas** it is expedient to provide for the education of workers' children and for matters ancillary thereto:

**And whereas** the national interest of Pakistan in relation to the economic and financial stability of Pakistan and the achievement of uniformity requires <sup>1</sup>[Federal] legislation in the matter.

**Now, therefore,** in pursuance of the Proclamation of the 25th day of March 1969, read with the Proclamation of the 20th day of December 1971, and the Provisional Constitution Order, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :-

**1. Short title, extent and commencement.—**(1) This Ordinance may be called the Workers' Children (Education) Ordinance, 1972.

(2) It extends to the whole of <sup>2</sup>[the Punjab].

(3) It shall come into force at once.

**2. Definitions.—** In this Ordinance, unless there is anything repugnant in the subject or context--

(a) "Employer" in relation to an establishment means the person who has ultimate control over the affairs of the establishment;

<sup>3</sup>[(b) "Establishment" means any office, firm, industrial unit, undertaking, shop or premises in which workers are employed for the purpose of carrying on any business, trade, manufacture, calling, service, employment or occupation-;]

<sup>4</sup>[(bb) "Government" means Government of the Punjab;]

(c) "Worker" means <sup>5</sup>[a worker as defined in section 2 of the Punjab Industrial Relations Act 2010 (XIX of 2010)], but does not include--

(i) persons in the service of the State including members of the Armed Forces, Police Force, Railway servants;

(ii) persons employed in any undertaking under the control of any defence organisation or Railway administration;

(iii) persons in the service of a Local Council, a Municipal Committee, a Cantonment Board or any other local authority<sup>6</sup>[:]

<sup>1</sup>Subs. For Central by P.O.4 of 1975, S.2 (3)

<sup>2</sup> Substituted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>3</sup>Cl. (b) subs. for the original by Workers' Children (Education) (Amendment) Ordinance, 1972, S.2 (Nov. 16, 1972)

<sup>4</sup>Inserted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>5</sup> Substituted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>6</sup>At the end of section 2, in clause (c )(iii), a colon is substituted for fullstop and thereafter a proviso added by the Labour Laws (Amendment)

<sup>1</sup>[Provided that a worker shall not cease to be a worker for the reason that <sup>2</sup>[\*\*\*\*] the number of persons employed in the establishment, at any time is reduced to less than ten.]

**<sup>3</sup>[3. Levy of Education Cess.—** (1) Every employer of an establishment in which the number of workers employed at any time during a year is <sup>4</sup>[ten] or more shall pay to the <sup>5</sup>[\*\*\*\*] Government an education cess at the rate of one hundred rupees per worker per annum.<sup>6</sup>

(2) Every employer shall, within every Three months beginning from the first day of the calendar month following the <sup>7</sup>commencement of the Workers' Children (Amendment) Act, 1973, prepare and deliver, or cause to be prepared and delivered, in the form and to the officer prescribed by the <sup>8</sup>[\*\*\*\*] Government, a return showing the number of workers employed in the establishment during the preceding quarter and shall subscribe a declaration of the truth of the return at the foot thereof.

(3) The levy of education cess shall be on the basis of the number of workers shown in the return referred to in sub-section (2).

**4. Education of workers' children.—**The <sup>9</sup>[\*\*\*\*] Government shall provide education free of cost upon <sup>10</sup>[any level of education to two children]to one child of every worker employed in an establishment referred to in section 3.

**Explanation.**--'Education free of cost' includes provision of text books free of cost and exemption from admission fee, tuition fee, examination fee and school fund.

**5. Manner of levying cess.—** The cess described in section 3 shall be levied so far as may be, in the same manner, and under the same provisions of law, as the land revenue:

<sup>11</sup>[Provided that the amount of the cess shall be held in a separate account and shall be expended only for the purposes of this Ordinance.]

**<sup>12</sup>[5-A.Collection and administration of cess.—**The collection of cess referred to in section 3 and its administration may be entrusted to the Social Security Institution or to such other agency as the <sup>13</sup>[\*\*\*\*] Government may nominate.]

**6. Power to make rules.—**The <sup>14</sup>[\*\*\*\*] Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

---

Act, 1994 (XI of 1994), s.7 (1)(a)(ii). Gaz. Of Pak., Extr., Pt. 1, June 29, 1994, p.224-235.

<sup>1</sup>At the end of section 2, in clause (c )(iii), a colon is substituted for fullstop and thereafter a proviso added by the Labour Laws (Amendment) Act, 1994 (XI of 1994), s.7 (1)(a)(ii). Gaz. Of Pak., Extr., Pt. 1, June 29, 1994, p.224-235.

<sup>2</sup>Omitted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>3</sup>Section 3, 4, 5 & 6 substituted for the original sections 3, 4 & S by Act, XXIV of 1973 s.3.

<sup>4</sup>Subs. for "twenty" by Labour Laws (Amendment) Act, 1985, Sch. (XVI of 1985).

<sup>5</sup>Omitted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>6</sup>Non-payment of cess attracts the provisions of Sind Tax Evasion (Punishment) Act, 1974, which was amended by Sind Act, XI of 1976 to provide penalty for such non payment in the Province of Sind. Sind Govt Gaz. Extr' 15 July, 1976, Pt. IV. p. 127

<sup>7</sup>Viz. February 9, 1973.

<sup>8</sup> Omitted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>9</sup> *Ibid.*

<sup>10</sup>Subs. In section 4, for the words "matric and thereafter in a Poly-technic or vocational training institute to one child" by the Labour laws (Amendment) Act, 1994 (XI of 1994, s.7 (2); Gaz. Of Pak., Extr., Pt. 1, June 29, 1994, p. 224-235.

<sup>11</sup>"Proviso added by Act. XII of 1974, Sch.

<sup>12</sup>New section 5A inserted *ibid* s.7 (3).

<sup>13</sup> Omitted by the Punjab Workers' Children (Education) (Amendment) Act 2012 (Act XXIII of 2012).

<sup>14</sup>*Ibid.*