

**GOVERNMENT OF PUNJAB**  
**DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS**  
**THE PUNJAB EDUCATION DEVELOPMENT ACT, 1998**

(PUNJAB ACT 26 OF 1998)  
*(As amended upto the 15th July, 2025)*



2025

# **THE PUNJAB EDUCATION DEVELOPMENT ACT, 1998**

## Sections

## CONTENTS

1. Short title and commencement
2. Definitions
3. Establishment of Board, its constitution, powers and duties
4. Audit
5. Officers and employees of the Board
6. Levy and collection of cess
7. Constitution of Fund
  - 7-A. Transfer of land or building
  - 7-B. Public-private-partnership
  - 7-C. Exemption from payment of tax or fee etc.
8. Purposes for which the Fund may be applied
9. Power of Government to issue directions to the Board
10. Protection of action taken in good faith
11. Power to make rules
12. Power to make regulations
13. Power to remove difficulties

## THE PUNJAB EDUCATION DEVELOPMENT ACT, 1998

(Punjab Act No. 26 of 1998)

*[Received the assent of the Governor of Punjab on the 26th August, 1998, and was first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, dated the 28th August, 1998.]*

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by the legislation
1998	26	The Punjab Education Development Act, 1998	Amended by Punjab Act No. 5 of 2008

*An Act to provide for the establishment of the Punjab Education Development Board with a view to improve the quality of education in the State and for improving infrastructural facilities and amenities in the educational institutions in the State.*

BE it enacted by the Legislature of the State of Punjab in the Forty-ninth year of the Republic of India as follows: -

Short title and commencement.

1. (1) This Act may be called the Punjab Education Development Act, 1998.  
(2) It shall come into force at once.

Definitions.

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

<sup>1</sup>[(a) “Adarsh School” means a school or an institution, established under this Act, with a view to impart quality education to the economically weaker, intelligent and meritorious students, at a fee, to be determined by the Board;]

---

<sup>1</sup> Inserted by Punjab Act No. 5 of 2008, Section 2

<sup>1</sup>[(aa) "Board" means the Punjab Education Development Board established under section 3;]

(b) "Fund" means the Punjab Education Development Fund constituted under section 7;

(c) "Government" means the Government of Punjab in, the Department of Education;

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

<sup>2</sup>[(dd) "private partner" means any person, who may be associated by the Board in establishing and running an Adarsh School;

(ddd) "public-private-partnership" means an arrangement, agreed upon between the Board and a private partner to establish and run an Adarsh School;]

(e) "regulations" means the regulations made by the Board under this Act; and

(f) "section" means section of this Act.

Establishment of Board, its constitution, powers and duties.

3. (1) The Government may, by notification in the Official Gazette, establish for the purposes of carrying out the provisions of this Act, a Board to be called the Punjab Education Development Board.

<sup>3</sup>[(2) The Board established in terms of sub-section (1), shall consist of the following, namely: -

(i) Chief Minister, Punjab; : Chairman;

(ii) Minister-in-charge of School : Vice-Chairman;  
Education;

<sup>1</sup> Renumbered by Punjab Act No. 5 of 2008, Section 2

<sup>2</sup> Inserted by Punjab Act No. 5 of 2008, Section 2

<sup>3</sup> Substituted by Punjab Act No. 5 of 2008, Section 3

- |        |   |   |                      |
|--------|---|---|----------------------|
| (iii)  | the Chief Secretary;  | : | Member               |
| (iv)   | the Secretary, School Education;  | : | Member               |
| (v)    | the Secretary, Finance  | : | Member               |
| (vi)   | the Secretary, Excise<br>and Taxation;  | : | Member               |
| (vii)  | an Officer of the Indian<br>Administration Service, to<br>be appointed by the Government; | : | Member-<br>Secretary |
| (viii) | three prominent educationalist,<br>to be nominated by the Chief<br>Minister; and          | : | Members              |
| (ix)   | four prominent private partners,<br>to be nominated by the Chief<br>Minister.]            | : | Members              |

(3) The Board shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire, hold or dispose of property both movable and immovable and shall, by the said name, sue and be sued.

(4) The Government shall exercise general superintendence and control over the Board and its employees and may call for such information, as it may deem necessary.

(5) Subject to the rules made under this Act, an estimate of annual income and expenditure of the Board for the ensuing Financial Year, shall be got prepared by the Member-Secretary of the Board and shall be submitted to the Board for approval.

(6) An annual statement of income and expenditure of the Board shall be got prepared by the Member-Secretary and after obtaining approval of the Board, the same shall be sent to the Government within a period of three months from the date of closure of the Financial Year.

(7) The Board shall have its headquarters at Chandigarh or at such other place, as may be notified by the Government from time to time.

Audit.

4. The accounts of the Fund constituted under sub-section (1) of section 7 shall be audited by the Examiner, Local Fund Accounts, Punjab.

Officers and employees of the Board.

5. (1) The Board may, with the prior approval of the Government, create such posts and appoint such officers and other employees thereon, as it may consider necessary for the efficient discharge of its functions.

(2) The conditions of service of officers and other employees referred to in sub-section (1), and their functions and duties shall be such, as may be determined by the regulations made by the Board under this Act.

Levy and collection of cess.

6. (1) Notwithstanding anything contained in any other law for the time being in force and subject to the rules made under this Act, there shall be levied for the purposes of this Act, a cess at a rate not exceeding ten rupees per proof litre to be notified by the Government from time to time on the sale of Punjab Medium Liquor, Indian Made Foreign Liquor and Beer in the State of Punjab.

(2) The cess levied under sub-section (1), shall be collected by the Department of Excise and Taxation in the prescribed manner.

(3) The proceeds of the cess levied under sub-section (1), shall be transferred by the Department of Excise and Taxation directly to the Fund within such period, as may be prescribed.

Constitution of Fund.

7. (1) There shall be constituted a Fund to be called the Punjab Education Development Fund, which shall vest in the Board established under section 3.

(2) The Fund shall be administered by the Member-Secretary of the Board under the superintendence and control of the Board.

(3) The amount of cess levied and collected under section 6 along with the grants received from the State Government and Local authorities, shall be credited to the Fund within such period and in such manner, as may be prescribed.

Transfer of land or building.

<sup>1</sup>[7-A. (1) Subject to the provisions of any other law for the time being in force, any local body or authority or statutory board or corporation or any department of the State Government may, transfer any land or building belonging to or vested in it, to the Board, free of cost or on nominal price for the establishment of Adarsh Schools.

(2) The land or building transferred under sub-section (1), may be utilized by the Board itself for the establishment of Adarsh Schools or the same may be leased out to a private partner on such terms and conditions, as may be agreed upon between the Board and the private partner for the establishment of Adarsh Schools.

Public-private-partnership.

7-B. The Board may, or if directed by the Government, shall, establish Adarsh Schools, either directly or through public-private-partnership.

Exemption from payment of tax or fee etc.

7-C. Notwithstanding anything contained in any other law for the time being in force, the Government, if it considers appropriate and expedient to do so in public interest, it may exempt any Adarsh School, which has been established and is running or the infrastructure, to be used for establishing Adarsh Schools, from the payment of tax, cess, levy or fee or any other charge, which may be imposed, levied or collected by the State Government itself or on its behalf by any authority or body, whether incorporated or not.]

Purpose for which the fund may be applied.

8. <sup>2</sup>[(1) The Fund shall be applied for improving the quality of education including the establishment, operation and infrastructure of Adarsh Schools in the State of Punjab.]

---

<sup>1</sup> Inserted by Punjab Act No. 5 of 2008, Section 4

<sup>2</sup> Substituted by Punjab Act No. 5 of 2008, Section 5

(2) Without prejudice to the generality of sub-section (1), the Fund shall be specifically, applied for the following purposes, namely: -

<sup>1</sup>[(a) to acquire land for educational purposes;]

<sup>2</sup>[(aa) to construct buildings of schools;]

(b) to provide infrastructure and amenities such as water supply, basic sanitation, furniture and teaching aids in the schools;

(c) for providing and augmenting facilities such as libraries, laboratories and computer equipment and other vocational aids in the schools; and

(d) any other purpose as may be considered necessary by the quality of Board for improving the quality of education and in furtherance of the provisions of this Act.

<sup>3</sup>[(3) The capital including the operational and infrastructural costs of Adarsh Schools, shall be the first charge on the Fund.]

Power of Government to issue directions to the Board.

9. The Government may, from time to time, issue to the Board such orders and directions as in its opinion are necessary or expedient for carrying out the purposes of this Act and the Board shall give effect to such orders and directions.

Protection of action taken in good faith.

10. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or Board in respect of anything which is in good faith done or intended to be done in pursuance of the provisions of this Act, rules or regulations made or any order issued thereunder.

Power to make rules.

11. (1) The Government may, make rules for carrying out the purposes of this Act.

---

<sup>1</sup> Inserted by Punjab Act No. 5 of 2008, Section 5

<sup>2</sup> Renumbered by Punjab Act No. 5 of 2008, Section 5

<sup>3</sup> Added by Punjab Act No. 5 of 2008, Section 5

(2) Without prejudice to the generality of the foregoing power, such Rules may provide for, -

- (a) the preparation and submission for sanction of an estimate of annual income and expenditure under sub-section (5) of section 3;
- (b) the manner of collection of cess under sub-section (2) of section 6;
- (c) the period within which the amount is to be transferred to the Fund under sub-section (3) of section 6; and
- (d) any other matter, which has to be or may be prescribed.

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

Powers to  
make  
regulations.

12. (1) The Board may, from time to time, with the previous approval of the Government, make regulations not inconsistent with this Act and the rules made thereunder for the purposes of giving effect to the provision of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for, -

- (a) transacting business at the meetings of the Board;

- (b) the conditions of service of the officers and other employees of the Board and their functions and duties under sub-section (2) of section 5.

Power to  
remove  
difficulties.

13. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions including any adaptation or modification of any provision of this Act, as appears to the Government to be necessary or expedient for the purpose of removing the difficulty:

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