

[AS PASSED BY THE NATIONAL ASSEMBLY]

A Bill

to establish Iqbal Academy for promotion of the thought of Allama Iqbal

Whereas it is expedient to establish the Iqbal Academy for the purpose of making concerted efforts for promotion of the thought of Allama Iqbal, for spreading the message of Shaire-e-Mashriq Allama Muhammad Iqbal for his struggle towards glory of Islam, unity of Ummah and revival of Islamic spirit, for upkeep and maintenance of Aiwan-e-Iqbal Complex, for bringing greater efficiency in administration of the Iqbal Academy and Aiwan-e-Iqbal Complex and for the purposes hereinafter appearing;

1. Short title, extent and commencement. - (1) This Act shall be called the Iqbal Academy Pakistan Act, 2022.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

- (a) "Academy" means Iqbal Academy Pakistan established under this Act;
- (b) "Act" means the Iqbal Academy Pakistan Act, 2022;
- (c) "Iqbal Academy" means the Iqbal Academy constituted under Iqbal Academy Ordinance 1962(XXVI of 1962);
- (d) "Aiwan-e-Iqbal Complex" means "Aiwan-e-Iqbal Complex" constituted under the Ministry of Culture, Sports and Tourism's Resolution No.8-1/84.A.III, dated the 5th January, 1984 and the Ministry of Minorities, Culture, Sports, Tourism and Youth Affairs' Notification No. 8(4)/2000-A.III, dated the 17th August 2002;
- (e) "Board" means the Board of Governors of the Academy constituted under this Act;
- (f) "Chairman" means the Chairman of the Board;
- (g) "Prime Minister" means the Prime Minister of Pakistan;
- (h) "Director General" means Director General of the Academy;
- (i) "member" means the member of the Board;
- (j) "prescribed" means prescribed by rules or regulation made under this Act;
- (k) "rules" means the rules made under this Act; and
- (l) "regulations" means the regulations made under this Act.

3. Establishment of the Academy. - (1) After the commencement of this Act, the Prime Minister may, by notification in the official Gazette, establish an Academy to be called the Iqbal Academy Pakistan.

(2) In pursuance to the decision of the Federal Government to merge Aiwan-e-Iqbal Complex with the Iqbal Academy, the administrative, financial and operational control of Aiwan-e-Iqbal Complex and its affairs shall vest in the Academy which shall exercise all its powers and perform all its functions relating to research as defined under this Act.

(3) The Iqbal Academy Pakistan shall comprise the erstwhile Iqbal Academy and the Aiwan-e-Iqbal Complex.

(4) The Academy shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and shall, by the said name, sue and be sued.

(5) No proceedings or decisions of the Academy shall be invalid by reason of the existence of any vacancy in, or defect in the establishment of, the Academy.

4. **Functions and objectives of the Academy.** – The functions and the objectives of the Academy shall include to -

- (a) promote the study and understanding of the works of Iqbal;
- (b) translate the works of Allama Iqbal from Persian language into Urdu language;
- (c) prepare material for easy understanding of Iqbal's works;
- (d) prepare material for inclusion in the curriculum for the students at various levels;
- (e) promote the contribution of Iqbal in the Pakistan Movement;
- (f) translate Allama Iqbal's books and to promote literature evolving around Iqbal Studies in Pakistani and international languages;
- (g) establish connections and collaborate with Iqbal Chairs abroad, with institutions working on Iqbal Studies within the country and Pakistani universities;
- (h) sign memoranda of understanding (MoUs) between Iqbal Academy Pakistan and different universities of Pakistan and with arts councils within the country;
- (i) publish books, pamphlets and periodicals and to produce digital products relating to the study of Iqbal;
- (j) prepare and arrange digital media for promotion of the study and works of Iqbal;
- (k) award prizes, medals, rewards and donations to authors who, in the opinion of the Academy, have made contributions to the study of the works and teachings of Iqbal,

and to enter into contracts with authors in order to carry out the purposes of this Act;

- (l) organize lectures, talks, discussions, study groups, workshops and conferences on the study and teachings of Iqbal and to send delegates to conferences held in the country and abroad for the study of Iqbal's works and teachings, or for any matter to which that study is relevant or by which it may be advanced or profited;
- (m) co-operate with, or grant amalgamation or affiliation to, any other association established for a purpose similar to that of the Academy, whether the purpose of that other association is confined to the works and teachings of Iqbal or not;
- (n) manage affairs of the Academy, including maintenance of the building of Aiwan-e-Iqbal Complex;
- (o) manage all the affairs of tenancy of Aiwan-e-Iqbal Complex;
- (p) manage the investments and utilize its earning in line with provisions of the Public Finance Management Act, 2019 and other existing laws on subject matter-
- (q) manage the grants from governments and other sources and approve the budget of the Academy with prior consultation with the Division concerned;
- (r) develop and maintain Art Galleries of the Academy;
- (s) publish pamphlets regarding Iqbal activities being conducted in every province to ensure that work on Iqbal is being produced all over;
- (t) carry out such other activities that may further enhance the aims and objectives of the Academy; and
- (u) do any other function, which may be assigned by the concerned Division in line with this Act.

5. **Board of Governors.** - (1) The management, overall control and supervision of the affairs of the Academy shall vest in a Board of Governors.

(2) The Prime Minister shall, by notification in the official Gazette, constitute a Board of Governors of the Academy consisting of the following, namely: -

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| (a) Federal Minister or Minister of State incharge; | Chairman
(ex-officio) |
| (b) A member to be nominated by the Chairman from amongst the non-official members; | Vice Chairman |
| (c) Secretary of the concerned Division; | Member
(ex-officio) |
| (d) Joint Secretary of the concerned Division; | Member
(ex-officio) |

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| (e) Joint Secretary of the Ministry of Finance; | Member
(ex-officio) |
| (f) Representative of the Division to which business of Federal education stands allocated (not below the rank of Joint Secretary) | Member
(ex-officio) |
| (g) Seven non-official members who have made written contributions in the study of Iqbal and his thoughts, or have sufficient administrative, management or engineering background, to be nominated by the Chairman; and | Non-official
Members |
| (h) Director General. | Member/Secretary |

Provided that at least one of the non-official members of the Board shall be a woman, whereas two members shall possess administrative, management or engineering background.

(3) No proceedings or decisions of the Board shall be invalid by reason only of the existence of any vacancy in, or defect in the constitution of, the Board of Governors.

(4) A member, other than ex-officio member, unless he resigns from office earlier, shall hold office for a period of three years and shall be eligible for re-nomination for such term or terms as the Chairman may determine:

Provided that the non-official members shall hold office during the pleasure of the Chairman of the Board:

Provided further that non-official member may, in writing addressed to the Chairman of the Board, resign his office:

Provided also that the resignation tendered by a non-official member shall not take effect until accepted by the Chairman of the Board.

(5) If any vacancy occurs in the Board of Governors during the currency of the term of office of a nominated member, the nomination of a new member shall be made by the concerned authority and the member so nominated shall hold office for the unexpired portion of the term of office of his predecessor.

(6) Unless otherwise prescribed, one-half of the total members shall form a quorum at any meeting of the Board.

(7) The meetings of the Board shall be held at least twice a year.

6. **Functions and powers of the Board.** - The general direction and administration of the Academy and its affairs shall vest in the Board which shall exercise all powers, perform all functions and do all acts and things which may be exercised, or done by the Board under this Act. In particular and without pre-prejudice to the generality to the foregoing powers, the Board shall have the powers to -

- (a) formulate policies, plans and programs for the better promotion of the thought of Iqbal;
- (b) encourage and facilitate to conduct research on the life and services of Allama Iqbal, his associates, allied topics and their publication;
- (c) maintain the finances and accounts of the Academy in such form and in accordance with such principles and methods as may be prescribed by the Auditor General of Pakistan;
- (d) maintain and manage the funds for specific purposes in accordance with the provisions of Public Finance Management Act, 2019 (V of 2019), and other existing laws on the subject matter; and
- (e) frame regulations with the concurrence of Finance and Establishment Division.

7. **Director General.** - (1) The Director General shall be appointed by the Prime Minister, on the recommendations of the Minister-in-charge, on such remuneration, terms and conditions as deemed appropriate.

(2) The Director General shall be the chief executive of the Academy and shall be responsible to the Board for carrying out the objectives of the Academy.

(3) The Director General may, by writing under his hand addressed to the Prime Minister, resign from his office.

8. **Headquarters.** - The headquarters of the Academy shall be at Lahore.

9. **Funds.** - (1) The fund of the Academy shall be derived and utilized in line with the provisions of the Public Finance Management Act, 2019 and the rules made thereunder and with prior consultation of Finance Division. The funds shall include-

- (a) grants of the Federal Government and the Provincial Government;
- (b) contributions and donations from individuals, local bodies corporations, institutions, organizations and agencies;
- (c) proceeds from the sale of the Academy products and royalties on those publications;
- (d) membership fees;
- (e) any income, profit or gain realized, accrued or derived from the investments, properties and rent; and
- (f) income from any other known sources.

(2) Notwithstanding anything contained in any other law in-force for the time being, the funds and donations to the Academy shall be exempted from all kinds of taxes, duties and other charges.

(3) All receipts of the Academy from any source whatsoever, received before the commencement of this Act, shall be the part of the Academy.

(4) All the funds shall be placed in the assignment account or sub-assignment account of the Academy and spent as per Federal Government rules and regulations.

10. Budget. — (1) All budgetary provisions shall be subject to compliance with Article 78 to 84 of the Constitution of the Islamic Republic of Pakistan, the Public Finance Management Act, 2019 and rules made thereunder. The head-wise budget shall be approved by the principal accounting officer (PAO).

(2) The Secretary of the Division concerned shall be the principal accounting officer of the Academy.

11. Audit and accounts. — (1) Accounts of the Academy shall be maintained in such form and in accordance with such principles and methods as may be prescribed by the Auditor General of Pakistan.

- (2) The audit report shall be presented and discussed in public accounts committee.
- (3) A copy of the audit report shall be submitted to the Board along with the comments of the Academy.
- (4) The Board may issue directions to the Academy for the rectification of any item objected to by the Auditor-General of Pakistan and the Academy shall comply with such directions.

12. **-Merger of Aiwan-e-Iqbal Complex with Iqbal Academy Pakistan. -** In pursuance of decision of the Federal Government to merge Aiwan-e-Iqbal Complex with the Iqbal Academy Pakistan, the administrative, financial and operational control of Aiwan-e-Iqbal Complex and its affairs shall vest in the Academy which shall exercise all its powers and perform all its functions as defined in section 4.

13. **Power to make rules. -** The Federal Government may, by notification in the official Gazette, make rules to carry out purposes of this Act.

14. **Power to make regulations. -** The Academy may, by notification in the official Gazette, make such regulations as it may consider necessary for carrying out the provisions of this Act.

15. **Removal of difficulties. -** If any difficulty arises in giving effect to any provision of this Act, the Chairman of the Board, in consultation with the concerned Division and the Law Division, may resolve the difficulty accordingly.

16. **Repeal and savings. -** (1) The following instruments of creation of erstwhile Iqbal Academy and Aiwan-e-Iqbal Complex, respectively are hereby repealed, namely : -

- (a) The Iqbal Academy Ordinance, 1962 (XXVI of 1962), is hereby repealed and Governing Body and Executive Committee of Iqbal Academy are dissolved;
- (b) The Ministry of Minorities, Culture, Sports and Tourism's Resolutions No. 8-1/84.A.III, dated the 5th January, 1984, and the Ministry of Minorities, Culture, Sports, Tourism and Youth Affairs' Notification No. 8(4)/2000-A.III, dated the 17th August, 2002 shall stand repealed and Management Committee thereunder is dissolved;

- (c) The Ministry of Information, Broadcasting and National Heritage (National Heritage Wing)'s Notification No. 9-3/2012-Dev/IA, dated the 3rd June 2014 shall stand repealed; and
- (d) The National Heritage and Culture Division's Notification No. 2-1/2014-AIC, dated the 6th October, 2020 shall stand repealed.

(2) Upon the commencement of this Act, -

- (a) all funds, properties, rights and interests of whatsoever kind issued, used enjoyed, possessed, owned or vested in the erstwhile Iqbal Academy Pakistan and Aiwan-e-Iqbal Complex, in existence immediately before commencement of this Act and all liabilities and liabilities legally subsisting against the said department or organization shall pass to the Academy as established under this Act;
- (b) notwithstanding anything contained herein before, all orders made, actions taken, vesting orders or notifications issued under any of the powers conferred or vested under the Ministry of Culture, Sports and Tourism's Resolution No.8-1/84.A.III, dated the 05th January, 1984 and the Ministry of Minorities, Culture, Sports, Tourism and Youth Affairs' Notification No. 8(4)/2000-A.III, dated the 17th August 2002 and Iqbal Academy Ordinance, 1962 (XXVI of 1962), shall be deemed to have been lawfully and validly made, taken, issued and vested under the provisions of this Act.
- (c) Anything done, action taken, obligation or liabilities incurred, rights and assets acquired, persons appointed or authorized, jurisdiction or powers conferred, endowments, bequests, funds or trusts created, donations, or grant made, order issued under any of the provisions of repealed notification, rules or regulations, applicable to the said department shall remain in force and be continued and, having regard to the various matters which by this Act have to be regulated or prescribed by the rules or regulations, be deemed to have been respectively done, taken incurred, acquired, appointed, authorized, conferred, created, made or issued under this Act and reference in any document to any of the provisions of the said repealed notifications or the rules or regulations made there under shall, so far as may be, deemed to be reference to the corresponding provisions of this Act or the rules or regulations made there under; and

- (d) any rules regulations, notifications, orders etc. made under the said repealed notification shall, in so far as they are not inconsistent with the provisions of this Act or the rules regulations made under this Act, having regard to the various matters which by this Act have to be regulated or prescribed by rules or regulations respectively shall continue to be in force, until they are repealed, replaced, rescinded or amended in accordance with the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Founded in 1951 by the Iqbal Academy Act and re-enacted through the Iqbal Academy Ordinance No. XXVI of 1962, the Iqbal Academy, Lahore is a statutory body of the Government of Pakistan and a centre for excellence for Iqbal Studies.

2. The Authority for Aiwan-e-Iqbal was created by a resolution of the Ministry of Culture in 1984 with the sole purpose and objective of carrying out the master plan of the complex. Construction of the Aiwan was completed in 1997. The Aiwan is being managed on adhoc basis through a Management Committee, as it does not have regular and sustainable administrative structure.
3. The Iqbal Academy Pakistan Bill seeks to give effect to the merger of the two organizations, namely Iqbal Academy Pakistan and Aiwan-e-Iqbal, having been charged with similar mandate aimed at promotion of studies and research related to Allama Iqbal, with the purpose to avoid duplication and to weave both organizations in one administrative structure.
4. The Bill seeks to achieve the aforesaid object and is therefore submitted for enactment by the Parliament.

(Shafqat Mahmood)
Minister for Federal Education, Professional
Training, National Heritage and Culture