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PART-IV PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 20TH APRIL, 2010

NO.PAS/Legis-B-18/2009- The Sindh Technical Education and Vocational Training Authority Bill, 2009 having been passed by the Provincial Assembly of Sindh on 29th March, 2010 and assented to by the Governor of Sindh on 14th April, 2010 is hereby published as an Act of the Legislature of Sindh.

THE SINDH TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY ACT, 2009

SINDH ACT NO: VIII OF 2010

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 20th April, 2010.)

AN
ACT

to provide for the establishment of an Authority known as the Sindh Technical Education and Vocational Training Authority to manage and regulate technical education and vocational training in the Province..

Preamble

WHEREAS it is expedient to provide for the establishment of an Authority known as the Sindh Technical Education and Vocational Training Authority to manage and regulate technical education and vocational training in close coordination with industry in the Province and for matters connected therewith and ancillary thereto;

It is hereby enacted as follows :-

CHAPTER-I Preliminary

Short title, commence- ment and application.

1. (1) This Act may be called the Sindh Technical Education and Vocational Training Authority Act, 2009.

(2) It shall extend to the whole of Province of Sindh.

(3) It shall come into force at once.

Definitions

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

(a) "Authority" means the Authority established under section 3;

(b) "autonomous body" means an autonomous body under the control of Government established under any law for the time being in force;

- (c) "Board" means the Board of Governors of the Authority established under section 5;
- (d) "Chairperson or Vice-Chairperson" means the Chairperson or Vice-Chairperson of the Board respectively;
- (e) "Commission" means the National Vocational and Technical Education Commission established under the National Vocational and Technical Education Commission Ordinance, 2006 (NAVTEC);
- (f) "establishment" means any office, firm, industrial unit, undertaking, shop, mine or premises in which such minimum number of workmen as may be notified are employed for the purpose of carrying on any industry;
- (g) "Government" means the Government of Sindh;
- (h) "industry" means any business, trade, manufacture, calling, service, employment or occupation;
- (i) "institution" means a school, college, institute or centre by whatever name called, imparting technical education and vocational training set up by Government or autonomous body in the Province and includes any other institution as Government may notify;
- (j) "member" means a member of the Board;
- (k) "prescribed" means prescribed by rules or regulations;

- (l) "rules or regulation" means rules or regulations made under this Act; and
- (m) "SBTE" means Sindh Board of Technical Education
- (n) "technical education and vocational training" means technical education and training in any professional skill, trade, calling or occupation.

CHAPTER-II

Establishment of the Authority

Establishment of the Authority

3. (1) Government may, by notification in the official gazette, establish an Authority to be called the Sindh Technical Education and Vocational Training Authority (STEVTA).
- (2) The headquarters of the Authority shall be at Karachi and it may establish regional offices at such place as it may deem fit.
- (3) The Authority shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property both movable and immovable, and shall by the said name sue and be sued.

Functions of the Authority.

4. (1) The functions of the Authority shall be as follows:-

- (i) to formulate technical education and vocational training policies and plans in collaboration with the Commission (NAVETC) and SBTE towards the objective of strengthening and bringing these programs in consonance with current industry requirements;
- (ii) to facilitate establishment of institutional linkage with the industry to ensure that the multiple technical education and skill development programs are aligned to current industry requirement both nationally and internationally;
- (iii) to evolve and implement technical education and vocational training programs including their curriculum, standards and testing criteria;
- (iv) to provide policy direction and facilitate resources including financial, manpower resources for the technical education and vocational training programs;
- (v) to evolve policy framework for the institutional structure, human resource management, policies including recruitment, promotion, placement, staff development and staff benefit schemes;
- (vi) to undertake restructuring of the technical education and vocational training institutions including their merger, closure, overhaul, upgradation towards the objective of unfolding a cohesive, rational and effective institutional framework in the Province;

- (vii) to monitor and evaluate technical education and vocational training programs in terms of their effectiveness and ability to cater to market needs and facilitation of skilled manpower in the Province;
- (viii) to facilitate public private collaborations for furtherance of technical education and vocational training;
- (ix) to make provisions for mandatory practical training for the students of poly-technic, mono-technic, trainee of vocational training centers and colleges of technologies in the industry; and
- (x) to do other acts necessary for carrying out the purpose of this Act.

CHAPTER-III

Management and Administration of the Authority

Constitution of the Board

- 5) (1) The general directions, all matters of policy and administration of the Authority and its affairs shall vest in a Board which may exercise all powers, perform all functions and do all acts and things which may be exercised, performed or done by the Authority..
- (2) The Board shall comprise of the following:-
 - (a) Minister, Sindh Technical **Chairperson** Education and Vocational Training Authority.

- (b) Two members of the **Members** Provincial Assembly to be elected by the Assembly as the members and vice-Chairperson shall be appointed by the Government.
- (c) Secretary of the **Member** Administrative Department
- (d) Secretary, Labour, **Member** Industries.
- (e) Secretary Finance. **Member**
- (f) Secretary Education and **Member** Literacy.
- (g) Secretary Social Welfare **Member** Department.
- (h) Secretary Information **Member** Technology Department.
- (i) Chairman Sindh Board of **Member** Technical Education
- (j) Two representatives from **Member** industrialists community.
- (k) A representative from the **Member** Agriculturists.
- (l) Representative from the **Member** Mehran University of Engineering and Technology.

(m) Representative of the **Member**
Commission.

(n) Managing Director. **Member**

(3) The Managing Director shall act as Secretary of the Board.

(4) The representative from the industry and agriculture shall be broad based and nominated by Government in consultation with various representatives bodies of business, agriculture and industry in the private sector who have experience in the area of technical education, agriculture and vocational training.

(5) A member appointed from the private sector shall hold office at the pleasure of Government initially for a period of three years on such terms and conditions as Government may determine but no such member shall be removed unless a complaint in writing is made by the Board and the member concerned is afforded an opportunity of being heard.

(6) A member from the private sector may, by writing in his hand addressed to Government, resign his office.

(7) The Board in the discharge of its functions shall be guided by such directions as Government may give to it from time to time.

6. (1) The meeting of the Board shall be regulated by regulations but until regulations are framed the meetings shall be held as and when required by the Chairperson or in his absence Vice-Chairperson at the time and place as the Chairperson or as the case may be Vice-Chairperson may determine; provided that the meeting shall be held once in a quarter.

**Meetings of
the Board.**

- (2) Five members shall constitute a quorum for a meeting.
- (3) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Board shall be taken in such meeting.
- (4) The decisions of the Board shall be taken by the majority of its members present and, in case of tie, the person presiding over the meeting shall have a casting vote.
- (5) The decisions of the Board shall be reduced in writing and shall be signed by the Managing Director.

7. The Board shall-

Functions
of the
Board.

- a) provide the over all directions in respect of the technical education and vocational training and based on the policies and for the purpose approve plans, programs and projects;
- b) provide policy framework for creating institutional linkages with industry both for evolving market linked programs in the technical education and vocational training institutions and for facilitating placement of the technical education graduates and trained manpower in industry;

- c) approve proposals relating to the financial management and fiscal resources of the Authority including proposals for grants, budgets and transfers to various institutions;
- d) approve matters relating to organization structure of the technical education and vocational training institutions including policies on human resources management;
- e) oversee the implementation of programs and undertake their evaluation to determine their effectiveness through in house and outsourcing;
- f) approve policies relating to public private partnership for establishment or management of technical education and vocational training; and
- g) regulate quality control for implementation of skill standards, syllabus, trade testing and certification of technical education and vocational training institutions.

**Appointment
of the
Managing
Director.**

8. (1) There shall be a full-time Managing Director of the Authority appointed by the Government on such terms and conditions as it may determine.
- (2) The Managing Director shall be an eminent professional of known integrity and competence having experience of public or private sector management especially in the

context of managing human resources, financial management, program implementation and may additionally have technical understanding of demands of industry and market in terms of manpower skills and competence.

- (3) The Managing Director shall be paid such salary and allowances as may be determined by the Government but his salary and allowances shall not be varied to his disadvantage during the term of his office.
- (4) The Managing Director shall have a term of three years and shall be eligible for reappointment for more than one term on the basis of his performance; provided that the Government on a complaint regarding the performance of the Managing Director or otherwise reduce his term or as the case may be terminate his services.
- (5) The Managing Director may, at any time, on two months notice, resign his office by writing under his hand addressed to the Chairperson.

9. The Managing Director shall have power and responsibility to-

**Power of
the
Managing
Director**

- (a) exercise administrative control over the day to day functioning of the Authority, including management, financial management, human resource management and management of academic affairs;
- (b) run the affairs of the Authority for attaining the objectives of the Authority through the executive tier placed under therein;

- (c) prepare the annual report of the Authority for placing before the Board;
- (d) perform such functions and exercise such powers as the Board may delegate to him; and
- (e) act on behalf of the Authority, in any emergency, subject to the obligation to report such action to the Board at its next meeting and to seek the Board's ratification of any action so taken.

**Organization
al tier.**

10. There shall be established a full fledged organizational tier of the Authority under the Managing Director in such manner and with such functions as may be prescribed by regulations.

Committees

11. The Board may set up such administrative and technical committees for the efficient performance of its functions as may be necessary and entrust to the committees such functions as it may consider necessary.

**CHAPTER-IV
FUNDS**

Fund

12. (1) There shall be a fund to be known as the Sindh Technical Education and Vocational Training Authority (STEVTA) Fund and shall vest in the Authority with powers to manage and operate it.
- (2) All receipts of the Authority from any source whatsoever including annual grants from the Government shall be credited to the fund.
- (3) Government shall provide annual grants to the Authority for carrying out the purposes of this Act.

- (4) The Authority may receive grants from other sources including private sector.
 - (5) The Authority may invest its funds in investment schemes including Government securities for raising funds.
 - (6) The fund shall be managed and operated in the manner as may be prescribed by rules.
13. (1) The Authority shall maintain accounts of **Audit** and receipts and expenditure in accordance **accounts** with rules.
- (2) The Authority would maintain an internal Audit Division which would regularly undertake institutional internal checks and controls.
 - (3) The Accounts of the Authority shall be annually audited through external Chartered Accountant firm approved by the Board and the report of the Chartered Accountant alongwith audited account shall be presented to Government.
- 14 The Authority may create posts, appoint **Appointment** such officers, advisors, consultants and employees **of officers** as it considers necessary for the efficient **and staff** performance of its functions in such manner and on such terms and conditions as may be prescribed by rules.
15. (1) The Authority shall take over and control all **Transfer of** the Technical Education and Vocational **the** Training Institutions and their administrative **employees** offices in the province, in accordance with **of the** the provisions of this Act. **Institutions.**

- (2) The employees of all the Technical Education and Vocational Training Institutions and their administrative offices shall be transferred by Government for service under the Authority on such terms and conditions as may be determined by Government which shall not be less favourable than those admissible to them immediately before transfer to the Authority.
- (3) The employees transferred under sub-section (2) shall continue to be the employees of Government and governed under its rules, by the Authority and shall be liable to be transferred back to Government unless absorbed, by consent, in the service of the Authority in such manner as may be prescribed.
- (4) Pension, gratuity and other service benefits admissible to such employees including the employees who retired or died while serving in relation to an institution before the commencement of this Act shall be the responsibility of the Authority.
- (5) The employees transfer under sub-section (1) shall cease to be employees of Government and would become the employees of the Authority and shall be governed by rules and regulations applicable to other employees of the Authority.

Provided that in case of winding up of the Authority, such employees shall stand repatriated to the Government as if they were never transferred to the Authority.

- (6) Government shall in accordance with the relevant rules contribute to the pension gratuity in respect of such employees for the period they served the Government and transfer their provident fund to the Authority.

16. All properties movable or immovable vesting in and liabilities outstanding against the institution shall become the property and liabilities of the Authority.

Transfer of assets and liabilities of the Institutions.

CHAPTER-V MISCELLANEOUS

17. (1) The Authority shall submit an annual report to Government in respect of its activities and furnish such information as and when required by Government.

Submission of Reports.

- (2) The Authority shall post important information and programs on its website.

18. The Government may, by notification in the official gazette, exempt either conditionally or unconditionally any establishment or class of establishments or any institution from all or any of the provisions of this Act.

Power to exempt.

19. Every employee of the Authority including officers, advisors and consultants and every persons acting or purporting to act under this Act, rules and regulations shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code, 1860.

Public Servants

20. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force except clauses (i) to (vii) of sub-section (2) of section 12 of Sindh Board of Technical Education Ordinance, 1970.

Act to override other laws.

- Indemnity** 21. No suit, prosecution or legal proceedings shall lie against Government, the Authority or any person in respect of any thing done or purported to have been done in good faith or intended to be, done under this Act.
- Power to make rules.** 22. Government may make rules for carrying out the purposes of this Act.
- Power to make regulations.** 23. The Authority may with the approval of Government make regulations not inconsistent with this Act or rules for carrying out the purposes of this Act.
- Removal of difficulties.** 24. If any difficulty arises in giving effect to any of the provisions of this Act, Government may make such order, not inconsistent with the provisions of this Act for removing the difficulty.

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**