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THE BALOCHISTAN GAZETTE

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GOVERNMENT OF BALOCHISTAN
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT

NOTIFICATION.

Dated Quetta, the 16th January, 2007.

No. Legis: 2-114/Law/2008/. The following Ordinance made by the Governor of Balochistan on 9th January, 2007 is hereby published for general information-

BALOCHISTAN ORDINANCE NO. | OF 2007.

THE BALOCHISTAN TECHNICAL EDUCATION AND VOCATIONAL TRAINING
AUTHORITY ORDINANCE, 2007,

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AN
ORDINANCE

to constitute Balochistan Technical Education and Vocational Training Authority (B-TEVTA) to regulate and promote vocational training and technical education facilities and to provide for financing of training programmes and for matters ancillary or

incidental thereto in various disciplines, trades and technologies.

Preamble; WHEREAS it is expedient to provide for establishment of Technical Education and Vocational Training Authority.

AND WHEREAS the Provincial Assembly is not in session and Governor of Balochistan is satisfied that circumstances exist which render it necessary to take immediate action

NOW THEREFORE In exercise of powers conferred upon him under Article 128 of the Constitution of Islamic Republic of Pakistan, the Governor of Balochistan is pleased to make and promulgate the following Ordinance:

1. Short title, extent, commencement and application. - (1) This Ordinance may be called the Balochistan Technical Education and Vocational Training Authority Ordinance, 2007 ,

(2) it extends to the whole of Balochistan.

(3) It shall come into force at once

(4) It shall apply to all establishments, institutes and centres engaged in imparting vocational training and technical education.

2. Definitions. ~

in this Ordinance, unless there is anything repugnant in the subject or context -

(a) "Authority" means Balochistan Technical Education and Vocational Training

Authority

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(b) “NAVTEC” means National Vocational and Technical Education Commission, constituted vide Cabinet Division's Notification No.4-16/2005-Min-1, dated 30% December, 2005.

(c) “Establishment” means any office, firm, industrial unit, undertaking, shop, mine or premises in which workmen are employed for the purpose of carrying on any industry.

(d) “Industry” means any business, trade, manufacture, calling, service.

employment or occupation;

(e) “Institution” means a school, college, institute or centre by whatever name called, imparting vocational training and technical education;

(f) “Vocational training / Technical Training” means training in any physical and professional skill, trade, technology, calling or occupation.

(g) “Directorate of Manpower Training” means Directorate of Manpower Training ed

dealing with Vocational, Technical Training and apprenticeship training programme,

(h) “Directorate of Technical Education” means Directorate of Technical Education dealing with mono polytechnic, polytechnic and college of technology

‘commercial

(i) “Monitoring and Evaluation Cell” means Monitoring & Evaluation Cell established by the DMT;

(j) “Apprenticeship Training Programme” means Apprenticeship Training Programme established by the DMT (Apprenticeship and on the job training programme in the local industries under Apprenticeship Ordinance, 1962);

(k) “Employment Exchange” means Employment Exchanges established by DMT:

(j) "Women Training & Employment Cell" means Women Training & Employment Cell established by the DMT.

(m) "Committee" means committee constituted under section 9 of this Ordinance;

(n) "Department" means Labour & Manpower Department;

(o) "Prescribed" means prescribed by rules & regulations made under this Ordinance;

(p) "Government" means Government of Balochistan

(q) "CMCs" means Centre management Committees constituted for the management of VTCs and TTCs

(r) "IMCs" means Institute Management Committees constituted for the management of Polytechnic / college of Technology and commercial institutes

3. Incorporation: — (1) the Government may establish an Authority to be called the Technical Education and Vocational Training Authority of Balochistan

(2) The Authority shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, either moveable or immovable, and shall by the said name sue and be sued.

4. Constitution of the Authority: -- (1) The Authority shall consist of the following members namely:

OFFICIAL MEMBERS

(i) Chief Minister Balochistan Chairman

(ii) Chief Secretary Vice Chairman

(iii) Additional Chief Secretary (Development) Member

(iv) Special Secretary to Chief Minister Member

(v) Secretary Labour & Manpower Department Secretary

(vi) Secretary Education Member

(vii) Secretary Industries Member

(viii) Secretary Finance Member

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Secretary Social Welfare Member

(x) Director, Manpower Training Member

(xi) Director, Technical Education Member

(xii) Managing Director, Gwadar Industrial Estate Member

Qcii) — Managing Director LIEDA Member

NON-OFFICIAL MEMBERS

(i) President, Chamber of Commerce. Hub Member

(ii) President, Chamber of Commerce. Quetta Member

(iii) Two Workers (Trade Union) Member

The Authority may Co-opt any person as a member of the Authority.

Non Official Members of the Authority shall be appointed by the Government an the

recommendations of Director Labour Welfare for a period of three years.

5.

Function of the Authority. -- (1) The functions of the Authority shall be to. ---

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Devise and review policies in the light of guidelines issued by
NAVTEC to evoive strategy for developing technical education

vocational training and employment in general:

Collaborate with the sources of labour market information as
determined from a survey of establishments with a view to assessing
on a continuing basis existing and future training needs, both local

and foreign;

Systematically study existing training programmes with respect to their
relevance, duration and size and recommend desirable measures in
the light of study:

Establish criteria for evaluating and determining training programmes

and facilities:

Develop training syllabi curricula and establish specify national training standards and trade tests without prejudice to any — existing

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programmes being implemented by the Government under an

agreement with a foreign Government,

Strengthen and upgrade the existing Trade Testing Board functioning under the aegis of Labour & Manpower Department for issuing of trade proficiency Certificates and Diplomas;

Supervise such training programmes as are funded from the Federal and provincial budget:

Prescribe conditions under which institutions in the public and private sector may be established and operated;

Prepare training plans programmes and projects in view of national and international labour market requirements and submit the same for approval of the competent forum;

Recommend to the appropriate forum means for financing training programmes,

Promote and finance training of establishment-based or institution-based training of officials and instructors;

Organize and conduct seminars and workshops for various types of personnel associated with training activities;

Collect and compile statistics related to vocational training and technical education;

Arrange regular training programme and refresher courses for instructional Staff to up-date their knowledge and skill within the country and abroad;

(xiv) Review existing and proposed legislation on vocational training and technical education and recommend necessary legislation,

(xv) Issue directives to establishments or institutions for compliance within the framework of the approved plans and projects:

(xvi) Introduce joint venture schemes with retired professionals and highly skilled personnel for the promotion of micro and cottage industries and establishments

(xvii) Motivate and facilitate private sector for establishing vocational training and technical education institutions.

(xviii) Issue Excellence Awards with financial rewards to the instructors and trainees for their outstanding performance which shall be not less than Rs.10,000/- and Rs.5,000 respectively,

(xix} Do all other acts necessary for carrying out the purposes of this Ordinance.

(2) The Authority would provide overall umbrella management, policy planning /

guidance technical and financial assistance to upgrade and strengthen the existing

Technical Education and Vocational Training System in Balochistan, while the concerned

Administrative Departments would continue their activities as usual ie. Technical

Education and Vocational Training.

(3) The Authority will exercise its powers through Secretary to conduct its day to

day administration and to coordinate with all concerned.

Functions of Secretary B-TEVTA

(1) The Secretary B-TEVTA shall provide secretarial services to the Authority and

shall—

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Publish an annual forecast of provincial skilled manpower / technicians requirements;

schemes;

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\identify and inspect vocational training and technical education

Maintain a directory of approved schemes;

Ensure uniformity of technical / vocational training and technical education standards;

Propose development schemes to the Authority;

Supplement or provide advisory services to establishments offering vocational training and technical education;

Prepare an annual provincial training matrix in the light of TNA for meeting skilled manpower/technicians requirements;

Regulate affiliation of establishments and institutions both public and private, imparting vocational training and technical education

Issue regulations for licensing provincial establishments and institutions;

Conduct trade tests and certify the skilled persons and trainers who have received vocational training through any source or acquired the skill through experience or informal system:

Arrange staff training programme regularly in the existing Staff

Training Institute Quetta;

Develop mechanism to establish link of staff training programme with local industries;

Affiliate public and private institutes with TTB for final trade test and certification thereof.

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Register graduates, professionals, semi-skilled and skilled workers,

TICNTC pass outs, Polytechnic graduates male & female with
Employment Exchanges,

Set up of Regional offices of the Authority if deemed necessary,

Establish data bank on job opportunities available in private and public
sector and shall control regional offices through E.Es to facilitate the

job seekers; :

Strengthen the existing ATP under Apprenticeship Training Ordinance
1962;

Strengthen existing internship training programme in collaboration with
public and private sector;

Establish 'Trade Advisory Committees" to up date the existing training
manuals in the light of prevailing labour market requirements;

Conduct Training Need Assessment Survey and tracer studies on
regular basis within province and develop mechanism to promote

overseas employment in consultation with NAVTEC:

To coordinate with all Institutions imparting Vocational Training and Technical Education in Balochistan;
Arrange ISO certification for the diplomas and certificates issued by

the Authority;

Maintain data bank of school drop outs and unemployed educated

youth;

Establish a mechanism for self employment of the pass outs of VTCs
TTCs and Polytechnic graduates

Work out means to provide higher education opportunities to the pass

outs of TEVT institutions

poxvi) Arrange vocational training in Deeni Madaris, Rehabilitation Centers

for Drug Addicts, District and Central Jails

(ovii) Establish "Centres of Excellence" (Hi-tech training centres to meet the skilled manpower requirements of upcoming automation industries).

(xxviii) Arrange rural apprenticeship training programmes to give boost to the traditional trades

(xxix) Establish mobile training units

(ox) Establish display centres on tehsil levels for traditional products with participation of local community for encouragement and financial assistance of local artisans and craftsman

(xxxi) Negotiate with Donor Agencies, willing to provide technical and financial assistance for provision of grants and loan in consultation with NAVTEC.

(oxi) Prepare annual budget and make its utilization as per provisions of

Financial Rules, by fulfilling all legal formalities

7. Powers and functions of the Chairman. The Chairman of the Authority shall be the Chief Executive of the Authority and shall:

i Take measures, including the allocation of funds on yearly basis, for training activities, scholarships and stipends for trainees and training of teachers / instructional staff within country and abroad;

ii Establish an endowment fund for technical education and vocational training with contributions from government as well as non governmental resources,

iii Allocate funds for infrastructure development, training of faculty as an incentive to improve quality of vocational training and technical education.

vi Set up such administrative and technical committees, working groups, skill development council, trade testing board or other such bodies and entrust

them such functions as he may consider necessary;

v Regulate quality «control for implementation of skills standards, syllabus, trade testing and certification of technical and vocational training

institutions;

vi Advise the Authority for grant of diplomas / certificates for the courses conducted by the private technical education and vocational training institutions affiliated with B-TEVTA;

vii Determine equivalence and recognition of diplomas, certificates awarded by institutions within the country in consultation with NAVTEC;

viii Approve policies, plans, programme of the Authority

ix Approve projects up to a ceiling of Rs. 40 million

8. Delegation of Powers: -

The Authority may delegate all or any of its powers, duties or functions to any member

or any of its officers as the case may be.

9. Committees: -

The Authority may set up as many committees i.e. Centre Management committees and Institute management Committees in B-TEVTA institutions, working groups as may be

required to effectively perform its functions

10. Funds:-

(1) The Government shall provide funds to the Authority for meeting all expenses required for discharging its functions.

(2) The Government may provide annual grants to the Authority for carrying out its functions.

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{3} All receipts of the Commission from any source whatsoever shall be credited to a fund to be called B-TEVTA and shall vest in the Authority with powers to manage and operate.

(4) The mechanism for operation of the Fund shall be prescribed -by the Authority.

tt. Submission of Reports: -

The Authority shall submit an annual report to the Government and NAVTEC in respect of its activities or as and when required by the Government.

12. Audit and Accounts: -

(1) The Authority shall maintain its accounts of receipts and expenditure in such manner as may be prescribed by the Controller General of Accounts

(2) The accounts of the Authority shall be audited by the Director Audit Balochistan or any officer authorized by him in such manner as the OG Audit may think fit

{3} The Authority may also get its accounts audited by a Chartered Accountant firm to be appointed with the approval of Government.

(4) The DG Audit shall, soon after the completion of audit submit the audit report on the accounts of Authority and the Board under intimation to the Government and NAVTEC.

13. Employees of the Authority to be Public Servants: -

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Every employee of the Authority and every person acting or purporting to act under this Ordinance and the rules and regulations made there under shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act XLV of 1860)

14. Indemnity: -

No suit, prosecution or other legal proceedings shall lie against any person exercising

the powers or for anything in good faith or intended to be done under this Ordinance

15. Powers to make rules:-

The Authority, with the approval of the Government may make rules for carrying out the purpose of the Ordinance. However, till the formulation / adoption of rules of business service rules, recruitment rules etc. the existing rules will remain in practice

16. Power to make regulations:-

The Authority may, with the approval of the Government, make the rules regulations not inconsistent with this Ordinance and, for carrying out the purposes of this Ordinance

17. Removal of difficulties:-

If any difficulty arises in giving effect to any of the provisions of this Ordinance, the

Government may make such order, not inconsistent with the provisions of this Ordinance. for

removing the difficulty

18. Ordinance to override other laws:-

The provision of this Ordinance shall have effect notwithstanding anything to the

contrary contained in any other law for the time being in force

19. Repeal and Savings: - On the commencement of this Ordinance

(1) The Balochistan Board of Technical Education Ordinance, 1962, (W.P Ordinance XXXIX 1962} is hereby repealed

{2} On issuance of this Ordinance, the Balochistan Technical Education and Vocational Training Authority Ordinance, 2006 (Ordinance No. III of 2006) is hereby repeated

{3} All assets liabilities, members, Staff, Buildings, of the Institutions, defined at S.No.2 (e) shall become assets, liabilities, members, staff and building of the Authority established under'

this Ordinance

20. Employees of the Authority. ~

(1) The Authority may. subject to general or special orders, as the Government may give to it from time to time and subject to such rules as may be made in this behalf, create posts appoint such officers, advisers, consultants and employees as it considers necessary for the efficient performance of its function on such terms and conditions as may be prescribed. The

Authority shall make rules for the recruitment of its employees

(2) The services of the existing employees of the Institution or offices taken over by the Authority shali be transferred to the Authority on terms and conditions which shall not be less

favorable than those admissible to them immediately before their transfer to the Authority.

(3) The employees transferred under sub section (2) shall continue to be employees of the Government able to be transferred back to the Government by the Authority unless absorbed in

the service of the Authority in such manner as may be prescribed.

(4) The Authority shall, through adoption of policies of hiring or freeze, reassignment, restructuring of institutions, non-replacement of employees retiring upon attainment of age superannuation and providing incentives for early retirement and bring the number of its

employees in conformity with the requirements of the Authority

(5) The Government shall in accordance to the relevant rules contribute to the pension

gratuity and final payment of provident fund and other similar payments of the employees of the

Institution or Offices who become the employees of the Authority under sub-section (2) for the period they served the Government

(6) The Authority is competent to revise and up-grade any or all pay scales and posts of its employees

21. Power to exempt. -

The Government may by a notification issued in the official Gazette, exempt either conditionally or unconditionally any establishment or class of establishments or any institution imparting vocational training and technical education from all or any of the provisions of this

Ordinance.

Dated the 9th January, 2007. OWAIS AHMED GHANI
GOVERNOR BALUCHISTAN

MUHAMMAD ABDULLAH KHAN KAKAR
SECRETARY LAW