

SINDH ACT NO.VIII OF 2010

THE SINDH TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY

ACT, 2009
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THE SINDH TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY

ACT, 2009

[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..

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

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.

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

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

(6) "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 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

Preamble

Short title,
commencement and
application.

Definitions

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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;

(m) "SBTE" means Sindh Board of Technical Education;
and

(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

3. (1) Government may, by notification in the official gazette, Establishment
establish an Authority to be called the Sindh Technical of the
Education and Vocational Training Authority (STEVTA). Authority

(2) The headquarters of the Authority shall be at Karachi
and it may establish regional offices at such place as it
may deem fit.

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(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.

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

- (i)
- (ii)
- (ii)
- (iv)
- (v)
- (vi)
- (vii)
- (viii)

to formulate technical education and vocational training policies and plans in collaboration with the Commission (NAVETC) towards the objective of strengthening and bringing these programs in consonance with current industry requirements;

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;

to evolve and implement technical education and vocational training programs including _ their curriculum, standards and testing criteria;

to provide policy direction and facilitate resources including financial, manpower resources for the technical education and vocational _ training programs;

to evolve policy framework for the institutional structure, human resource management, policies including recruitment, promotion, placement, staff development and staff benefit schemes;

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:

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;

to facilitate public private collaborations — for furtherance of technical education and vocational training;

Functions of
the Authority.

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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

to do other acts necessary for carrying out the

purpose of this Act.

CHAPTER-III

Management and Administration of the Authority

(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 Education and Vocational Training Authority.

Chairperson

(b) Two members of the Provincial Members Assembly to be elected by the Assembly as the members and vice-Chairperson shall be appointed by the Government.

(c) Secretary of the Administrative Member Department

(d) Secretary, Labour, Industries. Member

(e) Secretary Finance. Member

(f) Secretary Education and Literacy. Member

(g) Secretary Social Welfare Department. Member

(h) Secretary Information Technology Member Department.

(i) Chairman Sindh Board of Technical Members Education.

(j) Two representatives from industrialists Member community.

Constitution

of the Board

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(k) A representative from the Agriculturists. Member

(l) Representative from the Mehran Member

University of Engineering and
Technology.

(m) Representative of the Commission. Member

(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.

(2) Five members shall constitute a quorum for a
meeting.

(3) The members shall have reasonable notice of the

Meetings of
the Board.

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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-

a)

b)

Cc

d

e

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;

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;

approve proposals relating to the financial management and _ fiscal resources of the Authority including proposals for grants, budgets and transfers to various institutions;

approve matters relating to organization structure of the technical education and vocational

training institutions including policies on human resources management:

oversee the implementation of programs and undertake their evaluation to determine their effectiveness through in house and outsourcing;

approve policies relating to public private partnership for establishment or management of technical education and vocational training; and

regulate quality control for implementation of skill standards, syllabus, trade testing and certification of technical education and vocational training institutions.

Functions of
the Board.

8. (1) There shall be a full-time Managing Director of the

(3)

(4)

Authority appointed by the Government on such terms and conditions as it may determine.

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.

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.

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.

The Managing Director may, at any time, on two months notice, resign his office by writing under his hand addressed to the Chairperson.

Appointment
of the
Managing
Director.

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

(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;

(6) 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 of 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.

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.

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

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

Power of the
Managing
Director

tier.

Committees

Fund

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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 receipts and expenditure in accordance 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 such officers, advisors, consultants and employees as it considers necessary for the efficient 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 all the technical education and vocational training institutions in the Province to run and control such institutions in accordance with this Act.

(2) The employees of the institutions taken over by the Authority under sub-section(1) shall be transferred by Government for service under the Authority on the terms and conditions as may be determined by Government but such terms and conditions shall not be less favourable than those admissible to them immediately before their transfer to the Authority.

(3) The service rendered by such employees shall be deemed to be the service rendered in the Authority.

(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

Audit and
accounts.

Appointment
of officers
and staff.

Transfer of
the
employees of
the
Institutions.

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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.

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..

(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.

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.

20. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any

Transfer of
assets and
liabilities of
the

Institutions.

Submission of
Reports.

Power to
exempt.

Public
Servants

Act to over-
ride other

other law for the time being in force.

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.

22. Government may make rules for carrying out the purposes of this Act.

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.

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.

laws.

Indemnity

Power to
make rules.

Power to
make
regulations.

Removal of
difficulties.