

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT

NOTIFICATION

Dated Quetta, the 24th March,2011

No.PAB/Legis: V (02)/2011. Having been passed the Balochistan Technical Education and Vocational Training Authority bill No.2 of 2011, by the Provincial Assembly of Balochistan on 18th March, 2011 and assented to by the Governor, Balochistan on 24th March, 2011 is hereby published as an Act of the Balochistan Provincial Assembly.

BALUCHISTAN TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY ACT 2011, ACT No. II OF 2011.

(First published after having received the assent of the Governor Balochistan in the Balochistan Gazette (Extra-ordinary) dated 24th March,2011.

AN ACT

to provide for establishment of Technical Education and Vocational Training Authority and for matters connected therewith or ancillary thereto.

Preamble.

WHEREAS it is expedient to provide for establishment of Balochistan Technical Education and Vocational Training Authority to regulate and promote vocational training and technical education facilities in various disciplines, trades and technologies and to provide for financing of training programmes and for matters ancillary or incidental thereto;

It is hereby enacted as follows:

Short title, extent and commencement.

1. (1) This Act may be called the Balochistan Technical Education and Vocational Training Authority Act, 2011.
- (2) It extends to the whole of Balochistan except the Tribal Areas.
- (3) It shall come into force at once and shall be deemed to have taken effect on the 30th October, 2009.
- (4) It shall apply to all establishments, institutes and centre engaged in imparting vocational training and technical education.

Definitions.

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

- (a) “Apprenticeship Training Programme” means Apprenticeship Training Programme established by the Directorate of Manpower Training (Apprenticeship and on the job training programme in the local industries under Apprenticeship Ordinance, 1962);
- (b) “Authority” means Balochistan Technical Education and Vocational Training Authority
- (c) “Committee” means committee constituted under section 9 of this Act;
- (d) “Department” means the Labour & Manpower Department;
- (e) “Directorate of Manpower Training” means Directorate of Manpower Training dealing with Vocational, Technical Training and apprenticeship training programme;
- (f) “Directorate of Technical Education” means Directorate of Technical Education dealing with mono polytechnic, polytechnic and college of technology /commercial;
- (g) “Employment Exchange” means Employment Exchanges established by the Directorate of Manpower Training ;
- (h) “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;
- (i) “Industry” means any business, trade, manufacture, calling, service, employment or occupation;
- (j) “Institution” means a school, college, institute or centre by whatever name called, imparting vocational training and technical education;

- (k) “Monitoring and Evaluation Cell” means Monitoring and Evaluation Cell established by the Directorate of Manpower Training;
- (l) “NAVTEC” means National Vocational and Technical Education Commission; constituted vide Cabinet Division’s Notification No.4-16/2005-Min-1, dated 30th December, 2005.
- (m) “Vocational Training/Technical Training” means training in any physical and professional skill, trade, technology, calling or occupation.
- (n) “Women Training and Employment Cell” means Women Training & Employment Cell established by the Directorate of Manpower Training.
- (o) “Prescribed” means prescribed by rules & regulations made under this Act;
- (p) “Government” means the Government of Balochistan;
- (q) “Centre Management Committees (CMC’s)” means the Committees constituted for the management of Vocational Training Centre’s (VTC’s and Technical Training Centre’s (TTC’s); *and*
- (r) “Institute Management Committees (IMC’s)” means the Committees constituted for the management of Polytechnic / College of Technology and Commercial Institutes.

Incorporation.

3. (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 by the name of “the Technical Education and Vocational Training Authority, Balochistan” and shall have perpetual succession and a common seal, and may sue and be sued by the said name.
- (3) The Authority shall be competent to acquire and hold property, both movable and immovable, and to lease, sell or otherwise transfer any

movable and immovable property which may have become vested in or been acquired by it.

Constitution of the Authority.

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

Official Members

- | | | | |
|-----|--|----|----------------------|
| (a) | Chief Minister Balochistan | -- | Chairman |
| (b) | Minister Labour and Manpower | -- | Vice Chairman |
| (c) | Chief Secretary | -- | Member |
| (d) | Additional Chief Secretary (Dev:) | -- | Member |
| (e) | Special Secretary to Chief Minister | | Member |
| (f) | Secretary Labour and & Manpower Dept. | -- | Member/
Secretary |
| (g) | Secretary Education | -- | Member |
| (h) | Secretary Industries | -- | Member |
| (i) | Secretary Finance | -- | Member |
| (j) | Secretary Social Welfare | -- | Member |
| (k) | Director, Manpower Training | -- | Member |
| (l) | Director, Technical Education | -- | Member |
| (m) | Managing Director LIEDA | -- | Member |
| (n) | Managing Director, Gwadar Industrial Estate. | -- | Member |

Non-Official Members

- | | | | |
|-----|--|----|--------|
| (o) | President, Chamber of Commerce, Hub | -- | Member |
| (p) | President, Chamber of Commerce, Quetta | -- | Member |
| (q) | Two Workers (Trade Union) | -- | Member |

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

(3) Non-official Members of the Authority shall be appointed by the Government on the recommendations of the Director Labour Welfare for a period of three years.

Function of the Authority.

5. (1) The functions of the Authority shall be to:—

- (a) devise and review policies in the light of guidelines issued by the Commission (NAVTEC) to evolve strategy for developing technical education, vocational training and employment in general;
- (b) 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;
- (c) systematically study existing training programmes with respect to their relevance, duration and size and recommend desirable measures in the light of study;
- (d) establish criteria for evaluating and determining training programmes and facilities;
- (e) develop training syllabi/curricula and establish/specify national training standards and trade tests without prejudice to any existing programmes being implemented by the Government under an agreement with a foreign Government;
- (f) strengthen and upgrade the existing Trade Testing Board functioning under the aegis of Labour & Manpower Department for issuing of trade proficiency Certificates and Diplomas;
- (g) supervise such training programmes as are funded from the Federal and provincial budget;
- (h) prescribe conditions under which institutions in the public and private sector may be established and operated;

- (i) 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;
- (j) recommend to the appropriate forum means for financing training programmes;
- (k) promote and finance training of establishment-based or institution-based training of officials and instructors;
- (l) organize and conduct seminars and workshops for various types of personnel associated with training activities;
- (m) collect and compile statistics related to vocational training and technical education;
- (n) arrange regular training programme and refresher courses for instructional Staff to up-date their knowledge and skill within the country and abroad;
- (o) review existing and proposed legislation on vocational training and technical education and recommend necessary legislation;
- (p) issue directives to establishments or institutions for compliance within the framework of the approved plans and projects;
- (q) introduce joint venture schemes with retired professionals and highly skilled personnel for the promotion of micro and cottage industries and establishments;
- (r) motivate and facilitate private sector for establishing vocational training and technical education institutions;

- (s) 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; *and*
- (t) do all other acts necessary for carrying out the purposes of this Act.

(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 i.e. 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 the Secretary B-TEVTA.

6. (1) The Secretary the Balochistan Technical Education and Vocational Training Authority (BTEVTA) shall provide secretarial services to the Authority and shall:-

- (a) publish an annual forecast of provincial skilled manpower / technicians requirements;
- (b) identify and inspect vocational training and technical education schemes;
- (c) maintain a directory of approved schemes;
- (d) ensure uniformity of technical / vocational training and technical education standards;
- (e) propose development schemes to the Authority;
- (f) supplement or provide advisory services to establishments offering vocational training and technical education;

- (g) prepare an annual provincial training matrix in the light of TNA for meeting skilled manpower/technicians requirements;
- (h) regulate affiliation of establishments and institutions both public and private, imparting vocational training and technical education;
- (i) issue regulations for licensing provincial establishments and institutions;
- (j) 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;
- (k) arrange staff training programme regularly in the existing Staff Training Institute Quetta;
- (l) develop mechanism to establish link of staff training programme with local industries;
- (m) affiliate public and private institutes with TTB for final trade test and certification thereof;
- (n) register graduates, professionals, semi-skilled and skilled workers, TTC/VTC pass outs, Polytechnic graduates male & female with Employment Exchanges;
- (o) set up of Regional offices of the Authority if deemed necessary;
- (p) 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;
- (q) strengthen the existing ATP under Apprenticeship Training Ordinance 1962;
- (r) strengthen existing internship training programme in collaboration with public and private sector;

- (s) establish “Trade Advisory Committees” to up date the existing training manuals in the light of prevailing labour market requirements;
- (t) conduct Training Need Assessment Survey and tracer studies on regular basis within province and develop mechanism to promote overseas employment in consultation with the Commission (NAVTEC);
- (u) to coordinate with all Institutions imparting Vocational Training and Technical Education in Balochistan;
- (v) arrange ISO certification for the diplomas and certificates issued by the Authority;
- (w) maintain data bank of school drop outs and unemployed educated youth;
- (x) establish a mechanism for self employment of the pass outs of Vocational Training Centres, Technical Training Centres and Polytechnic graduates;
- (y) work out means to provide higher education opportunities to the pass outs of TEVT institutions;
- (z) arrange vocational training in *Deeni Madaris*, Rehabilitation Centers for drug addicts, District and Central Jails;
- (aa) establish “Centres of Excellence” (Hi-tech training centres to meet the skilled manpower requirements of upcoming automation industries);
- (bb) arrange rural apprenticeship training programmes to give boost to the traditional trades;
- (cc) establish mobile training units;

- (dd) establish display centres on Tehsil levels for traditional products with participation of local community for encouragement and financial assistance of local artisans and craftsman;
- (ee) negotiate with donor agencies willing to provide technical and financial assistance for provision of grants and loan, in consultation with the Commission (NAVTEC); *and*
- (ff) prepare annual budget and make its utilization as per provisions of Financial Rules, by fulfilling all codal formalities.

Powers and functions of the Chairman.

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

- (a) 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;
- (b) establish an endowment fund for technical education and vocational training with contributions from Government as well as non Governmental resources;
- (c) allocate funds for infrastructure development, training of faculty as an incentive to improve quality of vocational training and technical education;
- (d) 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;

- (e) regulate quality control for implementation of skills standards, syllabus, trade testing and certification of technical and vocational training institutions;
- (f) advise the Authority for grant of diplomas / certificates for the courses conducted by the private technical education and vocational training institutions affiliated with the Balochistan Technical Education and Vocational Training Authority (BTEVTA);
- (g) determine equivalence and recognition of diplomas, certificates awarded by institutions within the country in consultation with the Commission (NAVTEC);
- (h) approve policies, plans, programme of the Authority;
- (i) approve projects up to a ceiling of Rs. 40 million;
- (j) may delegate any of its powers, duties or functions to any member or any officers as the case may be; *and*

Delegation of Powers.

8. 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.

Committees.

9. The Authority may set up as many committees i.e. Centre Management Committees and Institute Management Committees in the Balochistan Technical Education and Vocational Training Authority (BTEVTA) institutions, working groups as may be required to effectively perform its functions.

Funds.

10. (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.

(3) All receipts of the Commission from any source whatsoever shall be credited to a fund to be called B-TEVTA Fund 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.

Submission of Reports.

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

Audit and Accounts.

12. (1) The Authority shall maintain its accounts of receipts and expenditure in such manner and in such form 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 Director General 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 Director General Audit shall, soon after the completion of audit, submit the audit report on the accounts of Authority to the Board under intimation to the Government and the Commission (NAVTEC).

Employees of the Authority to be Public Servants. Indemnity.

13. Every employee of the Authority and every person acting or purporting to act under this Act 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. 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 Act.

Powers to make rules.

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

Power to make regulations.

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

Removal of difficulties.

17. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may make such order, not inconsistent with the provisions of this Act, for removing the difficulty.

Act to override other laws.

18. The provision of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

Repeal and Savings.

19. On the commencement of this Act:

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

(2) All assets liabilities, members, staff, buildings of the Institutions defined in section 2(j) shall become assets, liabilities, members, staff and building of the Authority established under this Act.

Employees of the Authority.

20. (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 shall be transferred to the Authority on such 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 and may 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.

Power to exempt.

21. 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 Act.