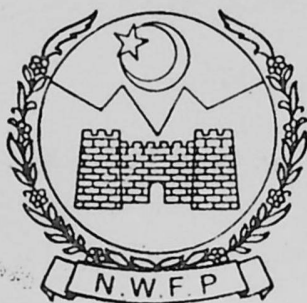


EXTRAORDINARY

GOVERNMENT



REGISTERED NO. P. 111

GAZETTE

## North-West Frontier Province

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Published by Authority

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PESHAWAR, MONDAY, 16TH SEPTEMBER, 2002.

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GOVERNMENT OF THE NORTH-WEST FRONTIER PROVINCE,  
LAW DEPARTMENT.

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**NOTIFICATION**

16th September, 2002.

No. Legis:1(12)/02/6808-13.—The following Ordinance by the Governor of the North-West Frontier Province is hereby published for general information:-

**THE NORTH-WEST FRONTIER PROVINCE TECHNICAL EDUCATION  
AND VOCATIONAL TRAINING AGENCY ORDINANCE, 2002.**

**N.-W.F.P. ORDINANCE NO. XXXIII OF 2002.**

**AN  
ORDINANCE**

*to provide for the establishment of the Technical Education and  
Vocational Training Agency in the North-West Frontier Province.*

WHEREAS it is expedient to provide for the establishment of the North-West Frontier Province Technical Education and Vocational Training Agency in the North-West Frontier Province, for the purposes hereinafter appearing;

AND WHEREAS the Governor of the North-West Frontier Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution Order No. 1 of 1999, read with Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him that behalf, the Governor of the North-West Frontier Province is pleased to make and promulgate the following Ordinance:

1. **Short title and commencement.**— (1) This Ordinance may be called the North-West Frontier Province Technical and Vocational Training Agency Ordinance, 2002.

(2) It shall extend to whole of the North-West Frontier Province.

(3) It shall come into force at once.

2. **Definition.**— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

- (a) "Agency" means the North-West Frontier Province Technical Education and Vocational Training Agency;
- (b) "Chairman" means the Chairman of the Agency;
- (c) "Government" means the Government of the North-West Frontier Province;
- (d) "Management Committee" means a Committee referred to in section 8 of this Ordinance;
- (e) "Secretary" means the Secretary of the Agency.

3. **Incorporation.**— (1) As soon as may be from the commencement of this Ordinance, Government shall establish an Agency to be called the North-West Frontier Province Technical Education and Vocational Training Agency.

(2) The Agency shall be a body corporate having perpetual succession and a common seal with power to acquire and hold property and shall, by the said name, sue and be sued. The immovable property acquired by the Agency shall not be sold by it without the approval of Government.

(3) The headquarters of the Agency shall be at Peshawar.

(4) The Agency shall work under the general superintendence and control of Government.

4. **Composition of the Agency.**— (1) The Agency shall consist of sixteen members, including the Chairman, to be appointed by the Government as under:

- (i) a Chairman;
- (ii) five representatives of employers to be nominated—
  - (a) one by the Sarhad Chamber of Commerce and Industry, North-West Frontier Province;
  - (b) one by the Industrialist Association, Industrial Estate, Jamrud Road, Hayatabad, Peshawar;
  - (c) one by the Sarhad Employers Federation;
  - (d) one by the North-West Frontier Province Branch of All Pakistan Textile Mills Association; and
  - (e) one by Cement Industries of North-West Frontier Province;
- (iii) Chairman, Skill Development Agency, North-West Frontier Province;
- (iv) Secretaries to Government of the following Departments:
  - (a) Industries and Technical Education Department;
  - (b) Finance Department;
  - (c) Schools and Literacy Department; and
  - (d) Planning and Development Department;

- (v) one representative of the North-West Frontier Province University of Engineering and Technology to be nominated by the Vice Chancellor of the University;
- (vi) three Chairmen of Colleges, Institute & Centre Management Committees belonging to the following disciplines:-
  - (a) Commerce Colleges/Institutes;
  - (b) Government College of Technology, Polytechnics, Technical and Vocational Centres (Male);
  - (c) Government Technical and Vocational Centres (Female); and
- (vii) one representative of Institute of Management Sciences, Hayatabad to be nominated by the Director of that Institute.

Note:-The Director, Technical Education and Manpower Training shall, for the purposes of membership at serial No. (vi) above, submit a panel of three names from each discipline to Government for appointment as members of the Agency.

- (2) The Director, Technical Education & Manpower Training shall work as Secretary of the Agency.
- (3) The names of the Chairman and members shall be notified in the official Gazette.
- (4) The term and conditions of appointment of the Chairman and members shall be such as may be determined by Government.
- (5) The term of office of the Chairman and members shall be three years; provided that one third of the members, other than the Chairman, shall cease to be members after completion of two years, in whose place new members shall be appointed for a period of three years in the same manner as was applied in the case of out-going members. The names of such out-going members shall be decided by a draw.
- (6) Notwithstanding anything to the contrary contained in this section, Government may, at any time, remove the Chairman for reasons to be recorded in writing or remove any member at any time suo moto or on the recommendations of the Chairman.
- (7) The Chairman may co-opt four members belonging to the relevant expertise in relation to any matter under consideration of the Agency, who can take part in discussion, but shall not be entitled to vote for or against the matter under discussion.
- (8) The quorum for the meeting of the Agency shall be nine.

5. **Casual vacancies.**— (1) Whenever there occurs a vacancy in the membership of the Agency due to death, resignation or removal, it shall be filled in accordance with the provisions of section 4.

(2) The term of office of the person who fills the vacancy shall be for a remaining period of the term of office of the member whose vacancy he fills.

6. **Functions and powers of the Agency.**— (1) The Agency shall take over all Polytechnics, Commercial Training Institutes and Colleges, Technical and Vocational Training Centres working immediately before the coming into force under this Ordinance under the administrative control of the Directorate of Technical Education and Manpower Training and any other institutions, offices, organizations, or undertakings, if so notified by Government.

(2) The institutions taken over by the Agency under sub-section (1) shall be regulated and administered by the Agency.

(3) The Agency may set up new institutions offering subjects/courses similar to the courses of the institutions mentioned in sub-section (1).

(4) The Agency shall perform such other functions in the field of technical and commercial education and vocational training as may be prescribed by the rules.

7. **Powers and functions of the Chairman.**— The Chairman of the Agency shall be the Chief Executive of the Agency and shall be responsible for the management, administration and affairs of the Agency.

8. **Composition of Management Committees.**— There shall be Management Committees at the Institute/College level, called College Management Committees, Institute Management Committees or Centre Management Committees, as the case may be. These Management Committees shall consist of the following members and shall be notified by the Chairman:

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| (1) | Chairman   | To be nominated by the Minister for Industries and Technical Education in consultation with the Agency.   |
| (2) | Secretary  | The Principal of the concerned Institution.   |
| (3) | Two representatives of employers from formal sector. | To be nominated by Industrialists Association and Chamber of Commerce and Industry (out of a panel of three names for each sector).                                       |
| (4) | Two teachers representatives.                        | (i) one senior most staff member of the the College/Institute/Centre;<br>(ii) one staff member to be nominated by the Director Technical Education and Manpower Training. |
| (5) | A representative of the Local Government.            | To be nominated by the District Nazim from amongst the elected members.   |
| (6) | A representative of Workers.                         | To be nominated by the Directorate of Labour.   |

9. **Functions of the Management Committees.**— The following shall be the broad functions of the Management Committees:

- (i) to identify the local employment opportunities/requirements of skilled labour force;
- (ii) to prepare annual training plan based on identified training needs;
- (iii) to ensure optimum utilization of the available facilities and monitor training costs;
- (iv) to prepare annual budget estimates of the College/Institute/Centre concerned;
- (v) to collect information on effectiveness of the prescribed training courses, to suggest necessary changes in the curriculum and to make it need based;

- (vi) to facilitate exposure of instructional staff to the industry and update their knowledge about latest technological developments;
- (vii) to facilitate placement of trainees in industry for on-the-job training;
- (viii) to enhance employment prospects of the trainees through its links with the industry;
- (ix) to generate funds by introducing/arranging special courses and by opening service out-lets.
- (x) to co-ordinate with the non-governmental organizations (NGOs), donors and other stake-holders for the maximum benefit of the institution.

10. **Delegation of powers.**— (1) The Agency may delegate any of its powers, duties or functions to the Chairman or to any member of the Agency or to any officer of the Agency.

(2) The Chairman may delegate any of his powers to any person, officer of the Agency or institution under his control; provided that such power shall not include the powers delegated to the Chairman by the Agency.

11. **Agency's Fund.**— (1) There shall be a fund to be known as the North-West Frontier Province Technical Education and Vocational Training Agency Fund, which shall vest in the Agency and to which shall be credited all moneys received by the Agency, including an amount of rupees fifteen millions to be provided by Government as seed money.

(2) The fund shall be kept in such custody and shall be utilized and regulated in such manner as may be prescribed.

(3) Government shall provide funds to the Agency to enable it to perform its functions.

(4) The Agency may, in addition to funds received from Government or the Zakat Fund, invite, collect and receive funds through donations, fees and other sources.

12. **Budget, audit and accounts.**— The budget of the Agency shall be approved and its accounts shall be maintained and audited in such manner as may be prescribed.

13. **Employees of the Agency.**— (1) The Agency may employ such officers, advisors, consultants and employees in its service as may be necessary for the efficient performance of its functions in such manner and on such terms and conditions as may be prescribed.

(2) The services of the existing employees of the Institutions or offices taken over by the Agency shall be transferred to the Agency on terms and conditions which shall not be less favourable than those admissible to them immediately before their transfer to the Agency.

(3) The employees transferred under sub-section (2) shall continue to be employees of the Government liable to be transferred back to Government by the Agency, unless absorbed in the service of the Agency in such manner as may be prescribed.

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

(5) Government shall in accordance with the relevant rules contribute to the pension, gratuity and final payment of provident fund, and other similar payments of the employees of the Institutions or Officers who become the employees of the Agency under sub-section (2) for the period they served under Government.

14. **Proceedings of Agency not invalidated by vacancies, etc.**— No act, proceedings, resolution or any decision of the Agency shall be invalid by reason of any vacancy in the Agency during passing or making it, or by reason of any want of qualification or invalidity in the appointment or nomination of any de facto member of the Agency whether present or absent.
15. **Indemnity.**— All acts done, orders passed or proceedings taken by the Agency in good faith shall be final and shall not be called in question in any Court by a suit or otherwise.
16. **Power to make rules.**— Government may make rules for carrying out the purposes of this Ordinance.
17. **Power to make regulations.**— Subject to this Ordinance and the rules made thereunder, the Agency may make regulations for carrying out the purposes of this Ordinance.
18. **Removal of difficulties.**— If any difficulty arises in giving effect to any provision of this Ordinance, Government may make such order, not inconsistent with the provisions of this Ordinance, as may be necessary for removing the difficulty.

Peshawar,  
Dated the 12th Sep, 2002.

**Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH,**  
Governor of the North-West Frontier Province.

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**SALIM KHAN,**  
Secretary to Government of North-West Frontier Province,  
Law Department.