

ORDER SHEET
THE HIGH COURT OF SINDH AT KARACHI

Cr. Misc. Application No.284 of 2018

Date: Order with signature(s) of the Judge(s)

1. For hearing of main case
2. For orders on MA No.10489/2022

27.03.2023

Mr. AbbadulHasnain, Advocate /Amicus Curiae
Mr. Rajesh Kumar, Law Officer STEVTA.
Mr. Saleem Raza Jalbani, Chairman STEVTA.
Mr. Ghulam Mustafa Sugah, M.D STEVTA.
Eng. Liaqat Ali Jamro, Director Academics & Training, STEVTA

Pursuant to order dated 21.11.2022, M.D STEVTA is present along with Law Officer and Director Academics, submits that statement annexed with details of the courses are up to the international level and they will close all outdated courses and will enhance capacity of Sindh STEVTA. Progress report is also filed which annexed MoU signed with Dr. Qamar-ul-Arfeen, with regard to Forensic Technical Education along with progress report annexed with list of 10 Colleges wherein Forensic Science Education will be provided. Being relevant paragraph is reproduce herewith:

“A follow-u- meeting was held with the management of the International Institute of Digital Forensic and Sindh Technical Education & Vocational Training Authority (STEVTA) regarding the implementation of further training activities both on short-term & long-term basis, in selected institute of STEVTA by focusing on geographical outreach of Sindh Province.

During the meeting, the following institutes were selected for starting skill training in Digital Forensic Science (01 month, 03 months, 06 months, 01-Year & 3-Year)

- *Government College of Technology, SITE, Karachi*
- *Government Polytechnic Institute, Sachal Goth, Karachi*
- *Government College of Technology, (Girls) Karimabad, Karachi*
- *Government Polytechnic Institute, Landhi, Karachi.*
- *Government College of Technology, Hyderabad.*
- *Government Polytechnic Institute, Mirpurkhas.*
- *Government Polytechnic Institute, Dadu.*
- *Government Habib College of Technology, Nawabshah.*
- *Government Polytechnic Institute, (Boys), Sukkur.*
- *Government College of Technology, Larkano.”*

2. Besides, it will be conducive to recommendations of education committee headed by Mr. Iqbal Ahmed Durrani, which is reproduced herewith:

“Recommendations & Action Plan Based on the current situation, issues & challenges and initiatives / progress of the Sindh TEVTA and overall TVET Sector in Sindh, following recommendations are proposed in order to bring TVET at par with national and gradually international level.

Surely, these recommendations will be enabling provincial government in reforming TVET sector for greater employability youth and industrial growth. 2.6.1. Governance. TVET Sector is the only solution for poverty alleviation, greater employability and growth in Sindh. Therefore, as first step TVET warrants governance reforms on war-footing basis as below: 2.6.1.1. Roles & Responsibilities of different TVET bodies in Sindh. STEVTA is an autonomous body. However, STEVTA has no control on the transfer, posting, promotions and appointment of BS-17 and above staff (Civil and Public Servants). Which hinders in getting best performance of its staff. Appropriate amendments in STEVTA Rules / Regulations shall be made to make STEVTA autonomous in performing its functions. TTB shall be merged with SBTE and given under the administrative control of STEVTA through its Managing Director as in Punjab. The composition of SBTE Board is cumbersome and does not include relevant stakeholders, which results in low recognition of SBTE certificate, transparency and quality issues of assessment & certification of SBTE. The board shall be restricted and have only seven members i.e. two nominees of STEVTA (nominated by MD), one rep. of NAVTTC, three rep. from engineering & technology universities each from BBSUTSD, MUET and NED and one Chairman SBTE. For best collaboration with private sector and industry, modern apprenticeship shall be implemented on the patten of Federal Government for shared funding-governance model. In order to implement mandatory apprenticeship in Sindh, Industry and Labour Department, GoS shall be made bound to seek NOC from STEVTA for renewal and issuance of certificate of registration to industries. All non-functional institutes shall be operated under Public-Private-Partnership in accordance with applicable rules / policy of Authority. Action & Responsibility: Honorable High Court of Sindh may like to issue directions to Sindh Government (Law, SGA&CD, Industries&Labour Departments) for making appropriate amendments in respective laws of these bodies in light of this report in collaboration with Sindh TEVTA.

2.6.2. HR / Management. Three-year tenure security / posting of present Managing Director shall be ensured in accordance with STEVTA Act so that he could continue the reform agenda in accordance with this report. It is worth to mention that while I was Secretary Education, Mr. Agha Sohail Ahmed proved his excellence in implementing reform agenda in Sindh Textbook Board, which was dead organization and in same state of affairs like STEVTA. He brought STB into a very good position. He is focused and man of action. He knows national and international best practices of transforming public sector organizations on modern practices. Moreover, he has remained on senior positions like Chairman Sindh Textbook Board, DC Jamshoro and a graduate of London School of Economics. His continuity atleast for three years, in the position of Managing Director would definitely enable him to translate the proposed reforms agenda under this report into action. On urgent basis teaching faculty and managerial staff shall be hired through competitive selection process / well reputed 3rd party recruitment agency in accordance with STEVTA Rules. Posting and promotion of competent staff strictly on the basis of overall performance & competency reviewed by a high powered interview panel. Discourage irrelevant posting / posting of teachers on administrative posts and posting / promotion of staff from one stream to another. Unionization of employees has seriously damaged STEVTA. Ban on unionization of employees shall be imposed for next ten years to shift the focus of employees from non-productive activities to developmental / academic activities to make STEVTA a competitive and progressive organization. Action & Responsibility: Sindh Government may be issued direction of ensuring three years' posting-tenure of present incumbent as Managing Director and Sindh TEVTA to strictly implement above recommendations

2.6.3. Monitoring & Evaluation Implement Digital M&E System in all institutes, offices (budgeting, HR, assets, training

management modules). Constitute committees to regularly conduct field visits / monitoring. Managing Director himself shall carry out monitoring visits in each division at-least twice a month. Regularly conduct tracer studies of TVET graduates and evaluate / align STEVTA Training programs according to the outcome of those studies / industrial needs. Regulate mandatory registration and quality assurance mechanism of private training institutes in Sindh. STEVTA Senior Management including faculty shall carryout nation-wide study visits and visits of those countries that have a robust TVET system so that the same shall be adapted / implemented in Sindh. Action & Responsibility: Sindh TEVTA shall develop and implement effective systems in light of above recommendations.

2.6.4. Infrastructure Since establishment of STEVTA, no allocations of funds under for maintenance & repair, purchase of furniture & fixture, machinery & equipment, library and transport are made by Government. However, STEVTA from time to time has procured / provided some basic furniture, machinery, IT equipment and transport out of its single-line-grant. Yet, a huge investment is needed to make TVET institutes upto the mark and in line with other provinces and international best practices. Following improvements are essentially required for provision of quality training to youth of Sindh: Building & Infrastructure. Fifty percent of STEVTA buildings require essential renovation and repair work (several are in collapsible condition). Every year atleast 500 Million budget shall be embarked for annual M&R of Buildings. Several Institutes are operating within the premises of other institutes and other are operating in overlapping within the vicinity of 5-10 KM. These institutes shall either be merged or declared as campus of main institute by offering new demand driven & modern innovative training programs. All new institutes shall be established on modern lines after conducting detailed feasibility study, TNA, geographic and industrial needs. The infrastructure / layout of new institutes shall be compact / multi-story style which should be easily manageable and shall operate in multi-shifts instead of huge infrastructures. • Adequate and durable furniture shall be provided / made available in each institute to accommodate atleast approved capacity of trainees. Action & Responsibility: Finance Department, GoS and Sindh TEVTA shall be issued directions to implement year-wise plan in true letter & spirit and annual grant of PKR 500 Million for M&R of Buildings and PKR 25 Million for Furniture & Fixture. Lab /Workshop Equipment. Modern practices i.e. reliance on own equipment & machinery should be discouraged. All institutes shall be linked with relevant industry in the vicinity through modern apprenticeship schemes where trainees could perform practical work / OJT. Where no industry is available, SmartLab and Smart Classroom concept shall be introduced. Limited number i.e. ¼ of normal number of equipment may be procured / provided through provincial funding or donor funding. Action & Responsibility: Sindh TEVTA shall prepare trade / technology-wise list of equipment, identify relevant industry, yearly phase-wise rollout plan for linking TVET institutes with industry within five years. STEVTA to ensure availability of Smart Lab facilities to remaining institutes. Finance Department, GoS shall provide atleast annual 200 Million grants for procurement of Smart Lab and equipment & machinery in phase-wise manner for next five years.

Libraries. E-Library facility on the pattern of Universities shall be established in collaboration with HEC in all institutes where Diploma of Associate Engineering & BS Tech Programs are offered. Institute offering NVQF Level-5 and above qualifications shall be equipped with sufficient number of relevant textbooks, TLM and research journals. Atleast five computer stations with internet connectivity shall be provided in each library. Action & Responsibility: Finance Department, GoS to provide one time PKR 100 Million to Sindh TEVTA for provision of above facilities. STEVTA and HEC shall ensure establishment of Digital / E-Library facility in all institutes offering NVQF Level-5 and above training

programs. 2.6.4.1. Transport Transport facility for female trainees in far-flung areas shall be provided on cost-sharing basis to meet its operational costs (50% trainee and 50% institute). Action & Responsibility: STEVTA to ensure provision of transport facility to female institutes in far-flung areas. 2.6.5. Quality Training 2.6.5.1. New & Innovative Training Programs. Within three years STEVTA shall convert / shift all its existing training programs into modern national CBT System on the pattern of Punjab and KP TEVTA. Modern and innovative training programs shall be introduced atleast in each district initially, and outdated training programs shall be replaced with modern and innovative training programs. Education Department in collaboration with Sindh TEVTA shall introduce Matric-Tech as third stream of education for greater employability of youth and image building of TVET sector on the patter of Federal and KP governments. Relevant equipment & machinery, TLM, staff and other essential infrastructure shall be provided by STEVTA in each district for provision of quality training on national standards. The quality of examination & certification by SBTE and TTB is highly questionable and poor. It shall be improved and brought at the level of international repute. Necessary steps in collaboration with STEVTA, SBTE and TTB shall be taken within one year for restructuring SBTE, so that quality of skilled youth be ensured. Establish production-cum-training facilities & introduce local handi-craft trades like pottery, wood-work, Bengal making, Ajrak&Rilli making etc. Action & Responsibility: STEVTA shall in each year rollout and convert 33% of its training programs into modern CBT and ensure sufficient allocation of funds / provision of necessary facilities for smooth transition along-with introduction of new training programs. 2.6.5.2. Training of Trainers & Staff Capacity Building. Staff Training Academy at Karachi, Hyderabad and Sukkur shall be urgently established and necessary staff, equipment & machinery, furniture & fixture etc. shall be provided for mandatory training & capacity building of all STEVTA employees. No staff member (including civil servants and public servants) shall be promoted until they get mandatory training from STEVTA Staff Training Academy. Any employee not qualifying the training shall be considered as unfit for promotion. Develop KPIs for measurement of performance of faculty, principals and other staff and those KPIs shall be linked with career progression of them. Action & Responsibility: STEVTA to establish Staff Training Academies and provide necessary support for operationalization of them into existing institutes. Moreover; STEVTA shall strictly implement above recommendations to ensure competitive and progressive environment in its institutes / offices. 2.6.5.3. Modern Apprenticeships & On-Job-Training (OJT). Modern apprenticeships in light of the national apprenticeship model shall be introduced and implemented in all industries covered under the law. Industries and Labour Departments, GoS shall be bound to get NOC from Sindh TEVTA so that apprenticeship training industry could be enforced. STEVTA institutes operating in industrial clusters shall be converted into apprenticeship training institutes in phase-wise manner in next 3 years. Make On-Job-Training mandatory for atleast 1/3 duration of training in nearby industries / enterprises for greater employability of youth. Introduce mandatory licensing & registration of skilled workers in across Sindh for ensuring quality assurance mechanism. Action & Responsibility: STEVTA shall take up the apprenticeship legislative matter with law department for reforming the existing apprenticeship trainings into the model of federal government and make necessary amendments in rules / regulations for implementing above recommendations. Sindh Government shall issue directions to Industries and Labour Department for ensuring proper implementation of apprenticeship training in industries across Sindh. 2.6.5.4. Job Placement Centers (JPC). Job Placement Centers (JPCs) atleast in each district particularly in industrial clusters shall be established and operationalized. All JPCs shall be linked

with national job portal for greater employability of youth in national and overseas job markets. JPCs shall facilitate skilled youth in job hunting and employers in provision of skilled youth in the local vicinity. STEVTA shall conduct job fairs, career counseling and vocational guidance session on periodical basis through its JPCs in the area of operations of these centers. Action & Responsibility: STEVTA shall implement above recommendations in next two years atleast in each district.

2.6.6. Funding Non-lapsable Single-line Grant & shifting of operational budgets. Existing Single-line grant of STEVTA shall be shifted and disbursed by Finance Department, GoS through a non-lapsable account on annual basis in accordance with STEVTA Act to make authority financially autonomous. So that smooth financial business could be performed by STEVTA on the pattern of other autonomous bodies to avoid mal-practice / inordinate delays caused by Treasury / AG Office. Presently, operational budgets are allocated to STEVTA Institutes under DDO-wise / cost-center allocations. Excluding employee related allocations, all operational budget allocations shall be transferred to STEVTA as single-line grant. So that STEVTA through its Board of Governors could make appropriate allocations based on actual demand / utilization by institutes by ensuring greater transparency and effective use of funds. All vacant positions reserved under direct recruitment quota shall be shifted to STEVTA from all cost-centers as per previous practice by Finance Department, GoS so that they could be filled in accordance with STEVTA Rules. Allocate annual M&R budget for STEVTA Institutes. Finance and Planning Departments Government of Sindh shall complete all projects executed by them in totality i.e. Building, Infrastructure, Equipment & Machinery and Creation of Positions of the institute / office (Capital, Revenue and SNE) before handing over of the same to STEVTA. Action & Responsibility: Finance Department, GoS may be directed to approve above funding mechanism as in practice in vogue in different authorities / autonomous bodies and allocate additional funds of PKR 825 million per annum to implement above and serial No. 3.2(a), 3.2(b) and 3.2(c) recommendations in true letter and spirit.

2.6.7. Public Private Partnership. Operationalize all non-functional institutes of STEVTA under public-private-partnerships in accordance with applicable policies/ laws. Action & Responsibility: STEVTA to prepare PPP Policy / regulation and operationalize its existing non-functional institutes under PPP model. Finance Department, GoS to facilitate establishment of PPP Node and other required facilities for operationalization of PPP Unit in STEVTA.

2.7. Conclusion Based upon the above recommendations following actions are hereby proposed for transforming TVET into a robust, responsive and competitive sector for meeting the changing requirement of local and overseas job markets:

2.7.1. Action by - Finance Department, Government of Sindh

1. To allocate additional funds of PKR 825.00 Million per annum under single-line grant for infrastructure upgradation.
2. To shift / disburse single-line grant into a non-lapsable account.
3. To shift all vacant positions reserved under direct recruitment quota and other operational budget (as reflected in cost-center wise allocations of STEVTA Institutes) through single-line grant to STEVTA.
4. To facilitate STEVTA in establishing PPP Node in accordance with STEVTA / PPP Act.

2.7.2. Action by – Government of Sindh / Chief Secretary

5. To ensure three-years posting-term security to present incumbent as Managing Director in accordance with STEVTA Act.
6. To make appropriate amendments in rules for delegation of transfer & posting powers to STEVTA in respect of civil servants transferred to Authority.

2.7.3. Action by - Law Department, Government of Sindh

7. To make appropriate amendments in SBTE Ordinance for its restructuring as per recommendations of this report.
8. To propose amendment in STEVTA Rules for making STEVTA autonomous – free from external influence.
9. To expedite legislation process of Modern Apprenticeship

2.7.4. Action by

- *Industries & Labour Department, Government of Sindh 10. To ensure proper implementation of apprenticeship training in all industries and renew / issue any permission subject to provision of NOC from Sindh TEVTA on annual basis. 2.7.5. Action by – Education Department, Government of Sindh 11. To introduce Matric-Tech program as 3rd stream of education on the pattern of federal and KP government initially at one high school in each district within one year in collaboration with Sindh TEVTA. 2.7.6. Action by - Sindh TEVTA, Government of Sindh 12. To introduce modern & innovative training program across Sindh. 13. To provide necessary equipment & machinery to all its institutes. 14. To introduce modern teaching techniques including SmartLabs and Smart Classrooms and Virtual TVET. 15. To initiative recruitment process for filling teaching gap through a reputed 3rd party recruitment agency in accordance with rules. 16. To link promotion of staff with mandatory training and fitness based on performance review by a high-powered board. 17. To ensure effective & regular monitoring of its institutes, particularly Managing Director himself atleast twice a month. 18. To impose ban for next ten years on unionization of employees in STEVTA so only academic activities could be focused / improved. 19. To implement and make follow-up of all recommendations as given in this report. The honorable High Court of Sindh may like to issue above directions along-with department-wise actions & responsibilities so that TVET reform agenda could be achieved. It is further submitted that in order to oversee the implementation of reform agenda, all above departments shall be bound to submit a quarterly compliance report in light of the above recommendations to honorable High Court of Sindh. 2.8. Report submitted by The Benazir Bhutto ShaheedUn.”*

3. The aforesaid recommendations in respect of upgrading and improvement of the working of the STEVTA upto the international level could be implemented in letter and spirit when implementation council under the chair of Chief Secretary Sindh is notified. In such circumstances, it will be appropriate to direct Chief Secretary Sindh to form Special Council on different subjects as Durrani Committee Report reflects on different faculties. The implementation of the recommendations of the Durrani Committee report would help the STEVTA to achieve its vision and produce high-quality work in accordance with the main aim and object of the STEVTA. As per recommendations, the amendments in the Rules shall also be proposed besides introducing matric-tech program as 3rd stream of education on the pattern of Federal and KP Government initially at one high school in each district within one year in collaboration with STEVTA. The recommendations also suggest introduction of modern and innovative training programs across Sindh, to provide necessary equipment and machinery to all its institutes and to introduce modern teaching techniques including Smart Labs and Smart Classrooms and Virtual TVET. The recruitment process shall also be carried out through a reputed third party recruitment agency in accordance with rules.

4. Accordingly, Secretary concerned institutes like Schools, Secretary Colleges, Secretary Board and University, they shall form a special implementation council and expedite the implementation of the recommendations

made in Durrani Committee Report with progress report on monthly basis before the Chief Secretary as well as copy shall be provided to this Court on administration side through learned MIT-II.

5. Attendance of Managing Director is dispensed with till further orders. Learned AAG seeks time on paragraph-7 of order dated 13th October, 2022. Time is allowed.

Adjourned to 27.04.2023.

JUDGE

Hyder/PA