

**ORDER SHEET
IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR**

C.P. No.D- 1597 of 2022

Date of hearing	Order with signature of Judge.
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Hearing of Case
For Hearing of Main Case

07-03-2023

Mr. Abdul Wahab Shaikh, Advocate for the Petitioner.
Mr. Ali Raza Baloch, Assistant A.G a/w Ghulam Mustafa Suhag, M.D,
STEVTA and Subhan Ali, R.O, SBTE, Sukkur.

Pursuant to order dated 08.02.2023, M.D, STEVTA (respondent No.4) is present and files statement. Being relevant, para-1 of the said statement is reproduced as under:

“1. This honourable Court vide order dated 08.02.2023 has given certain directions to the undersigned. In compliance of said order it is submitted that STEVTA has proper mechanism for recruitment in accordance with its rules. The appointments of Grade-01 to 05 are made by the Selection Committee, whereas for appointments from Grade 06 to 15 and above the policy of Government of Sindh is adopted and consequently process of recruitment is outsourced to a reputable testing agency i.e., SIBA Testing Service, IBA Sukkur which has recently completed the written test process”.

He has also submitted compliance report, which is taken on record. It is pertinent to mention here that since the Sindh Technical Vocational Training Authority Act, 2009 (***the Act***) provides appointment of the Managing Director, STEVTA from the market. For the sake of convenience, Sections 8 and 9 of the Act are reproduced as under:

“Appointment of the Managing director

8. (1) There shall be a full-time Managing Director of the Authority appointed by the Government on such terms and conditions as it may determine.

(2) 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, and program implementation and may additionally have technical understanding of demands industry and market in terms of manpower skills and competence.

(3) 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.

(4) 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 of otherwise reduce his term or as the case may be terminate his services.

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

Powers of the Managing Director

9. The Managing Director shall have power and Power of the 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;

(b) 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 for placing before the Board;

(d) Perform such functions and exercise such power 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".

This aspect was also adjudicated by this Court in C.P.No. D- 1194 of 2020 (*Mushtaq Ahmed Sangrasi v. P.O Sindh*) and other connected petitions, vide order dated 07.04.2020, whereby this Court while referring the mandate of Search Committee, issued directions to appoint Managing Director, STEVTA from the market in similar fashion as Vice Chancellors are being appointed. Hence, the Chief Secretary,

Government of Sindh shall ensure appointment of Managing Director, STEVTA within three months through Search Committee by worthy Chief Minister, Sindh. Meanwhile, no development scheme shall be carried out until M.D is appointed in the above manner. Present M.D, STEVTA shall submit details of trainees with industries as well as MoUs signed with industries by STEVTA.

Section 8(2), of the Act shows that 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, and program implementation and may additionally have technical understanding of demands industry and market in terms of manpower skills and competence. The main purpose of Section 8(2), of the Act will not be achieved if the appointment of the Managing Director is not made in consonance with the provisions of Section 8(2), of the Act in a fair and transparent manner.

Adjourned to **09.05.2023**, when compliance reports shall be filed.

JUDGE

JUDGE

Ahmad