

(ORIGINAL) Ijaz Saab

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GOVERNMENT OF KHYBER PAKHTUNKHWA
RELIEF REHABILITATION & SETTLEMENT DEPARTMENT

To

No. RR&SD (Estt:) 3-3 /2013
Dated Peshawar the 8th November, 2013

The Manager,
Govt: Printing Press,
Khyber Pakhtunkhwa, Peshawar.

Subject:

**NOTIFICATION OF KHYBER PAKHTUNKHWA, PROVENCIAL DISASTER
MANGAGEMENT AUTHORITY RULES OF BUSINESS,2013 IN THE
OFFICIAL GAZETTE.**

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of Notification No.RR&SD(Esst:) 3-3/2013 dated: 5th November 2013 with the request to publish the notification in the Official Gazette and provide 100 copies alongwith bill to this department immediately for official use and record please.

2. This may be treated on priority basis.

Yours Faithfully

o/c
Shabbir Ahmad Awan
(SHABBIR AHMAD AWAN)
Section Officer (Estt:)

Endst: No. & Date

Copy forwarded for information to the:

1. PS to Secretary RR&S Department.
2. PA to Director General, PDMA.
3. PS to Secretary Law, with refer to his letter no. ALD-11/LEGIS 3(3)2012 dated 22/8/2013

Shabbir Ahmad Awan
8/11/2013
o/c
Section Officer (Estt:)

Section

PDMA

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GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
RELIEF, REHABILITATION & SETTLEMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 5th November., 2013.

No. RR&SD/Estt: 3-3/2013-In exercise of the powers conferred by section 47 of the National Disaster Management Act, 2010 (Act No. XXIV of 2010), the Government of the Khyber Pakhtunkhwa is pleased to make the following rules:

THE KHYBER PAKHTUNKHWA PROVINCIAL DISASTER
MANAGEMENT AUTHORITY RULES OF BUSINESS, 2013.

PART -I
GENERAL

1. **Short title and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Provincial Disaster Management Authority Rules of Business, 2013.

(2) These rules shall come into force at once.

2. **Definitions.**---In these rules unless the context otherwise requires,-

- (a) "Act" means the National Disaster Management Act, 2010 (Act No. XXIV of 2010);
- (b) "business" means all work done by the Provincial Authority to fulfil the requirements of the Act;
- (c) "case" means a particular matter under consideration and includes all papers relating to it and required to enable the matter to be disposed of, viz., correspondence and notes and also any previous papers on the subject or subjects covered by it or connected to it;
- (d) "Chairperson of the Commission" means the Chairperson of the Provincial Commission;
- (e) "Chairperson of the Authority" means the Chairperson of the Provincial Authority;
- (f) "Chief Minister" means the Chief Minister of the Province;
- (g) "Chief Secretary" means the Chief Secretary of the Province;
- (h) "Department" means the Relief, Rehabilitation and Settlement Department;
- (i) "Director" means a Director of the Provincial Authority;

- (j) "Director General" means the Director General of the Provincial Authority who shall be the Chief Executive of the Provincial Authority;
- (k) "Government" means the Government of the Khyber Pakhtunkhwa;
- (l) "project" means any venture requiring investment that has been or would be taken in the operational sphere of the Provincial Authority;
- (m) "Province" means the Province of the Khyber Pakhtunkhwa;
- (n) "Secretary" means the Secretary Relief, Rehabilitation and Settlement Department; and
- (o) "Wing" means a Wing of the Provincial Authority headed by the Director or Deputy Director, as the case may be, responsible for the conduct of business.

3. **Headquarters of Provincial Authority.**---The Headquarters of the Provincial Authority shall be at Peshawar unless Government directs otherwise through Gazette notification. The Provincial Authority may, where Government so directs, establish Divisional and District offices at such places as may be required.

4. **Allocation of Business.**---(1) The Provincial Authority may constitute new Wings or vary the composition of Wings or the subjects allocated to Wings or close or merge one or two Wings.

(2) The Provincial Authority shall comprise of following Wings and offices:

- (a) Human Resource/Administration Wing;
- (b) Finance and Accounts Wing;
- (c) Relief, Operations and Coordination Wing;
- (d) Reconstruction and Rehabilitation Wing;
- (e) Monitoring and Evaluation Wing;
- (f) Office of Media and Public Relations;
- (g) Office of Internal Audit; and
- (h) any other wings or offices established or looked after by the Provincial Authority.

5. **Organization of Wings.**---(1) The Director General shall group each Wing under the supervision of a Director or Deputy Director as the case may be. Such Director or Deputy Director shall, by standing orders,

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distribute the work of the each Wing among the offices, or branches of the Wings. Such order may specify the cases or class of cases which may be disposed of by an office subordinate to the Director or Deputy Director, as the case may be.

(2) The Director or Deputy Director, as the case may be, shall be responsible for the efficient administration and discipline and for the proper conduct of business allocated to the Wing in his charge.

6. **Orders and instruments/agreements and contracts.**---(1) All executive actions of the Provincial Authority shall be expressed to be taken in the name of the Provincial Authority.

(2) When an agreement, contract or instrument is prepared it may be placed before the Committee concerned constituted under section 15B of the Act, which shall review the draft and ensure its proper wording before it is placed before the Chairperson of the Authority or Director General for approval.

(3) All agreements, contracts and instruments shall be signed by Director or Deputy Director, as the case may be, on behalf of the Provincial Authority after having been approved by the Chairperson of the Authority or Director General, as the case may be.

7. **Consultation among the Wings.**---(1) When the subject of a case concerns more than one Wing, the initiating Wing shall consult and keep abreast the other Wing or Wings concerned.

(2) The Chairperson of the Authority or Director General, as the case may be, may requisition any case from any Wing and pass orders as deem fit for its expeditious disposal.

8. **Business of each Wing.**---(1) The Director or Deputy Director, as the case may be, responsible for the Wing, shall from time to time, keep the Director General apprised of the working of the Wing, and of any important case disposed of by him.

(2) All orders or instructions shall be in writing and where verbal orders are given, they shall be reduced to writing by the officer receiving it as soon as possible.

9. **Functions of the Wings.**---Each Wing shall perform the following functions:

(a) **Human Resource and Administration Wing.**---
The Human Resource and Administration Wing shall be responsible for-

(i) the determination of the principles of control of Provincial Authority's employees i.e. recruitment, terms and conditions of employment, disciplinary cases, where powers are not delegated, service records and Performance Evaluation Reports, medical facilities, liveries to Class - IV etc;

- (ii) the coordination of the policy of all Wings with respect to services under their control to ensure consistency of treatment of employees including the issue of general orders for holidays, office hours, security etc:
- (iii) administration including office stores and equipments, receipt and issue, communications, vehicles, library and drawing and disbursement of pay:
- (iv) general coordination and oversight:
- (v) coordination of the Annual Development Plan;
- (vi) provision of logistic support to other Wings:
- (vii) all matters relating to training including inland and abroad and those sponsored by donors etc:
- (viii) procurement of goods, works and services:
- (ix) information technology related functions of the Provincial Authority:
- (x) maintenance of office accommodation, telephone exchange, equipments and transport etc:
- (xi) hiring of legal and other consultants for the Provincial Authority and execution of Award of contract and agreements for the same:
- (xii) Provincial Assembly business:
- (xiii) Court cases:
- (xiv) submission of cases to the Provincial Commission;
- (xv) submission of cases to the Provincial Authority:
- (xvi) arrangements for meetings of different Committees:

(xvii) matters of the Provincial Authority relating to inter-Provincial and intra-Provincial coordination;

(xviii) President, Prime Minister and Chief Minister directions; and

(xix) any other business allocated by the Provincial Authority from time to time.

(b) **Finance and Accounts Wing.**---(1) The Finance and Accounts Wing shall be responsible for-

(i) establishment and operation of Provincial Disaster Management Fund;

(ii) preparation of budget and obtaining of its approval;

(iii) scrutiny of financial and economic aspects of schemes, projects, contracts or tenders;

(vi) financial procedure and methods of accounting;

(vii) review of agreements, contracts or instruments and creating financial liability for the Provincial Authority; and

(viii) any other business allocated by the Provincial Authority from time to time.

(2) No Wing shall, without prior consultation with the Finance and Accounts Wing, authorise any order, other than orders in pursuance of any general or special delegation made by the Provincial Authority which directly or indirectly affects the finances of the Provincial Authority, or which particularly involve-

(i) the creation of posts, their up-grading or change in terms and conditions of service;

(ii) relinquishment, remission or assignment of revenue, actual or potential, or grant of guarantee against it;

(iii) expenditure for which no provision exists in the budget;

(iv) re-appropriation from budget grants;

(v) alteration in financial procedure or in the method of compilation of accounts or of the budget estimates; and

(vi) incurring of expenditure above the stipulated expenditure on an activity.

(c) **Relief, Operation and Coordination Wing.**---The Relief Operation and Coordination Wing shall be responsible for-

(i) Provincial Emergency Operation Center and early warnings;

(ii) warehouse and stockpiling of frequently needed emergency relief goods;

(iii) identification of frequently needed relief items;

(iv) coordination with National Authority, line departments, District Disaster Management Units, humanitarian agencies and Non-Governmental Organizations or International Non-Governmental Organizations on issues relating to disaster preparedness, mitigation, response, except those exclusively allocated to other Wings or offices, as the case may be;

(v) preparation of Provincial Plan, and other contingency plans, disaster risk management and disaster risk reduction strategies or policies;

(vi) provision of necessary technical assistance or give advice to District Disaster Management Units and local authorities for carrying out their functions effectively;

(vii) coordination and provision of relief to disaster affectees;

(viii) payment of compensation to disaster affectees for losses to lives and properties according to the policy of the Provincial Authority;

(ix) cluster coordination;

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- (x) camp management;
 - (xi) repatriation of displaced population;
 - (xii) issuance of No. Objection Certificate to Non-Governmental Organizations or International Non-Governmental Organizations or other implementing partners for rehabilitation and disaster risk management activities in districts;
 - (xiii) damage needs assessment;
 - (xiv) coordination of disaster risk reduction mainstreaming in development process;
 - (xv) integration of gender or child protection or vulnerable groups issues in overall response and relief phase of any disaster especially in camp management; and
 - (xvi) any other business allocated by the Provincial Authority from time to time.
- (d) **Reconstruction and Rehabilitation Wing**---The Reconstruction and Rehabilitation Wing shall be responsible for-

- (i) preparation and implementation of short term, medium term and long term policies for the disaster affected areas in accordance with the damage and need assessment for complete recovery from disaster;
- (ii) tapping of resources for implementation of the plans for reconstruction and rehabilitation;
- (iii) preparation and implementation of project design in consultation with the technical wings of the concerned line departments;
- (iv) putting in place fast track approval mechanism for the recovery and restoration plans;
- (v) coordination for restoration of basic services in the disaster affected areas within the shortest possible time with concerned line departments; and

- (vi) any other business allocated by the Provincial Authority from time to time.
- (c) **Monitoring and Evaluation Wing.**---The Monitoring and Evaluation Wing shall be responsible for-
- (i) preparation of monitoring and evaluation plan for all sorts of activities of the Provincial Authority;
 - (ii) monitoring and evaluation of projects undertaken by the Non-Governmental Organizations or International Non-Governmental Organizations, having No Objection Certificate of the Provincial Authority;
 - (iii) examination and furnishing of comments on the proposed projects of the Non-Governmental Organizations or International Non-Governmental Organizations requiring No Objection Certificate of the Provincial Authority; and
 - (iv) any other business allocated by the Provincial Authority from time to time.
- (f) **Office of internal audit.**---(1) There shall be internal audit office which shall directly report to the Director General. It shall perform the following functions:
- (i) conduct of internal audit of all the accounts of the Provincial Authority;
 - (ii) conduct of internal audit of all the projects of the Provincial Authority;
 - (iii) conduct of internal audit of the warehouse of the Provincial Authority;
 - (iv) conduct of internal audit of the Provincial Authority stationary, store, equipments and furniture;
 - (v) advise the Provincial Authority on the matters relating to accounts of the Provincial Authority; and

(10)

(vi) any other business allocated by the Provincial Authority from time to time.

(h) **Office of media and public relations.**---There shall be media and public relations office which shall directly report to the Director General. It shall perform the following functions:

(i) preparation of media and advocacy policy for the Provincial Authority in coordination with all Wings;

(ii) preparation of official handouts of the Provincial Authority on issues of public interest;

(iii) arranging media coverage for events of the Provincial Authority on issues of public interest;

(iv) placing of clippings of the news published in press media relating to the Provincial Authority on every early morning before the Director General;

(v) keeping the Director General and concerned Wings abreast on all the news appearing in press and electronic media relating to the affairs of the Provincial Authority and preparing prompt response to safeguard public interest;

(vi) preparations of documentaries of important events of the Provincial Authority including extreme events like flood etc;

(vii) maintaining archive of the news, documentaries of the Provincial Authority;

(viii) preparation of message of the Director General for any publication of the Provincial Authority;

(ix) writing of speech for the Director General for important events of the Provincial Authority;

(x) arrangement in coordination with other Wings for awareness campaign relating to disaster management; and

- (xi) any other business allocated by the Provincial Authority from time to time.

10. **Decision of the Provincial Authority in the following matters is essential.**---(1) Following are the subjects, for which Provincial Authority's decision is essential:

- (i) all decisions regarding expenditure out of Provincial Disaster Management Fund and other resources of the Provincial Authority;
- (ii) Projects of private sector, Non-Governmental Organizations or International Non-Governmental Organizations, if submitted to the Provincial Authority, and PC-I, PC-II etc., of public sector projects before dispatch to relevant quarters;
- (iii) statement of accounts showing receipt and expenditure of the Provincial Authority and the report of the Auditor General on the said accounts after the end of every financial year; and
- (iv) any case that may be desired by the Chairperson of the Provincial Authority or Director General, as the case may be, placed before the Provincial Authority for decision.

11. **Approval and procedure of cases.**---Cases requiring approval of the concerned competent authority shall be processed in the following manners:

- (i) cases requiring approval of the Governor, Chief Minister and Chief Secretary, shall be processed through Department, as per provisions of the Khyber Pakhtunkhwa Government Rules of Business, 1985, and instructions of the Establishment and Administration Department issued from time to time;
- (ii) cases relating to the business of the Provincial Assembly of the Province, may be processed in accordance with the Khyber Pakhtunkhwa Procedure and Conduct of Business Rules, 1988;
- (iii) Court cases may be processed in accordance with the criteria set by the Law, Parliamentary Affairs and Human Rights Department;
- (iv) cases within the Provincial Authority may be processed by the concerned section for approval of the Director General through the concerned Director

(v) annual budget and other financial statements shall be cleared by the Finance and Accounts Committee before final approval of the Director General; and

(vi) financial grants or additional grants may be demanded from the Finance Department through Department.

12. Follow up of ongoing activities and projects.---Once an activity or project is approved, the Director General may appoint an officer of the Provincial Authority who shall then, under direction or in consultation with the respective Director, supervise and ensure that the activity or project is completed in the stipulated period and in accordance with the approved parameters so as to achieve the indicated targets and objectives.

13. Secrecy.---Every employee of the Provincial Authority shall, ensure secrecy of the Provincial Authority including,-

(i) classified information of the Provincial Authority shall not be disclosed by any of the employee to any person, organization, or agency unless authorized by the Director General; and

(ii) contravention of this rule shall constitute a breach of the Official Secret Acts, 1923 (Act No. XIX of 1923), and guidelines laid down by Government in this regard from time to time.

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
RELIEF, REHABILITATION & SETTLEMENT
DEPARTMENT