



KHYBER PAKHTUNKHWA

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GOVERNMENT OF KHYBER PAKHTUNKHWA RELIEF REHABILITATION & SETTLEMENT DEPARTMENT.

NOTIFICATION

Dated: 12th June, 2019.

No. SO(Estt:)RR&SD/3-10/2015/PDMA/Vol-VIII:--- In exercise of powers conferred under Section 47(A) of the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010 the Provincial Disaster Management Authority is pleased to make the following Regulations:

1. Title, Application and Commencement:-

- (1) These Regulations may be called the Khyber Pakhtunkhwa Provincial Disaster Management Authority Civilian Victims Compensation Regulations 2019, hereinafter referred to as "Regulations".
- (2) These Regulations shall come into force with immediate effect and shall extend to whole of Khyber Pakhtunkhwa, including merged Districts.
- (3) These Regulations shall supersede all notifications, instructions and Standard Operating Procedures issued in this regard from time to time.

2. Purpose: - These Regulations are a compendium of compensation related matters of harm to civilian victims, including Causes, Nature of a harm to a civilian victim, Extent of harm, Minimum amount of grant for compensation, Processes, Time-Lines, various Authorities for assessment, approval and disbursement of such compensation and other allied matters for loss due to man-made disasters, laying out unambiguous instructions primarily for the district administration.

3. Definitions:- In these Regulations, unless the context otherwise requires, -

- a) "Act" means the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010, as amended from time to time.
- b) "Authority" means the Khyber Pakhtunkhwa Provincial Disaster Management Authority.
- c) "Civilian victim" means
 - i. a bonafide citizen of Pakistan, domiciled in Khyber Pakhtunkhwa Province and not in government service of Pakistan or Provincial Government, who is a victim of a manmade disaster; and
 - ii. a person, not being a terrorist or a personnel of a law enforcement agency on duty or a government servant, who suffers harm to body or property loss due to any terrorist/extremist act and, in the event of death of the person, includes legal heirs of the victim.

1434 KHYBER PAKHTUNKHWA GOVT: GAZETTE, EXTRAORDINARY, 13TH JUNE, 2019

- d) "DDMU" means the District Disaster Management Unit notified under the Act;
- e) "Government" means the Government of Khyber Pakhtunkhwa;
- f) "Man-made Disaster" means a disaster due to a man-made cause and includes fire, bomb blast, terrorist activities, militancy, annoyed or provoked mob which results in a substantial loss of life or human suffering or damage to and destruction of property both moveable and immoveable.
- g) "Terrorist activities and Militancy" means unlawful act using any explosive, weapon or any other means of force or show of force by a terrorist against a person or property to intimidate or coerce public, a section of public, the government, federal government or any agency or authority of a government in furtherance of political, sectarian, religious, ethnic or social objectives and includes a suicide attack, sectarian violence and armed conflict between a terrorist and a law enforcing agency.

- (2) All other terms shall have the same meaning as in the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010.

4. Nature and extent of harm to civilian victim and minimum amount of compensation grant:-

- (1) For all purposes and intents of these regulations, the nature and extent of harm to a civilian victim and minimum amount of compensation shall be as under:-

Nature of harm to a civilian victim	Extent of Harm	Minimum amount of compensation grant
Death		Rs 500,000
Grievous Injury	Amputation or incapacitation of a limb	Rs 200,000
Substantial Injury	Inability to work because of harm for a period of more than two weeks	-
Dwelling Unit/House		
	(i) Complete destruction	Rs 300,000
	(ii) Partial destruction	Rs 100,000
Shop, Kiosk or any other business establishment, petrol pump		
	(i) Complete destruction	Rs 300,000
	(ii) Partial destruction	Rs 100,000
Vehicle		
	(i) Bus, truck or other heavy vehicle	Rs 100,000 (severe damage) & Rs 80,000 (minor damage)
	(ii) Car, jeep or other four or three wheeler	Rs 200,000 (severe damage) & Rs 40,000 (minor damage)
	(iii) Motor cycle or scooter	Rs 20,000 (severe damage)
Heads of Livestock		
	(i) Buffalo, cow, bull or horse	Rs 50,000 each
	(ii) Sheep, goat or donkey	Rs 15,000 each
Petrol Pump ¹		Rs 10,00,000/-

¹ Approved by cabinet in its meeting dated 14/06/2019 as communicated by Administration Department Khyber Pakhtunkhwa vide letter No. SOC(E&AD)9-17/2019 dated 1st July, 2019.

(2).The Government may, by notification in the official gazette, revise the nature of harm, extent of harm and/or the rates of compensation grant.

(3) The compensation claim for all natures of harm to a civilian victim shall lie in the District where the incident happened or the district of origin of the applicant, whichever is feasible to the applicant.

5. Claim Assessment Committees:- On receiving a claim of compensation, the following Claim Assessment Committees shall validate it against the requirements, including the documents and record, as detailed in these Regulations:-

S.No.	Type of Claim	Claim Assessment Committee
1	Loss of Life Major or Grievous Injury Loss of Property – Vehicle & Livestock	(i) Incharge AC/AAC of the Tehsil – Chairperson (ii) ASP/DSP of the District Concerned (iii) Tehsildar of concerned Revenue circle (iv) Halqa Patwari/Moharrar as the case may be (v) Representative of Livestock Department (for loss of livestock only) (vi) ETO (where applicable)
2	Loss of Property – Houses and shop, kiosk or any other business establishment, petrol pump.	(i) Incharge AC/AAC of the Tehsil – Chairperson (ii) ASP/DSP of the District Concerned (iii) Representative of District C&W Department (iv) Representative of District Irrigation Department (v) Tehsildar of concerned Revenue circle

6. Sanctioning and Paying Authorities:-

(1) The DDMUs, in each District shall be the sanctioning authority for all claims of compensation, based on assessment by the Claim Assessment Committee assigned under these Regulations.

(2) The Deputy Commissioner of the District concerned shall be the Paying Authority, after sanction of such payment by the DDMU concerned and subject to fulfillment of codal formalities as detailed in these Regulations, for all claims of compensation.

(3) The Paying Authority may exercise any of the following two options to make payment of compensation:-

- (i) Electronic mode that is ATM/Debit Card or designated Cellular Company's cash outlets; or,
- (ii) Manual payment like Bank Draft/Pay Order/Payee's Account Cheque etc.

7. Mandatory documentation for initiation, processing and finalization of compensation cases:-

(1) Invariably all the application forms for claims may have as attachment the following attested documents for initiation of the case by the Revenue Field Staff or Halqa Patwari or Muharrar, as the case may be:-

1436 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 13TH JUNE, 2019

S.No.	Description/Categorization of Loss	Required Documents
01.	Loss of Life	(a) CNIC of the deceased or Form-B (in case of minor) (b) CNIC of Next of Kin/Legal Heir/Court of Wards (c) Death Certificate signed by concerned Medical Officer, or Revenue Field Staff or NADRA or Village Council/Neighborhood Council (d) FIR under 7 Anti-Terrorism Act, 1997.
02.	Major and Grievous Injury	(a) CNIC of the injured or Form-B (in case of minor) (b) Original Medical Certificate issued by the District Medical Board ascertaining therein the type of injury (major/grievous) and recommendations. (c) FIR under 7 Anti-Terrorism Act, 1997.
03.	Loss of Property – Houses, and shop, kiosk or any other business establishment, petrol pump	(a) CNIC of the owner or Form B (in case of minor) (b) CNIC of Next of Kin/Legal heir(s) (c) Certified copy of ownership documents i.e., registered sale deed/allotment letter/fard/intiqal OR certificate of ownership by the concerned Revenue Staff etc for house ONLY (d) Certified copy of rent deed/agreement, in case the business establishment has been rented (e) Pictorial evidence collected during visit of the Assessment Committee (f) FIR under 7 Anti-Terrorism Act, 1997
04.	Loss of Property - Livestock and Vehicle	(a) CNIC of the owner or Form B (in case of Minor) (b) Certificate issued by Secretary of concerned Union Council indicating number of animals lost in disaster duly verified by Local Livestock Department for lost Livestock (c) A report of Motor Vehicle Examiner (MVE) or Excise and Taxation Officer (ETO) in case of damage to vehicle along with pictorial evidence (d) FIR under 7 Anti-Terrorism Act, 1997

(2) FIR under Section-07 of Anti-Terrorism Act, 1997 may not be compulsorily attached with cases of above mentioned losses resulting due to provoked or annoyed mob as in Regulation-3(f).

8. Procedure for processing and finalization of compensation cases and timelines:-

(1) Following mechanism shall be adopted for assessment, sanction and payment of compensation cases and timelines thereof:-

(a)	Submission of application for, from the date of incident : i. Loss of Life ii. Major or Grievous injury iii. Loss of Property- Houses and shops, kiosk or any other business establishment, petrol pump iv. Loss of Property - Livestock and Vehicle	i. Not more than 45 days ii. Not more than 15 days iii. Not more than 30 days iv. Not more than 15 days
(b)	Initiation of compensation claim by Revenue Field Staff or halqa patwari or moharrir, as the case may be and submission of report alongwith mandatory documents	Not more than 3 days from the date of receipt of application for compensation
(c)	Finalization of claim by Claim Assessment Committee and its submission to Sanctioning Authority (DDMU). In case the claim is justified, its submission to the DDMU.	Not more than 10 days
(d)	Consideration and finalization of claim by DDMU, whether in formal meeting or by special meeting	Not more than 7 days
(e)	Payment of Compensation by Paying Authority	Not more than 2 days

(2) For the purposes of facilitation and transparency, proformas will be used for each claim, the forms of which, both in English and Urdu, are appended to these Regulations as follows:-

- i. Cases of Loss of Life as **Appendix-I**
- ii. Cases of major and grievous injury as **Appendix-II**
- iii. Cases of damage to property - houses and shop, kiosk or any other business establishment, petrol pump as **Appendix-III**
- iv. Cases of damage to property – livestock and vehicles as **Appendix-IV**

(3) Before the disbursement of payment of compensation, the relevant proforma indicated at (2) above, complete in all other respects shall be signed by the following in the following order:-

- i. The Revenue Field Staff or Halqa Patwarior Muharrar, as the case may be, as initiator;
- ii. Chairman of the Assessment Committee to certify the Validation process undertaken by the Assessment Committee;
- iii. District Disaster Management Officer to verify the completion of requirements and signature affixation of such compensation cases and their placement suitability before the DDMU and
- iv. Chairman of DDMU for final sanction and attestation of consent of all members of DDMU for such sanction.

9. Audit: - The Deputy Commissioner of the respective District shall submit biennial report of such payments to the Director General Provincial Disaster Management Authority specifically for the purpose of, and not limited to, audit and other cognate matters. These reports shall indicate payments under each type of compensation separately for book keeping purposes.

10. Punishment for False Claims: - All false claims/reports shall be dealt in accordance with Section 34 of the National Disaster Management (Khyber Pakhtunkhwa) Act-2010, as amended from time to time.

11. Submission of Progress Reports: - Deputy Commissioners will furnish status reports with regards to progress on payment of compensation under these Regulations to Provincial Disaster Management Authority once a month in normal times. However, in case of any emergency such reports will be furnished on daily basis. Standard format of these reports shall be as given at **Appendix-V**.

12. Matters not specifically provided for to be dealt with under instructions: - Where emergency has been declared and circumstances exist which are not specifically provided for in these Regulations, the Relief, Rehabilitation and Settlement Department of the Government may issue such instructions as are deemed necessary for public interest;

Provided that all such instructions shall be placed before the next meeting of the Authority for formal approval towards making part of these Regulations

Provided further that the Authority may amend, or add to, the instructions already issued.

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Secretary
Relief, Rehabilitation & Settlement
Department

PROFORMA FOR CIVILIAN VICTIMS COMPENSATION IN CASE(S) OF DEATH

1. Date Of Incident _____
2. Date of Revenue Field Staff report with Death Certificate or Death Report _____
3. Name, Father/Husband name, CNIC and Address of the deceased _____
4. Name, CNIC of Next of Kin/Legal heir of the deceased _____
5. Relation with the deceased _____
6. Cause of Death _____

Checklist of the requisite documents to be attached

(a)	Attested CNIC of the deceased or attested Form-B (in case of minor)	Yes/No
(b)	Attested CNIC of Next of Kin/Legal Heir	Yes/No
(c)	Death Certificate signed by concerned Medical Officer OR Revenue Field Staff or NADRA or Village Council or Neighborhood Council.	Yes/No
(d)	FIR under 7 Anti-Terrorism Act, 1997	Yes/No

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: - (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: - (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: - (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: - (i) (Name, Signature and stamp)

(ii) (Name, Signature and stamp)

Chairman of DDMU: - (Name, Signature and stamp)

**PROFORMA FOR CIVILIAN VICTIMS COMPENSATION IN CASE(S) OF
INJURED**

1. Date Of Incident _____
2. Date of RFS report _____
3. Name, Father/Husband name, CNIC and Address of the Injured _____
4. Address _____
5. Nature of disability/loss of limb(s) _____
6. Cause of Injury _____

Checklist of the requisite documents to be attached

(a)	Attested CNIC of the injured or attested Form-B (in case of minor)	Yes/No
(b)	Original Medical Certificate issued by the District Medical Board ascertaining therein the type of injury (major/grievous) and recommendations thereof	Yes/No
(c)	FIR under 7 Anti-Terrorism Act, 1997	Yes/No

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: - (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: - (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: - (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: - (i) (Name, Signature and stamp)

(ii) (Name, Signature and stamp)

(iii) (Name, Signature and stamp)

Chairman of DDMU: - (Name, Signature and stamp)

PROFORMA FOR CIVILIAN VICTIMS COMPENSATION IN CASE(S) OF LOSS OF PROPERTY- HOUSE AND SHOPS, KIOSK OR ANY OTHER BUSINESS ESTABLISHMENT, PETROL PUMP

1. Name and Father/Husband of Owner _____
2. CNIC No. of the Owner or Form B number if the owner is minor or CNIC No. of Next of Kin, if the owner is minor _____
3. Address _____
4. Covered Area (in sq. yards) _____
5. (a).House Damage:
 - (i) Complete destruction: _____
 - (ii) Partial destruction: _____
- (b).Shop, kiosk or any other business establishment, Petrol pump
 - (i) Complete destruction: _____
 - (ii) Partial destruction: _____

Checklist of the requisite documents to be attached

(a)	CNIC of the owner or Form B (in case of minor)	Yes/No
(b)	CNIC of Next of Kin/Legal heir(s)	Yes/No
(c)	Certified copy of ownership documents i.e., registered sale deed/allotment letter/fard/intiqal OR certificate of ownership by the concerned Revenue Staff etc for house ONLY	Yes/No
(d)	Certified copy of rent deed/agreement, in case the business establishment has been rented	Yes/No
(e)	Pictorial evidence collected during visit of the Assessment Committee	Yes/No
(f)	FIR under 7 Anti-Terrorism Act, 1997	Yes/No

INITIATED/REPORTED BY:

HalqaPatwari or Moharrar: -(Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: - (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: -(Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: -(Name, Signature and stamp)

Chairman of DDMU: -(Name, Signature and stamp)

**PROFORMA FOR CIVILIAN VICTIMS COMPENSATION IN CASE(S)
OF PROPERTY- LOST LIVESTOCK& VEHICLE**

1. Name and Father/Husband of Owner _____
2. CNIC No. of the Owner or Form B number if the owner is minor or CNIC No. of Next of Kin, if the owner is minor _____
3. Address _____
4. Number of Livestock lost _____
5. (a). Kind of lost livestock:
 - (i). Goat, sheep, or donkey _____
 - (ii). Cow, buffalo, horse, or bull _____
- (b). Make & Model, Chassis #, Registration # of Vehicle: _____

Checklist of the requisite documents to be attached

(a)	CNIC of the owner or Form B (in case of Minor)	Yes/No
(b)	Certificate issued by Secretary of concerned Union Council indicating number of animals lost in disaster duly verified by Local Livestock Department for lost Livestock	Yes/No
(c)	A report of Motor Vehicle Examiner (MVE) or Excise and Taxation Officer (ETO) in case of damage to vehicle along with pictorial evidence	Yes/No
(d)	FIR under 7 Anti-Terrorism Act, 1997	Yes/No

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar:-(Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee:- (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned:-(Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (i) (Name, Signature and stamp)

Chairman of DDMU: (Name, Signature and stamp)

District-wise Payment Status (Deaths & Injuries)

S. No.	Category	<u>District -Wise Payment Status (Deaths & Injuries)</u>				Remarks
		Male	Female	Children	Total Amount Paid	
1	Loss of Life					
2	Major & Grievous Injury					
Grand Total						

District-Wise Payment Status (Compensation of Loss of Property- houses, and shop, kiosk or any other business establishment, Petrol Pump)

<u>Compensation to Loss of Property</u>					
S. No.	Fully Destroyed House	Partially Destroyed House	Fully destroyed shop	Partially Destroyed Shop	Total Amount Paid
Grand Total					

District-Wise Payment Status Compensation of Loss of Property- Livestock

<u>Compensation of Loss of Livestock</u>			
S. No.	Cow, Buffalo, Horse, or Bull	Goat, Sheep or Donkey	Total Amount Paid
Grand Total			

District-Wise Payment Status Compensation of Loss of Property- Vehicle

<u>Compensation Of Destroyed Vehicle</u>				
S.NO	Make, Model and Colour	Chassis # etc	Registration #	Total Amount Paid
Grand Total				