

**Relevant portion of the extract of the Khyber Pakhtunkhwa Hydrel Development Fund  
(Amendment) Bill, 2022.**

2. **Definitions---** In this Ordinance, unless the context otherwise requires,

- (a) (f) "PDWP" means the Provincial Development Working Party established in the Planning and Development Department of Government under the chairmanship of Additional Chief Secretary to Government;
- (b) (h) "Project" means large, macro-economic and income generating project or scheme pertaining to the development of Hydrel electricity to be financially assisted from the Fund;
- (c) (i) "section" means a section of this Ordinance; and
- (d) (j) "PEDO" means the Pakhtunkhwa Energy Development Organization, established under section 3 of the Pakhtunkhwa Hydrel Development Organization Act, 1993 (Khyber Pakhtunkhwa Act No.I of 1993).

3. **Establishment of the Fund**

- (a) (2). Subject to the availability of resources, with particular reference over all liabilities, Government shall, on yearly basis, contribute to the Fund, amount as it may determine, out of the total amount received from the Federal Government or an authority of the Federal Government on account of net profit earned by it from the generation of hydro electricity, for the purposes of this Ordinance and may, **in cases of exigencies**, contribute to the Fund from other grants received from the Federal Government or any other agency or from its own budget pertaining to the Annual Development Program.
- (c) (3). All profits from Hydrel projects undertaken from the Fund shall be deposited in the Provincial Consolidated Fund at the close of each financial year. Provided that Government shall contribute ten per cent of such profit to the Hydrel Development Fund.
- (d) (6). No Project costing less than five hundred million rupees shall be financially assisted from the Fund. The Board may consider and approve viable projects costing less than five hundred million rupees; provided that such a project is a joint venture being executed with collaboration of the private sector.
- (7). Each project shall be undertaken on the basis of equity participation and the extent of equity participation shall be determined by the Board on case to case basis.
- (e) (8) Investment of all moneys received into the Fund shall be decided by the Board.
- (f) (9) An Investment Committee, consisting of the following, shall be constituted to make Recommendation to the Board for making investment out of the Fund:
  - 2. Secretary to Government, Irrigation and Power Department      Member
  - 4. Managing Director, SHYDO      Member
  - 5. Director Finance & Administration, SHYDO      Member

#### **4. Constitution of the Board**

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| (a) (iii) | Minister for Power                           | (Member)             |
| (b) (ix)  | Managing Director, SHYDO                     | (Member)             |
| (c) (x)   | The Secretary to Government Power Department | Member-Cum Secretary |

#### **5. Function and powers of the Board:**

- (a) Provided that the Board shall approve only such projects or schemes including feasibility Studies, for being financially assisted from the Fund as may for reasons to be recorded in writing, result in direct economic growth to the Province or augment the Provincial receipts
- (b) Provided further that the Board may for the purpose of this Ordinance seek such independent expert advice from proper source appropriate to evaluate whether a particular project or scheme is feasible to be financially assisted from the Fund or not

#### **6. Submission of projects and schemes to the Board:**

For the purpose of this Ordinance, the SHYDO through the Irrigation & Power Department of Government shall submit each case for financing of a project or scheme from the Fund to the Board and the Board shall, after it has been scrutinized by the PDWP, subject to the provisions contained in the provision to section 5, approved the same in the prescribed manner;

#### **7. Accounts and audit:**

- (2) No amount from the Fund shall be withdrawn and incurred, except with the prior approval of the Board, and every such drawl shall be jointly signed by the Secretary, Finance Khyber Pakhtunkhwa, and the Secretary Irrigation & Power Department as members of the Board.