

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 29TH JANUARY, 2013.

PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 29th January 2013.

No. PA/Khyber Pakhtunkhwa/Bills/2013/2679.— The Pakhtunkhwa Hydel Development Organization (Amendment) Bill, 2013 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 15th January, 2013 and assented to by the Governor of the Khyber Pakhtunkhwa on 22nd January, 2013 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE PAKHTUNKHWA HYDEL DEVELOPMENT ORGANIZATION (AMENDMENT) ACT, 2013

(KHYBER PAKHTUNKHWA ACT NO. V OF 2013)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 29th January, 2013).*

AN

ACT

*to amend the Khyber Pakhtunkhwa Hydel Development
Organization Act, 1993.*

Preamble.---WHEREAS it is expedient to amend the Khyber Pakhtunkhwa Hydel Development Organization Act, 1993, for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.---(1) This Act may be called the Pakhtunkhwa Hydel Development Organization (Amendment) Act, 2013.

(2) It shall come into force at once.

2. **Amendment in section 1 of the Act No. I of 1993.**— in the Khyber Pakhtunkhwa Hydel Development Organization Act, 1993 (Act No. I of 1993), hereinafter referred to as the said Act, in section 1, in sub-section (1), the word "Khyber" shall be deleted.

3. **Amendment of section 2 of Act No. I of 1993.**— In the said Act, in section 2, in clauses (ii), (viii) and (x) the word "Khyber" shall be deleted.

4. **Amendment of section 3 of Act No. I of 1993.**—In the said Act, in section 3,—

- (i) in sub-section (1), the word "Khyber" shall be deleted; and
- (ii) in sub-section (2), for the words "acquire and hold", the words and comma "acquire, hold and sell" shall be substituted.

5. **Amendment of section 4 of Act No. I of 1993.**— (1) In the said Act, in section 4, for sub-section (2), the following shall be substituted, namely:

"(2) The Board shall consist of the following:

- (i) the Chief Minister of Khyber Pakhtunkhwa; ... Chairman
- (ii) the Minister for Energy and Power; ... Member
- (iii) the Minister for Finance; ... Member
- (iv) the Minister for Planning and Development; ... Member
- (v) the Chief Secretary to Government; ... Member
- (vi) the Additional Chief Secretary to Government; ... Member
- (vii) the Secretary to Government, Finance Department; ... Member
- (viii) the Secretary to Government, Energy and Power Department; ... Member
- (ix) the Secretary to Government, Irrigation Department; ... Member
- (x) one financial expert to be nominated by the Chairman of the Board; ... Member
- (xi) one expert from hydro sector to be nominated by the Chairman of the Board; ... Member
- (xii) the President of the Khyber Pakhtunkhwa Chamber of Commerce and Industry; and ... Member
- (xiii) the Managing Director of the Organization. ... Member-cum-Secretary.

6. **Insertion of new section 4A in Act No. I of 1993.**— In the said Act, after section 4, the following new section shall be inserted, namely:

“4A. Executive Committee.— (1) There shall be an Executive Committee consisting of,—

- | | | | |
|-------|---|-----|----------|
| (i) | the Minister for Energy and Power; | ... | Chairman |
| (ii) | the Additional Chief Secretary to Government; | ... | Member |
| (iii) | the Secretary to Government, Finance Department; | ... | Member |
| (iv) | the Secretary to Government, Energy and Power Department; and | ... | Member |
| (v) | the Managing Director of the Organization. | ... | Member |

(2) The Executive Committee shall perform such functions as may be delegated to it by the Board from time to time.”.

7. **Amendment of section 7 of Act No. I of 1993.**— In the said Act, in section 7, sub-section (2), in proviso, for the word “three”, the word “six” shall be substituted.

8. **Amendment of section 9 of Act No. I of 1993.**— In the said Act, in section 9,—

- (i) in sub-section (1), for the word “three”, the word “six” shall be substituted; and
- (ii) in sub-section (2), for the word “two”, the word “six” shall be substituted.

9. **Amendment of section 15 of Act No. I of 1993.**— In the said Act, in section 15, in sub-section (2), in clause (b), for the words “any land or interest in land”, the words “any immoveable property or any interest in such property” shall be substituted.

10. **Amendment of section 22 of Act No. I of 1993.**— In the said Act, in section 22, after the words “delegate to”, the words and comma, “the Executive Committee,” shall be inserted.

11. **Amendment of section 24 of Act No. I of 1993.**— In the said Act, in section 24, in sub-sections (3) and (4), for the words “subject to the approval of the Board”, the words “through an Investment Committee” shall be substituted.

12. **Insertion of new section 24A in Act No. I of 1993.**— In the said Act, after section 24, the following new section 24A, shall be inserted, namely:

“24A. Investment Committee.— (1) There shall be an Investment Committee consisting of the following members:

- | | | | |
|------|---|-----|----------|
| (i) | Managing Director of the Organization; | ... | Chairman |
| (ii) | Additional Secretary, Finance Department; | ... | Member |

- (iii) Director Finance; and ... Member
- (iv) Assistant Director Budget and Finance. ... Member

(2) The Investment Committee shall have the power to invest the surplus fund in a manner as it may deemed fit.”.

13. Amendment of section 29 of Act No. I of 1993.— In the said Act, in section 29, in the marginal heading, for the words “statement of account”, the word “budget” shall be substituted.

**BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA**

(AMANULLAH)
Secretary,
Provincial Assembly of Khyber
Pakhtunkhwa.