

سوال نمبر: 2461

منجانب: محترمہ نگہت یاسمین اور کرنی صاحبہ، رکن صوبائی اسمبلی

کیا وزیر عملہ ارشاد فرمائیں گے کہ!

سوال	جواب
(i) آیا یہ درست ہے کہ قائم مقام ڈی جی احتساب کمیشن خیبر پختونخواہ کمیشن کے پرنسپل اکاؤنٹنگ آفیسر ہیں؟ (ب) اگر (الف) کا جواب اثبات میں ہو تو:-	اس ضمن میں عرض ہے کہ خیبر پختونخواہ احتساب کمیشن کو جواب کی فراہمی کے لیے مراسلہ لکھا گیا جس کے تسلسل میں یاد دہانی مراسلے بھی لکھے گئے (کاپی لف الف ہے)۔ جواب میں احتساب کمیشن نے مسؤلہ تفصیل فراہم کرنے میں معذرت ظاہر کی (کاپی لف ب ہے)۔
(i) ڈائریکٹریٹ جنرل میں مالی نقصانات کی ذمہ داری بھی قائم مقام ڈی جی پر عائد ہوتی ہے۔	اسی اثبات میں احتساب کمیشن صوبائی اسمبلی سے منظور کردہ خیبر پختونخواہ احتساب کمیشن (Repeal) ایکٹ 2018ء کے تحت ختم ہو گیا (کاپی لف ج ہے) جس کے تحت اسٹبلشمنٹ ڈیپارٹمنٹ کو منتقل شدہ ریکارڈ کی جانچ پڑتال سے مسؤلہ تفصیل کا تعین نہیں کیا جاسکتا۔
(ii) مذکورہ نقصانات کے حوالہ سے اب تک ڈی جی سے کیا پوچھ گچھ کی گئی ہے اور نقصانات کے ازالہ کے لیے کیا اقدامات کئے گئے ہیں۔ مکمل تفصیل فراہم کی جائے۔	

IMMEDIATE / ASSEMBLY BUSINESS
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SOE.V(ERAD)14-20/Asmby Bsns/2015
Dated Peshawar, the DECEMBER 07, 2018

To: The Director General,
Entesab Commission,
Khyber Pakhtunkhwa, Peshawar.

Subject: ADMITTED COPY OF STARRED / UN-STARRED ASSEMBLY QUESTION FOR THE NEXT / CURRENT SESSION OF THE PROVINCIAL ASSEMBLY (ASSEMBLY QUESTIONS NO. 414, 413, 2461, 411, 392).

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith copy of self-explanatory letters of this Department bearing No. SOE-III(E&AD)6-2/2018, dated 30-11-2018 alongwith their enclosures / Assembly Questions No. 414, 413, 2461, 411, 392 with the request to furnish replies to the said questions in Urdu / English and also through email address assemblyquestion@gmail.com at the earliest for onward submission to quarter concerned, please.

This may be treated as Most Urgent being Assembly Business.

Yours faithfully,

Encls: As above.

[Signature]
SECTION OFFICER (E-V)

Endst. No. and date even.

Copy forwarded to:-

1. Section Officer (E-III), Establishment Department w/r to his letters quoted above.
2. PA to Deputy Secretary (Estt), Establishment Department.
3. Master File.

[Signature]
SECTION OFFICER (E-V)

2nd REMINDER / IMMEDIATE / ASSEMBLY BUSINESS
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SDE.V(E&AD)14-20/Assembly Bsns/2015
Dated Peshawar, the DECEMBER 20, 2018

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To: The Director General,
Ehtesab Commission,
Khyber Pakhtunkhwa, Peshawar.

24/12/18

Subject: ADMITTED COPY OF STARRED / UN-STARRED ASSEMBLY QUESTION FOR THE NEXT / CURRENT SESSION OF THE PROVINCIAL ASSEMBLY (ASSEMBLY QUESTIONS NO. 414, 413, 246, 411, 392).

Dear Sir,

I am directed to refer to this Department letter of even No. dated 07-12-2018 on the subject noted above and to state that requisite replies to the subject Assembly Questions are still awaited. Therefore, it is requested that the same may be furnished on the prescribed format in Urdu / English version and also through email address assemblyquestion@gmail.com at the earliest for onward submission to quarter concerned, please.

This may be treated as **Most Urgent** being Assembly Business.

Yours faithfully,

o/c

SECTION OFFICER (E-V)

Endst. No. and date even.

Copy forwarded to:-

1. Section Officer (E-III), Establishment Department.
2. PA to Deputy Secretary (Estt), Establishment Department.
3. Master File.

SECTION OFFICER (E-V)

20/12/18

24/12

o/c

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KHYBER PAKHTUNKHWA
EHTESAB COMMISSION



No. EC/HR/Asmby Bsns/52-10/2015

Date: 27.12.2018

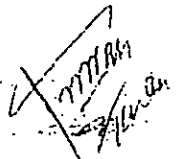
To,

Section Officer (E-V),
Establishment Department,
Govt. of Khyber Pakhtunkhwa,
Peshawar.

Subject:

ADMITTED COPY OF STARRED/ UN-STARRED ASSEMBLY QUESTION FOR THE
NEXT/ CURRENT SESSION OF THE PROVINCIAL ASSEMBLY (ASSEMBLY
QUESTIONS NO. 414, 413, 246, 411, 392).

I am directed to refer to your letter No. SO.E.V(E&AD)14-20/Asmby Bsns/2015, dated 17.12.2018 and to state that KP Ehtesab Commission is currently under process of handing over of record and assets due to winding up of the institution. The KP Ehtesab Commission Repeal Bill, 2018 has already been tabled in the Provincial Assembly and is scheduled to be passed from the Provincial Assembly on Friday 28, 2018. Foregoing, this office is not in the position to provide the information/ documents required at short notice as the requisite information is in huge bulk and would require collection of information from various files.


Assistant Director (HR-II)
KP Ehtesab Commission
Peshawar

A
BILL
to repeal the Khyber Pakhtunkhwa
Ehtesab Commission Act, 2014

WHEREAS it is expedient to repeal the Khyber Pakhtunkhwa Ehtesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. 1 of 2014), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.--(1) This Act may be called the Khyber Pakhtunkhwa Ehtesab Commission (Repeal) Act, 2018.

(2) It shall come into force at once.

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

(a) "Anti-Corruption Establishment" means the Anti-Corruption Establishment, established under the West Pakistan Anti-Corruption Establishment Ordinance, 1961 (W.P. Ordinance No. XX of 1961);

(b) "asset" means anything of the value includes but is not limited to property whether tangible or intangible, cash, investments, accounts receivables, loans granted, inventory, vehicles, furniture, plant and machinery, which is under the administrative control of the Ehtesab Commission before the commencement of this Act;

(c) "Department" means the Establishment and Administration Department of the Government;

(d) "Ehtesab Commission" means the Khyber Pakhtunkhwa Ehtesab Commission established under the repealed Act;

Asstt. Secy.
Govt. of Khyber Pakhtunkhwa
Khyber Department

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(e) "Government" means the Government of the Khyber Pakhtunkhwa;

(f) "record" means any information, documents, ledgers, books, accounts, data, dossiers, files, reports, archives, notes, minutes, transactions, proceedings, transcripts, certificates, deeds, instruments, diaries, logs, inventory lists, catalogues, case files, case studies, or otherwise anything that may be determined by Government to be record of the Ehtesab Commission; and

(g) "repealed Act" means the Khyber Pakhtunkhwa Ehtesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. I of 2014), as repealed under section 3 of this Act.

3. Repeal.—The Khyber Pakhtunkhwa Ehtesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. I of 2014), is hereby repealed and as a corollary thereof, the Ehtesab Commission established thereunder, shall stand dissolved.

4. Transfer of assets and liabilities, record and matters ancillary thereto.—On coming into force of this Act, all assets, liabilities, bank accounts, properties, debts, obligations, claims, proceedings before judicial forums, alongwith all necessary record of the Ehtesab Commission, shall be deemed to be assets, liabilities, bank accounts, properties, debts, obligations, claims, proceedings etc. of the Government.

5. Transfer of inquiries, investigation and references.—Notwithstanding the repeal of the repealed Act, on commencement of this Act,-

(i) all complaints received by the Ehtesab Commission, on which the inquiries and investigations have not been initiated under the repealed Act, shall stand

transferred to the Anti-Corruption Establishment and shall be further inquired and investigated under the Prevention of Corruption Act, 1947 (II of 1947) and the West Pakistan Anti-Corruption Establishment Ordinance, 1961 (W.P. Ordinance No. XX of 1961);

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Govt. of Punjab
Law Department

- (ii) all the pending inquiries and investigations, initiated by the Directorate General of the Ehtesab Commission, shall stand transferred to the Anti-Corruption Establishment and shall be further inquired and investigated under the Prevention of Corruption Act, 1947 (II of 1947) and the West Pakistan Anti-Corruption Establishment Ordinance, 1961 (W.P. Ordinance No. XX of 1961);
- (iii) all references pending adjudication before Ehtesab Courts shall stand transferred to Anti-Corruption Courts for further examination in accordance with the provisions of the repealed Act; and
- (iv) all appeals and revisions except those of the employees of Ehtesab Commission, pending before the High Court shall be examined in accordance with the provisions of the repealed Act.

6. Status of the employees.—Notwithstanding anything contained in any law for the time being in force, on the commencement of this Act,-

- (a) the services of contractual employees of the Ehtesab Commission shall stand terminated;
- (b) the regular employees of the Ehtesab Commission and Ehtesab Courts shall be given an option either to continue their services as surplus employees or

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accept the golden hand shake, offered by the Government, as per its policy;

- (c) the employees, who opt for the continuation of their services as surplus, shall be deemed to have been declared surplus and placed in the surplus pool of the Department:

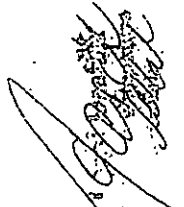
Provided that a Scrutiny Committee shall be constituted by the Department to verify that:

- (i) the employees were appointed against those posts which fall in the initial quota;
- (ii) the employees possess such qualifications and experience as prescribed for the posts against which they were appointed on regular basis; and
- (iii) the employees were appointed after observance of all legal formalities; and

- (d) the option under clause (b) shall be exercised within a period of thirty (30) days and once exercised, shall deem to be final.

7. Removal of difficulties.--If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister may pass any order, not inconsistent with the provisions of this Act, as may be deemed necessary for the purpose of removing such difficulty.

8. Bar of jurisdiction.--No Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in


Assistant Secretary
Govt. of

relation to anything done in good faith or purported to have been done or intended to be done under this Act.

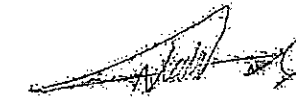
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STATEMENT OF OBJECTS AND REASONS

It is desirable to repeal the Khyber Pakhtunkhwa Entesab Commission Act, 2014 (Khyber Pakhtunkhwa Act No. 1 of 2014). Hence, this Bill.

Asstt. Secretary
Govt. of Khyber Pakhtunkhwa
Law Department

Peshawar,
dated: 12.2018.



MINISTER IN CHARGE