



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

NOTIFICATION

Peshawar, dated the 18.11.2019.

No.SO(Policy)E&AD/2-46/2018.- In exercise of the powers conferred by section 16 of the Khyber Pakhtunkhwa Whistleblower Protection and Vigilance Commission Act, 2016 (Khyber Pakhtunkhwa Act No. XVI of 2016), the Government of the Khyber Pakhtunkhwa is pleased to make the following Rules, namely:

**THE KHYBER PAKHTUNKHWA WHISTLEBLOWER
PROTECTION AND VIGILANCE COMMISSION RULES, 2019.**

**CHAPTER-I
PRELIMINARY**

1. Short title and commencement.--- (1) These rules may be called the Khyber Pakhtunkhwa Whistleblower Protection and Vigilance Commission Rules, 2019.

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

**CHAPTER-II
PROCEDURE FOR SELECTION OF CHAIRMAN
AND COMMISSIONERS**

2. Constitution of Search and Scrutiny Committee.--- (1) Government shall constitute a Search and Scrutiny Committee in order to scrutinize persons suitable for appointment as Chairman and Commissioners.

(2) The Search and Scrutiny Committee shall consist of the following:

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|-----|--|-------------|
| (a) | Chief Secretary, Khyber Pakhtunkhwa; | Chairperson |
| (b) | Additional Chief Secretary, Planning and Development Department; | Member |
| (c) | Secretary to the Government, Law Department; | Member |

(d) one Member of the Provincial Assembly nominated by the Chief Minister, for duration of his/ her incumbency; and Member

(e) Secretary to the Government, Establishment Department, Member-Cum-Secretary.

3. Resignation and pay package of the Chairman and Commissioner.--- (1) The Chairman and Commissioners may resign their membership by tendering their resignation to Government with one month prior notice or by surrendering their one month pay.

(2) Salary package for Chairman shall be MP-I and that of the Commissioners be MP-II or MP-III, as determined by Government from time to time.

4. Procedure for formal inquiry.--- The Commission shall make formal inquiry in the following manner, namely:

- (a) the formal inquiry shall be made only on an order made in writing by the Commission;
- (b) the persons charged with making the inquiry shall be impartial and shall not be interested in the result of the inquiry and shall be of a rank senior to the person against whom complaint is made;
- (c) the report of the inquiry shall be submitted in writing to the Commission; and
- (d) the Commission shall take action accordingly on the report so submitted by the Inquiry Officer.

5. Actions to be taken against the authorized officer.--- (1) If the authorized officer failed to submit a satisfactory reply to the explanation called from him within the meaning of sub-section (2) of section 9 of the Khyber Pakhtunkhwa, Whistleblower Protection and Vigilance Commission Act, 2016, the Commission shall take the following actions against him, namely:

- (a) if the charges are of serious nature, the Authorized Officer shall be removed from service; and
- (b) if otherwise, upto two months pay shall be deducted from the Authorized Officer.

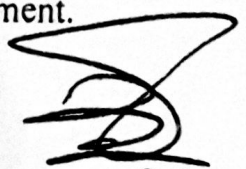
(2) If the reply of the authorized officer is found satisfactory, no action shall be taken against him.

**Chief Secretary,
Government of Khyber Pakhtunkhwa**

Endst: of even No. & date.

Copy forwarded to the:-

1. Additional Chief Secretary, P&D Department.
2. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
4. Principal Secretary to Governor, Khyber Pakhtunkhwa.
5. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
6. All Divisional Commissioners / Deputy Commissioners in Khyber Pakhtunkhwa.
7. All Heads of Attached Departments in Khyber Pakhtunkhwa.
8. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
9. All Special Secretaries / Additional Secretaries / Deputy Secretaries/Section Officers in Establishment & Administration Department.
10. Registrar, Peshawar High Court, Peshawar.
11. Secretary, Khyber Pakhtunkhwa Public Service Commission.
12. Registrar, Khyber Pakhtunkhwa Services Tribunal, Peshawar.
13. Deputy Director (IT), Establishment & Administration Department.
14. Manager, Govt. Printing Press for publication.


18/11/18
SECTION OFFICER (POLICY)