



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Dated Peshawar, the 30/3/2016

NOTIFICATION

No.BO(PFC-I)/FD/1-1(A)/2015-16/Vol.IV.- In exercise of the powers conferred by Section 112 read with sub section(2) of the Khyber Pakhtunkhwa Local Government Act, 2013 (Khyber Pakhtunkhwa Act No.XXVIII of 2013), the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

**THE KHYBER PAKHTUNKHWA PROVINCIAL FINANCE COMMISSION
(CONDUCT OF BUSINESS) RULES, 2016**

1. Short title and commencement. -- (1) These rules may be called the Khyber Pakhtunkhwa Finance Commission (Conduct of Business) Rules, 2016.

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

2. Definitions. --(1) In these rules, unless the context otherwise requires:

- a) "Act" means the Khyber Pakhtunkhwa Local Government Act, 2013, as amended from time to time;
- b) "Chairman" means the Chairman of the Finance Commission, as specified in clause (a) of the sub section (1) of Section 52 of the Act;
- c) "Finance commission" means the Finance Commission established under the Act;
- d) "Member" means a member of the Finance Commission;
- e) "Annual Report" means annual report of the Finance commission;
- f) "Secretary" means the Secretary of the Finance Commission to the Government of Khyber Pakhtunkhwa Province, Finance Department; and
- g) "Secretariat" means the Secretariat of the Finance Commission.

(2) The words and expressions used in these rules but not defined here shall have the same meaning as respectively assigned to them under the Act and the Khyber Pakhtunkhwa Fiscal Transfer rules, 2015.

3. Seat of Finance Commission. ---The headquarter of the Finance Commission shall be at Peshawar but the Chairman may summon meeting(s) of the Commission at any place in the Province.

4. Finance. ---(1) The annual budget of the Commission shall be within the authorized appropriation and control of the Secretary Finance commission who shall, for this purpose exercise all the financial and administrative powers as are delegated to an Administrative Secretary or Principal Accounting Officer of a department of Govt;

(2) Special funds may be allocated for undertaking studies, analysis and logistic support to the Finance Commission.

(3) The annual budget of the Finance Commission, including its Secretariat, shall form part of the Departmental budget estimates of the Finance Department of Govt.

5. Conduct of business of the Finance Commission. ---(1) The business of the Finance Commission shall be conducted in its ordinary meeting, provided that the Chairman may call a special meeting to consider any urgent matter;

(2) An ordinary meeting of the Finance Commission shall be held at least once in every quarter of a financial year on the date, time and venue fixed by the Chairman.

(3) The meeting shall be presided over by the chairman and in his absence by a member chosen for that purpose by the members present in the meeting.

(4) In the absence of the Chairman, if urgency requires, the Secretary Finance Commission shall, on the desire of the majority of members, summon the Finance Commission to meet at such time, place and date as may be specified by him in consultation with members concerned.

(5) Intimation for the date and time of meeting shall be sent to the members of the finance Commission at least seven days before an ordinary meeting and three days before a special meeting.

(6) All decisions shall be taken by the majority of votes of the members present and voting: provided that in case of equality of votes the Chairman shall have a casting vote.

(7) The Secretary Finance Commission shall ensure fulfillment of the requirements of the quorum in all sessions of the Finance commission, which shall not be deemed as completed unless three-fourth of the total number of the members including the Chairman are present in the session.

(8) The minutes of the meeting shall be recorded in writing, with the approval of commission and confirmed by the Chairman.

6. Agenda. ---(1) The agenda of the meeting shall be issued by the Secretary Finance Commission with the approval of the Chairman.

(2) The disposal of business shall be undertaken by the Finance Commission in such order as given in the agenda.

(3) Any member desirous of bringing any matter before the Finance Commission for its consideration may, subject to approval by the Chairman, get such matter included in the agenda by giving a prior notice of at least three days in case of any normal meeting and two days in case of a special meeting.

7. Executive authority. ---(1) The executive authority of the Finance Commission shall vest in the Chairman and be exercised by him directly or through the Secretary Finance Commission.

(2) The correspondence on behalf of the Finance Commission shall be authenticated under the signature of the Secretary Finance Commission or an officer authorized by him.

8. Disposal of business. ---(1) All correspondence by members shall be addressed to the Chairman and shall be received in the Secretariat.

(2) Minutes of the meetings containing the deliberations of the Finance Commission shall, after approval of the chairman, be circulated amongst the members by the Secretariat within three days of the meeting.

(3) In every meeting the Finance Commission shall be apprised of implementation status of the previous meeting's decisions and all the decisions not yet implemented.

9. Secretariat. --(1) Without prejudice to the generality of this provision, the Secretariat shall be responsible for:

- (a) providing support for proper functioning of the Finance Commission including necessary assistance to the members and Chairman for smooth performance of its mandated responsibilities;
- (b) preparation of working paper and its circulation amongst the members subject to prior approval of the Chairman;
- (c) implementation of the decisions of the Finance Commission;
- (d) Monitoring and implementation of the decisions of the Finance Commission;
- (e) all the functions, duties, powers contained in the relevant rules under Chapter II, III, IV and VII of Fiscal Transfer Rules, 2015;
- (f) recording and circulation of minutes of the meeting of the Finance Commission with the approval of Chairman; and
- (g) any other assignment given by the Chairman.

**Secretary
Government of Khyber Pakhtunkhwa
Finance Department**