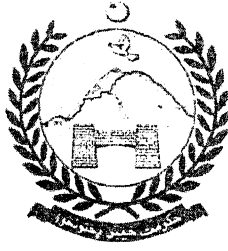


EXTRAORDINARY
GOVERNMENT



REGISTERED NO. PIII
G A Z E T T E

KHYBER PAKHTUNKHWA

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GOVERNMENT OF KHYBER PAKHTUNKHWA RELIEF REHABILITATION & SETTLEMENT DEPARTMENT

NOTIFICATION

Dated Peshawar, the 11th July, 2019.

No.SO(Estt:)/RR&SD/3-10/2015/PDMA/Vol-VII In exercise of powers conferred under Section 47(A) of the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010 the Provincial Disaster Management Authority is pleased to make the following Regulations:

1. Title, Application and Commencement. - (1) These Regulations may be called the Khyber Pakhtunkhwa Provincial Disaster Management Authority Relief Compensation Regulations 2019, hereinafter referred to as "Regulations".

(2) These Regulations shall come into force with immediate effect and shall extend to whole of Khyber Pakhtunkhwa, including merged Districts.

(3) These Regulations shall supersede the Khyber Pakhtunkhwa Provincial Disaster Management Authority Regulations, 2019 notified in the official gazette on 30th May, 2019.

2. Purpose. - These Regulations are a compendium of compensation related matters including Types, Rates, Processes, Time-Lines, various Authorities and other allied matters for loss due to natural calamities and other incidents laying out unambiguous instructions primarily for the district administration, and to also include crops and orchards which shall be applicable from 1st July, 2019, that is the date of communication of Minutes of Cabinet meeting held on 14-06-2019 vide Administration Department letter No. SOC(E&AD)9-17/2019 Dated 01.07.2019.

3. Definitions. - In these Regulations, unless the context otherwise requires, - (a) "Act" means the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010, as amended from time to time;

(b) "Authority" means the Khyber Pakhtunkhwa Provincial Disaster Management Authority;

(c) "DDMU" means the District Disaster Management Unit notified under the Act;

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

(e) "Loss of Life" means death due to a natural calamity or due to fire, short circuit

of electricity, gas leakages, electrocution, roof/walls collapse and mine accidents;

(f) "Major or Grievous injury" means a life-threatening injury and includes loss of limb(s) and loss of eye(s) due to a natural calamity or due to fire, short circuit of electricity, gas leakages, electrocution, roof/walls collapse and mine accidents;

(g) "Natural Calamity" means, and includes, a traumatic environmental event, such as a flood, an earthquake, a hurricane, a tornado, a mudslide, a landslide, a wildfire, a thunderstorm or any other calamity government may include through a notification in the official gazette.

(2) All other terms shall have the same meaning as in the National Disaster Management (Khyber Pakhtunkhwa) Act, 2010.

4. Types of Claims and Rates of Compensation. – (1) For all purposes and intents of these regulations, the types and rates of compensation shall be as under:

Sl	Type of Claim	Rate of Compensation
1	Loss of life	Rs 300,000
2	Major or Grievous Injury	Rs 100,000
3	Loss of Property – Houses	
	(i) Fully Damaged House of 02 Rooms & Above	Rs 100,000/-
	(ii) Fully Damaged House of 01 Room + Fallen Boundary Wall	Rs 80,000/-
	(iii) Fully Damaged one Room only	Rs 50,000
	(iv) Fallen Boundary Wall only	Rs 30,000/-
4	Loss of Property-Livestock	
	(i) Big Cattle (Cow, Buffalo, Horse, Donkey, Camel etc)	Rs 20,000
	(ii) Small Cattle (Goat, Sheep etc)	Rs 6,000/-
5.	Crops* and Orchards	Rs. 5,000 per acre maximum 50,000 per family for Crops and Rs. 400 per tree, maximum 40,000 per family for orchards
*includes wheat, rice, maize, sugarcane, cotton, tobacco, vegetables, barley, pulses etc		

(2) The Government may, by notification in the official gazette, revise the types and/or the rates of compensation.

(3) The compensation claim for any damage due to the types mentioned above shall lie in the District where the incident happened or the district of origin of the applicant, whichever is feasible to the applicant.

5. **Claim Assessment Committees.** – On receiving a claim of compensation, the following Claim Assessment Committees shall validate it against the requirements, including the documents and record, as detailed in these Regulations:

Sl	Type of Claim	Claim Assessment Committee
1	Loss of Life Major or Grievous Injury Loss of Property – Livestock	(i) Incharge AC/AAC of the Tehsil – Chairperson (ii) Tehsildar of concerned Revenue circle (iii) Halqa Patwari/Moharrar as the case may be (iv) Local School Principal/Head Master (v) Representative of Livestock Department (for loss of livestock only)
2	Loss of Property - Houses	(i) Incharge AC of the Tehsil – Chairperson (ii) AAC of Tehsil concerned (iii) Representative of District C&W Department (iv) Representative of District Irrigation Department (v) Tehsildar of concerned Revenue circle
3.	Crops and Orchards	(i) Incharge AC/AAC of the Tehsil- chairperson (ii) Representative of Agriculture Department (iii) Tehsildar of concerned Revenue Circle (iv) Halqa Patwari/Moharrar as the case may be

6. **Sanctioning and Paying Authorities.** – (1) The DDMUs, in each District shall be the sanctioning authority for all claims of compensation, based on assessment by the Claim Assessment Committee assigned under these Regulations.

(2) The Deputy Commissioner of the District concerned shall be the Paying Authority, after sanction of such payment by the DDMU concerned and subject to fulfillment of codal formalities as detailed in these these Regulations, for all claims of compensation.

(3) The Paying Authority may exercise any of the following two options to make payment of compensation:-

- (i) Electronic mode that is ATM/Debit Card or designated Cellular Company's cash outlets; or,
- (ii) Manual payment like Bank Draft/Pay Order/Payee's Account Cheque etc.

7. **Mandatory documentation for initiation, processing and finalization of compensation cases.**- (1) Invariably all the application forms for claims may have as attachment the following attested documents for initiation of the case by the Revenue field staff or halqa patwari or muharrar, as the case may be.:

Sl	Description/Categorization of Loss	Required Documents
01.	Loss of Life where Death occurs in a hospital or Dead Body is received in hospital	(a) CNIC of the deceased or Form-B (in case of minor) (b) CNIC of Next of Kin/Legal Heir (c) Death Certificate signed by concerned Medical Officer
02.	Loss of Life where Death occurs outside hospital and non-shifting of dead body to the hospital	(a) CNIC of the deceased or Form-B (in case of minor) (b) CNIC of Next of Kin/Legal Heir (c) Death Certificate signed by concerned Revenue Field Staff/NADRA/Village Council/Neighbourhood Council
03.	Major and Grievous Injury	(a) CNIC of the injured or Form-B (in case of minor) (b) Original Medical Certificate issued by the District Medical Board ascertaining therein the type of injury (major/grievous) and recommendations.
04.	Loss of Property - Houses	(a) CNIC of the owner or Form B (in case of minor) (b) CNIC of Next of Kin/Legal heir(s) (c) Certified copy of ownership documents i.e., registered sale deed/allotment letter/fard/intiqal OR certificate of ownership by the concerned Revenue Staff etc (d) Pictorial evidence collected during visit of the Assessment Committee (e) Certification to the effect the house was not constructed on encroached land or within the command area of a dam, and/or any other water resource or course
05.	Loss of Property - Livestock	(a) CNIC of the owner or Form B (in case of Minor) (b) Certificate issued by Secretary of concerned Union Council indicating number of animals lost in disaster duly verified by Local Livestock Department
06.	Crops and Orchards	(a) Attested copy of CNIC of the owner or Form B in case owner in minor (b) Attested copy of CNIC of the Next of Kin/Legal Heir(s) in case owner is a minor (c) Certified copy of ownership documents i.e., Registered Sales Deed/Allotment Letter/ Fard/ Intiqal of the agricultural land (d) Certificate issued by Secretary of concerned Union Council indicating kind of Crop/Orchard damaged /lost (in acres/Nos) due to disaster duly countersigned by the Local Agriculture Department

8. **Procedure for processing and finalization of compensation cases and timelines.** (1) Following mechanism shall be adopted for assessment, timelines (maximum), sanction and payment of compensation cases:

Sl	Description/Categorization of Loss	Required Documents
(a)	Submission of application for, from the date of incident : (I) Loss of Life (ii) Major or Grievous injury (iii) Loss of Property- Houses (iv) Loss of Property –Livestock (v) Crops and Orchards	(i) Not more than 45 days (ii) Not more than 15 days (iii) Not more than 30 days (iv) Not more than 15 days (v) Not more than 30 days
(b)	Initiation of compensation claim by Revenue field staff or halqa patwari or moharrir, as the case may be and submission of report alongwith mandatory documents	Not more than 3 days from the date of receipt of application for compensation
(c)	Finalization of claim by Claim Assessment Committee and its submission to Sanctioning Authority (DDMU). In case the claim is justified, its submission to the DDMU.	Not more than 10 days
(d)	Consideration and finalization of claim by DDMU, whether in formal meeting or by special meeting	Not more than 7 days
(e)	Payment of Compensation by Paying Authority	Not more than 2 days

Provided that in circumstances to be certified in writing by the Deputy Commissioner concerned to be beyond the control of the applicant or the concerned forum, the above timelines may be reasonably relaxed by the PDM Authority on case to case basis.

(2) For the purposes of facilitation and transparency, proformas will be used for each claim, the forms of which, both in English and Urdu, are appended to these Regulations as follows:

- i. Cases of Loss of Life as **Appendix-I**
- ii. Cases of major and grievous injury as **Appendix-II**
- iii. Cases of damage to property - houses as **Appendix-III**
- iv. Cases of damage to property - livestock as **Appendix-IV**
- v. Cases of Crops and Orchards as **Appendix-V**

(3) Before the disbursement of payment of compensation, the relevant proforma indicated at (2) above, complete in all other respects shall be signed by the following in the following order:

- i. The Revenue field staff or halqa patwari or muharrar, as the case may be, as initiator;
- ii. Chairman of the Assessment Committee to certify the Validation process undertaken by the Assessment Committee:

- iii. District Disaster Management Officer to verify the completion of requirements and signature affixation of such compensation cases and their placement suitability before the DDMU; and
- iv. Chairman of DDMU for final sanction and attestation of consent of all members of DDMU for such sanction.

9. **Audit.-** The Deputy Commissioner of the respective District shall submit biennial report of such payments to the Director General Provincial Disaster Management Authority specifically for the purpose of, and not limited to, audit and other cognate matters. These reports shall indicate payments under each type of compensation separately for bookkeeping purposes.

10. **Punishment for False Claims.-** All False claims/reports shall be dealt in accordance with Section 34 of the National Disaster Management (Khyber Pakhtunkhwa) Act-2010, as amended from time to time.

11. **Submission of Progress Reports.-** Deputy Commissioners will furnish status reports with regards to progress on payment of compensation under these Regulations to Provincial Disaster Management Authority once a month in normal times. However, in case of any emergency such reports will be furnished on daily basis. Standard format of these reports shall be as given at **Appendix-VI**.

12. ***Matters not specifically provided for to be dealt with under instructions.*** – Where emergency has been declared and circumstances exist which are not specifically provided for in these Regulations, the Relief, Rehabilitation and Settlement Department of the Government may issue such instructions as are deemed necessary for public interest;

Provided that all such instructions shall be placed before the next meeting of the Authority for formal approval towards making part of these Regulations

Provided further that the Authority may amend, or add to, the instructions already issued.

-sd-

Secretary
Relief Rehabilitation &
Settlement Department

Appendix-I

PROFORMA FOR RELIEF COMPENSATION IN CASE(S) OF DEAD

1. Date Of Incident _____
2. Date of RFS report with Death Certificate or Death Report _____
3. Name, Father/Husband name, CNIC and Address of the deceased _____
4. Name, CNIC of Next of Kin/Legal heir of the deceased _____
5. Relation with the deceased _____
6. Cause of Death: _____

Checklist of the requisite documents to be attached

- (a) Attested CNIC of the deceased or attested Form-B (in case of minor) [Y/N]
- (b) Attested CNIC of Next of Kin/Legal Heir [Y/N]
- (c) Death Certificate signed by concerned Medical Officer, in case of death in hospital OR
Death Certificate signed by concerned Revenue Field Staff/NADRA/Village Council/Neighbourhood Council, in case of death outside hospital. [Y/N]

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (i) (Name, Signature and stamp)

(ii) (Name, Signature and stamp)

(iii) (Name, Signature and stamp)

(iv) (Name, Signature and stamp)

Chairman of DDMU: (Name, Signature and stamp)

Appendix-II

PROFORMA FOR RELIEF COMPENSATION IN CASE(S) OF MAJOR AND GREIVOUS INJURY

1. Date Of Incident _____
2. Date of RFS report _____
3. Name, Father/Husband name, and CNIC
Injured _____
4. Address _____
5. Nature of disability/loss of limb(s) _____

Checklist of the requisite documents to be attached

- (a) Attested CNIC of the injured or attested Form-B (in case of minor) [Y/N]
- (b) Original Medical Certificate issued by the District Medical Board ascertaining therein the type of injury (major/grievous) and recommendations thereof. [Y/N]

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (i) (Name(s), Signature(s) and stamp(s))

Chairman of DDMU: (Name, Signature and stamp)

Appendix-III

PROFORMA FOR RELIEF COMPENSATION IN CASE(S) OF DAMAGE TO PROPERTY-HOUSES

1. Name and Father/Husband of Owner _____
2. CNIC No. of the Owner or Form B number if the owner is minor or CNIC No. of Next of Kin, if the owner is minor _____
3. Address _____
4. Covered Area (in sq. yards) _____
5. House damage:
 - (i) Fully Damaged House of 02 Rooms & Above _____
 - (ii) Fully Damaged House of 01 Room + Fallen Boundary Wall _____
 - (iii) Fully Damaged one Room only _____
 - (iv) Fallen Boundary Wall only _____

Checklist of the requisite documents to be attached

- (a) CNIC of the owner or Form B (in case of minor) [Y/N]
- (b) CNIC of Next of Kin/Legal heir(s) [Y/N]
- (c) Certified copy of ownership documents i.e., registered sale deed/allotment letter/fard/intiqal OR certificate of ownership by the concerned Revenue Staff etc [Y/N]
- (d) Pictorial evidence collected during visit of the Assessment Committee [Y/N]
- (e) Certification to the effect the house was not constructed on encroached land or within the command area of a dam, and/or any other water resource or course [Y/N]

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (Name, Signature and stamp)

Chairman of DDMU: (Name, Signature and stamp)

Appendix-IV

PROFORMA FOR RELIEF COMPENSATION IN CASE(S) OF DAMAGE TO PROPERTY- LIVESTOCK

1. Name and Father/Husband of Owner _____
2. CNIC No. of the Owner or Form B number if the owner is minor or CNIC No. of Next of Kin, if the owner is minor _____
3. Address _____
4. Number of Livestock lost _____
5. Kind of lost livestock: (i) Small (goat, sheep etc) _____
(ii) Big (cow, buffalo, horse, camel and donkey etc) _____

Checklist of the requisite documents to be attached

- (a) CNIC of the owner or Form B (in case of Minor) [Y/N]
- (b) Certificate issued by Secretary of concerned Union Council indicating number of animals lost in disaster duly verified by Local Livestock Department [Y/N]

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (i) (Name(s), Signature(s) and stamp(s))

Chairman of DDMU: (Name, Signature and stamp)

PROFORMA FOR RELIEF COMPENSATION CASE(S) FOR CROPS AND ORCHARDS

1. Name and Father/Husband of Owner _____
2. CNIC No. of the Owner or Form B number if the owner is minor or CNIC No. of Next of Kin, if the owner is minor _____
3. Address _____
4. Kind of Crops and/or Orchards _____
5. Acreage and/or No of Trees _____

Checklist of the requisite documents to be attached

- | | | |
|-----|--|--------|
| (a) | Attested copy of CNIC of the owner or Form B in case owner in minor | Yes/No |
| (b) | Attested copy of CNIC of the Next of Kin/Legal Heir(s) in case owner is a minor | Yes/No |
| (c) | Certified copy of ownership documents i.e., Registered Sales Deed/Allotment Letter/ Fard/ Intiqal of the agricultural land | Yes/No |
| (d) | Certificate issued by Secretary of concerned Union Council indicating kind of Crop/Orchard damaged /lost (in acres/Nos) due to disaster duly countersigned by the Local Agriculture Department | Yes/No |

INITIATED/REPORTED BY:

Halqa Patwari or Moharrar: (Name, Signature and stamp)

CERTIFICATION OF ASSESSMENT:

Chairman of Assessment Committee: (Name, Signature and stamp)

VERIFIED FOR PLACEMENT BEFORE DDMU:

DDMO Concerned: (Name, Signature and stamp)

APPROVED BY (signs of all members of DDMU):

All Member(s) DDMU: (i) (Name(s), Signature(s) and stamp(s))

Chairman of DDMU: (Name, Signature and stamp)

Appendix-VI

District-wise Payment Status (Deaths & Injuries)

S. No.	Category	District -Wise Payment Status (Deaths & Injuries)				Remarks
		Male	Female	Children	Total	
1	Loss of Life					
2	Major & Grievous Injury					
Grand Total						

District-Wise Payment Status (Compensation of Loss of Houses /Property)

Compensation to Loss of Houses/ Property					
S. No.	F.D House of 2 Room & above	F.D House of 2 Room & Boundary Wall	Fully Damaged 1 Room Only	Fallen Boundary Wall Only	Total
Grand Total					

District-Wise Payment Status Compensation of Loss of Livestock

Compensation of Loss of Livestock			
S. No.	Big cattle (Cow, Buffalo, Horse, Donkey, Camel etc)	Small cattle (Goat, sheep etc)	Total
Grand Total			

District-Wise Payment Status Compensation for Crops and Orchards

Compensation for Crops and Orchards			
S.No	Crops in acres	Trees in Orchard	Total
Grand Total			

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