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1358 THE GAZETTE OF PAKISTAN, EXTRA. AUG  
SORRUPTION ESTABLISHMENT ACT,  
2017

UST 9, 2017

THE GILGIT-BALTISTAN ANTI-C

(Act No. TL oF 2017)

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Act

To provide for the constitution of a special agency for the investigation of certain offences relating to corruption by, or enquiry into Criminal Misconduct of public servants in Gilgit-Baltistan.

Preamble.— WHEREAS, it is expedient to provide for the constitution of a special agency for the investigation of certain offences relating to corruption by, or enquiry into Criminal Misconduct of, public servants and for holding regular enquiries against such servants in Gilgit-Baltistan.

It is hereby enacted as follows:—

1. Short title, extent, and commencement.—(1) This Act may be called the Gilgit-Baltistan Anti-Corruption Establishment Act, No. III of 2017.

(2) It extends to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

2. Definitions.—In this Act, unless the context otherwise requires, the following expressions shall have the meanings, hereby respectively assigned to them, that is to say:

(i) “Criminal Misconduct, as defined in the Prevention of corruption Act, 1947

(ii) “Director General” means the Director General appointed under

section 3 according to the procedure prescribed in the rules under this Act;

(iii) “Director” means a Director appointed under section 3 and the prescribed rules under this Act;

(iv) “Deputy Director” means a Deputy Director appointed under Section 3 and the prescribed rules under this Act;

(v) “Establishment” means the Anti-Corruption Establishment constituted under section 3;

i “ ”

(vi) “Government” means the Government of Gilgit-Baltistan;

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- mentioned in the sc  
- of persons and s

-from the competent au  
Rules, 2016.

-member of Anti-Corruption

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(vii) "Public Serv" the Pakistan Pele Code a public servant as defined in section 21 of ' { e ¢ time Belhg In forse: of declared as such under any law for the ,

viii) "Rules"

(viii) es" means rules framed under this Act;

, ix) "Sel ,

(ix) hedule" means the schedule appended to this Act; and

(x) "Schedule Offences'

nees" "iad

appended to this ra means offences as detailed in the schedule

3. Constituti

ij Notwithitand sia and Power of the Anti-Corruption Establishment—  
F veriiment of Gee a contained in any other law for the time being in force,  
Anti Corn as bi altistan may constitute an Establishment to be known as

ption Establishment, for investigation of, or enquiry into the offences set forth in the Schedule and cases relating to Criminal Misconduct of public servants and for holding regular enquiries for determining whether such.offences or.cases shall be investigated or departmental enquiries into the conduct of the public servant concerned in such offences or cases shall be held.  
ral and such number

(2) The Establishment shall consist of a Director Gene  
be determined by

of Directors, Deputy Directors, Officers or members as may  
Government.  
Director and Deputy Director shall be appointed

(3) 'The Director General,  
nder this Act.

by the Government as per prescribed rules made here u  
ce of the Director General, Directors,

(4) The terms and conditions of servi  
e Establishment and their respective

rectors, Officers and members of th  
hall be determined by Government.

the Establishment—{(1) Subject to any  
make in this behalf the Director General of  
bers of the Establishment working under him

shall, for the purpose of any regular enquiry or investigation in relation to the offences .  
chedule,-have throughout the GB all the powers of search, arrest

and all other powers. duties, privileges and liabilities  
tion with the investigation of offences under  
btaining approval for certain acts  
e-I of the Anti-Corruption

job description s  
4. Powers of members of  
h Government may

order or rules whic  
Anti-Corruption, and officers and mem

seizure of property  
Officer has in connec  
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uthorities as given in the schedul

which a Police  
the Code of Crimi

behalf such officer or  
rank. of circle officer  
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Esta  
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(2) Subject to any orde  
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exercise any of the powe

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of Section 4 of the Code of Criminal

for the time being posted, and when so

fficer incharge ofa police Station'  
the limits of his station.

meaning of clause (p).of sub-section (1)  
Procedure, 1898, in the area in which he 1s  
exercising such powers, shall be deemed to be ano  
discharging the functions of such an officer within é  
| Control.—Subject to such order

and rome ses and general control of the

¢ UE ho may delegate all or any of his

ntrol.

5. Superintendence  
as Government may make, th  
Establishment shall vest in the Director General, w  
powers to one or more officers working under his co

6. Bar to legal Proceedings.—No suit or legal apnea al  
against Government or Chief Secretary, Home Secretary, Director et anythin va or  
or any. other officer or member of the Establishment in respec g done  
under this Act.

ation of any law—The provisions of this  
her law for the time being in  
he other laws.

7. Provisions not inderog  
Act are in addition to and not in derogation of any ot  
force. However this Act shall have overriding effect on t

8. Power to make Rules.—(1) Government may make rules for carrying  
out the purpose of this Act. . . ;

(2) » In particular and without prejudice to the generality of the foregoing  
powers such rules may, inter alia, provide— ne

(i) The broad outline and procedure regarding complaints, regular enquiry,  
registration of case, investigation of case, arrest of accused, submission.

of challan and other ancillary matters;

(ii) |The powers of summoning and enforcing the attendance of any person, requiring production of documents and recording evidence on affidavits etc; ; aga

(iii) for the organization of the Establishment:

**SCHEDULE  
(SCHEDULED OFFENCES)**

Following offences shall be called as Scheduled Offences. The local police - shall not have any jurisdiction to register cases under these Scheduled offences. Only the concerned Establishment shall register cases under these offences after conducting regularly enquiry. These offences are exclusively tried by the Anti

: ; ; Z y triable by special 'Anti-  
Corruption Court; and, till the establishment of the Special Court, by the District & Sessions Judge of the respective District). om

(a) . Offences punishable under sections 16] to 166, 168, 217 and 218 of

the Pakistan Penal Code , and a:

A . ? S attempt: oe  
in relation thereto or concerned herein or in conspiracies

: Part I]

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(b)

(c)

Offences punishable under section 403 to 409, 415 to 420, 463 to 476 and 477-A of the Pakistan Penal Code, and as attempts abetments and conspiracies in relation thereto or connected therewith, when committed by any public servant as such or by the persons acting jointly with or abetting or attempting to abet or acting in conspiracy with any public Servant as such.

Offences punishable under the Prevention of Corruption Act, 1947,

and as attempts, abetments and conspiracies in relation thereto or connected therewith.