

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
ZAKAT, USHR, SOCIAL WELFARE, SPECIAL EDUCATION
AND WOMEN EMPOWERMENT
DEPARTMENT

NOTIFICATION

Dated Peshawar the ____ / ____, 2019

No. ____.- In exercise of the powers conferred by section 13 of the Khyber Pakhtunkhwa Enforcement of Women's Property Rights Act, 2019 (Khyber Pakhtunkhwa Act No. XLIV OF 2019), Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA ENFORCEMENT OF
WOMEN'S PROPERTY RIGHTS RULES, 2019

1. **Short title and commencement.**--- (1) These rules may be called the Khyber Pakhtunkhwa Enforcement of Women's Property Rights Rules, 2019.

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

2. **Definitions.**--- (1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-

(a) "Act" means the Khyber Pakhtunkhwa Enforcement of Women's Property Rights Act, 2019 (Khyber Pakhtunkhwa Act No. XLIV of 2019);

(b) "adversaries" mean the opponents against whom a complaint is filed under sub-section (1) of section 4 of the Act; and

(c) "complaint" means a complaint filed by the woman or any person or organization who files a complaint on her behalf under sub-section (1) of section 4 of the Act.

(2) Words and expressions used but not defined in these rules, shall have the same meanings as assigned to them in the Act.

3. **Procedure for filing complaint.**---(1) The complaint shall be made in writing addressed to the Ombudsperson.

(2) The complaint received in the office of Ombudsperson shall be registered, assigned a number and placed before the Ombudsperson not later than two working days of the receipt of such complaint and no fee shall be charged for filing such a complaint.

(3) The complaint shall either be in English or Urdu and shall sufficiently explain the matter.

Signature
Secretary
Govt of Khyber Pakhtunkhwa
Law Department

4. **Notice to be served to the complainant, adversaries and Revenue Officials.**---For the purpose of various inquiries and recording of statements under the Act, the Deputy Commissioner, after referral of the matter to him under the Act, shall issue notices to the complainant, adversaries and the concerned revenue officials within three days of referral of the case by the Ombudsperson and the parties shall be required to appear before the Deputy Commissioner within the time specified in the notice which shall not be more than five days:

Provided that if any of the party does not appear on the day fixed for hearing, he may appear and provide the record within next three working days.

5. **Provision of record.**---The concerned revenue official, to whom notice is issued under rule 4, shall be bound for the provision of relevant revenue or property record to the office of Deputy Commissioner.

6. **Protection of the complainant.**--- The concerned Deputy Commissioner and District Police Officer shall be responsible for the protection of the complainant or the women against whose property a sue motto action has been taken by the Ombudsperson.

7. **Authentication of orders and decision.**---All the directions or decisions issued from the office of Ombudsperson shall be authenticated by the Ombudsperson.

8. **Procedure for submission of report by Deputy Commissioner.**---(1) The Deputy Commissioner after fulfilling the requirements of sub-section (2) of section 4 of the Act shall submit report to the Ombudsman.

(2) The report under sub-rule (1) shall consist of-

- (a) statements of the parties, if any, recorded by him;
- (b) relevant revenue record; and
- (c) findings of the Deputy Commissioner.

9. **Fee for copies.**---Subject to any restriction imposed by any other Law for the time being in force, copies of the documents relating to inquiries, reports or orders passed, shall be furnished to the parties on payment of rupees five per page:

Provided that electronic copy of the record through email, etc. can be provided free of cost.

SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
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