



## KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, FRIDAY, 30<sup>TH</sup> JULY, 2021.

### GOVERNMENT OF THE KHYBER PAKHTUNKHWA REVENUE AND ESTATE DEPARTMENT

#### **NOTIFICATION**

Dated: 16th July, 2021.

No.17987.--- In exercise of the powers conferred by section 13 of the Khyber Pakhtunkhwa Letters of Administration and Succession Certificates Act, 2021 (Khyber Pakhtunkhwa Act No. X of 2021), read with sections 5, 6, 7 and 9 thereof, the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

#### **THE KHYBER PAKHTUNKHWA LETTERS OF ADMINISTRATION AND SUCCESSION CERTIFICATES RULES, 2021**

1. **Short title and commencement.**---(1) These rules shall be called the Khyber Pakhtunkhwa Letters of Administration and Succession Certificates Rules, 2021.

(2) They shall come into force at once.

2. **Definitions.**---(1) In these rules, unless there is anything repugnant in the subject or context.

(a) **“Act”** means the Khyber Pakhtunkhwa Letters of Administration and Succession Certificates Act, 2021 (Khyber Pakhtunkhwa Act No. X of 2021);

(b) **“applicant”** means a person authorized to make an application under section 6 of the Act;

- (c) **“Authority”** means the National Database and Registration Authority established under section 3 of the National Database and Registration Authority Ordinance, 2000;
- (d) **“Ordinance”** means the National Database and Registration Authority Ordinance, 2000 (Ord. No. VIII of 2000); and
- (e) **“property”** includes movable and immovable property.

(2) The words and expressions used but not defined in these rules shall have the same meanings as are respectively assigned to them in the Act.

**3. Application for the grant of Letter of Administration or Succession Certificate.**---An application for the grant of Letter of Administration or Succession Certificate may be made by the applicant, at any notified office of the Authority, in the form set out in **Schedule-I**, along with the following documents, namely:

- (a) death certificate of the deceased;
- (b) list of the legal heirs and copies of their National Identity Cards which may include a CNIC, NICOP or any such instrument issued by the Authority;
- (c) an authorization in the form set out in **Schedule-I** by the legal heirs in favour of the applicant; and
- (d) documentary evidence of ownership of immovable and movable properties in respect of which the Letter of Administration or Succession Certificate is applied for;

Provided that in case of immovable property, the applicant shall submit a certificate in original of ownership issued by the relevant registry or department or office.

**4. Summary Inquiry.**---(1) Upon receipt of an application, the Authority may require from the applicant, such evidence, documentary or otherwise, or may make such inquiries as it deems fit.

(2) In case of any factual controversy, the Authority shall decline to process the application and inform the applicant accordingly.

**5. Publication of notice.**---(1) Where there is no factual controversy involved, a notice shall be published in one English language and one Urdu language daily newspaper of wide circulation for inviting objections from the general public. A similar notice shall also be published on the web portal of the Authority.

(2) Where no objection or claim is received within fourteen days of the publication of notice, the Authority shall require the applicant and all legal heirs to appear in person, in any of its notified offices, for bio-metric verification.

(3) Upon verification, if the Authority is satisfied, it may issue the Letter of Administration or the Succession Certificate, as the case may be, in favour of the applicant, and the legal heirs, in the forms as set out in **Schedules-II** and **III** of these rules, as the case may be.

(4) Where bio-metrics of a legal heir is not verified, the Authority may require the legal heir to appear in person before the Authority or the Authority may resort to any other modern device with a view to satisfying itself as to the identity of any legal heir.

**6. Duplicate or amended certificates.**---(1) The Authority may, for any Letter of Administration or Succession Certificate which is lost, stolen, destroyed or damaged, issue a duplicate Letter of Administration or Succession Certificate to the applicant.

(2) For the purposes of sub-rule (1), in case of lost or stolen Letter of Administration or the Succession Certificate, a copy of the FIR reporting such fact shall be submitted to the Authority and in case of a destroyed or damaged Letter of Administration or Succession Certificate, the original instrument shall be surrendered to the Authority.

(3) In case of an error, a Letter of Administration or Succession Certificate may be amended by making an application to the Authority, which may, subject to surrender of the original Letter of administration or the Succession Certificate, issue a revised Letter of Administration or the Succession Certificate.

(4) For the purposes of issuing a duplicate or revised Letter of Administration or Succession Certificate, the Authority may conduct an inquiry or require from the applicant such evidence as it deems necessary.

(5) A duplicate or revised Letter of Administration or Succession Certificate shall be issued upon payment of such fee as is provided in **Schedule-IV** of these rules.

7. **Fee and cost.**---(1) The Authority shall charge fee and other charges for its services as specified in **Schedule-IV**.

(2) The Authority shall make necessary arrangements for the collection of fee and other charges and may collect, or cause to be collected, the fee for issuance of the Letters of Administration or Succession Certificates at any time prior to or along with the deposit of application, as it may deem fit.

(3) The Authority may adopt any mode or manner for collection of the fee and other charges as it may deem fit for achieving efficiency and facilitating the deposit and collection of fee and other charges by and from the applicant.

(4) If an application is declined due to factual controversy or upon objection of any person or due to any dispute at the stage of verification, fees and other charges, if any, collected by the Authority, shall be refunded to the applicant after deducting processing charges as specified in **Schedule-IV**.

**SCHEDULE-I**

(see rule 3)

**LETTER OF AUTHORIZATION****AFFIDAVIT / AUTHORIZATION FOR LETTER OF  
ADMINISTRATION / SUCCESSION CERTIFICATE**

1. I \_\_\_\_\_ S/D/W of \_\_\_\_\_ bearing CNIC/NICOP No. \_\_\_\_\_ do hereby state on oath that the legal heirs mentioned below have authorized the undersigned to act on their behalf for the purpose of filing the Application for the grant of Succession Certificate/Letter of Administration in respect of movable/immovable properties (mentioned below) of the deceased Mr/Mrs/Miss/Ms. S/D/W of \_\_\_\_\_ bearing CNIC/NICOP No. \_\_\_\_\_

2. The details of the legal heirs and movable/immovable properties are given below:-

**(a) Details of Movable/Immovable Properties**

NB: the case of immovable properties, the address and **location** of the property is to be mentioned, while in case of movable assets, such as a bank account, the account number is to be mentioned. In case of co-ownership, the percentage or fraction of ownership in the asset is to be mentioned.

Sr. #	

**(b) Legal heirs' details (including all legal heirs)**

Sr. #	Name	CNIC/NICOP No.	Gender	Relation with Applicant	Relation with deceased	Religion	Sect	Cell No.	Email	Share of Legal heirs in the assets e.g. (1-2 of total or 20 of remaining etc.)	Left Thumb impression / Sign	Signature	Address

3. I \_\_\_\_\_ the above named applicant do hereby state on oath and declare that the list of legal heirs and details of the assets provided by me are true and correct to the best of my knowledge and belief and nothing has been concealed. No litigation is pending in respect of the movable/immovable property listed in the table mentioned above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_  
Sign/ Thumb impression of Applicant

\_\_\_\_\_  
Attested by Oath  
Commissioner

**SCHEDULE-II**  
(see rule 5 (3) )

**LETTER OF ADMINISTRATION**

(Issued under the Khyber Pakhtunkhwa Letters of Administration and Succession Certificates Act, 2021)

It is certified that \_\_\_\_\_ s/d/o \_\_\_\_\_ bearing  
CNIC/NICOP No. \_\_\_\_\_ applied on \_\_\_\_\_ for issuance of Letter  
of Administration regarding immovable properties mentioned below, as left by the deceased  
Mr/Mrs/Miss/Ms. \_\_\_\_\_ s/d/o \_\_\_\_\_ of \_\_\_\_\_ bearing  
CNIC/NICOP No. \_\_\_\_\_ in favour of the legal heirs mentioned hereunder:-

Sr #	DETAILS OF IMMOVABLE PROPERTIES
1	
2	

Details of Legal heirs of the deceased and their shares (according to the Personal Law of the deceased) are as under:

LEGAL HEIRS DETAILS				
Sr #	Name	CNIC/NICOP No.	Relation Deceased	with Share

This Letter of Administration is accordingly granted in favour of \_\_\_\_\_ and empowers him/her to further distribute the above mentioned properties, among the aforementioned legal heir(s).

Dated this \_\_\_\_\_ day of \_\_\_\_\_

This certificate is issued on the basis of information provided by applicant (s) and after fulfilling legal formalities under the provisions of the Khyber Pakhtunkhwa Letters of Administration and Succession Certificates Act, 2021.

If the applicant is found to have concealed any fact including concealment regarding any legal heir of the deceased, the applicant shall be liable to face legal action as per the prevailing laws and the Letter of Administration shall stand revoked.

**SCHEDULE-III**  
(see rule 5 (3) )

**SUCCESSION CERTIFICATE**

(Issued under the Khyber Pakhtunkhwa Letters of Administration and Succession  
Certificates Act, 2021).

It is certified \_\_\_\_\_ s/d/o \_\_\_\_\_ bearing  
CNIC/NICOP No. \_\_\_\_\_ applied on \_\_\_\_\_ for issuance of  
Succession Certificate in respect of movable properties mentioned below, as left by the deceased  
Mr/Mrs/Miss/Ms. \_\_\_\_\_ s/d/c of \_\_\_\_\_ bearing  
CNIC/NICOP No. \_\_\_\_\_ in favour of the legal heirs mentioned hereunder:-

Sr #	DETAILS OF MOVABLE PROPERTIES
1	
2	

Details of Legal heir(s) and their respective shares (according to the Personal Law of deceased)  
are as under:-

LEGAL HEIRS DETAILS				
Sr #	Name	CNIC/NICOP No.	Relation with Deceased	Share

This Succession Certificate is accordingly granted in favour of \_\_\_\_\_ and empowers him/her to  
collect movable properties of the deceased mentioned above and distribute them among the  
aforementioned legal heirs.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

This Succession Certificate is issued on the basis of information provided by the applicant and after  
fulfilling legal formalities under the provisions of the Khyber Pakhtunkhwa Letters of Administration and  
Succession Certificates Act, 2021.

If the applicant is found to have concealed any fact including concealment regarding any legal heir of the  
deceased, the applicant shall be liable to face legal action as per the prevailing laws and the Succession  
Certificate shall stand revoked.

**SCHEDULE-IV**  
(see rules 6(5) and 7(1) (4) )

**Fee and Cost**

- (1) Fee specified below shall be attached with every application:-
  - (a) Initial Application Rs. 20,000/-
  - (b) Application for Duplicate or amended certificate Rs. 5000/-
- (2) Fee prescribed at serial number 1(a) above shall be paid by the applicant at the time of filing application under rule 3.
- (3) Fee prescribed at serial No. 1(b) above shall be paid by the applicant under rule 6.
- (4) All the fees indicated above shall be paid through pay order or demand draft or a bank *challan* in favour of the Authority or any other mode as the Authority may deem fit.
- (5) An applicant shall be refunded Rs. 5000/- if application is declined.
- (6) In case the value of the property is less than Rs. 100,000/- then the fee prescribed at serial number 1(a) above shall be Rs. 10,000.

**SECRETARY TO  
GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
REVENUE AND ESTATE  
DEPARTMENT**