

TO BE PUBLISHED IN THE NEXT
ISSUE OF BALOCHISTAN GAZETTE.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION,
Dated Quetta, the 07th February, 2022.
7507"

No.PAB/Legis:V(01)/2022/ The Balochistan Letters of Administration and

Succession Certificates Bill, 2022 (Bill No.01 of 2022), having been passed by
the Provincial Assembly of Balochistan on 24th January, 2022 and assented to
by the Governor Balochistan, on 28th January, 2022 is hereby published

as an Act of the Balochistan Provincial Assembly.

THE BALOCHISTAN LETTERS OF ADMINISTRATION AND
SUCCESSION CERTIFICATES ACT, 2022
ACT NO. I OF 2022,

AN
ACT

to provide for an efficacious and speedy mechanism for issuance of Letters of
Administration and Succession Certificates.

Preamble. WHEREAS it is expedient to provide for an efficacious and
speedy mechanism for facilitating issuance of Letters of
Administration and Succession Certificates, aimed at providing
transparent and expeditious relief in the Balochistan Province;

It is hereby enacted as follows:-

Short title, 1. (2) This Act may be called the Balochistan Letters of
administration and Succession Certificates Act, 2022.
commencement,

(2) It shall extend to the whole of Balochistan Province.

(3) It shall come into force at once.

Definitions. 2. In this Act, unless there is anything repugnant in the subject
or context,-

a) "Authority" means the National Database and
Registration Authority (NADRA) established under
section-3 of the Ordinance;

b) "Controversy" includes an objection by legal
heirs or by any claimant of legal heirship, any
dispute which may arise in establishing the

Issuance of
Letters of
Administration
or Succession
Certificates.

Establishment
of Succession
Facilitation
Unit.

Function of
the Succession
Facilitation
Unit.

identity of legal heirs which is not resolvable by
the Authority or any situation, matter or event
requiring adjudication or recording or evidence or
where at least one of the legal heirs is a minor;

c) "Government" means the Government of
Balochistan;

d) "Legal heir" means a person who has entitlement
to a share in the property of the deceased;

e) "Ordinance" means the National Database and
Registration Authority Ordinance, 2000
(ORDINANCE NO. VIII of 2000);

f) "Prescribed" means prescribed by rules; and

g) "Rules" means the rules made under this Act.

Notwithstanding anything contained in any other law for the
time being in force, the Authority may issue Letters of
Administration or Succession Certificates, as the case may
be, to the legal heirs of a deceased in respect of movable or
immovable property, in accordance with the Family
Registration Certificate maintained by the Authority.

(1) The Authority shall establish a Succession
Facilitation Unit for the purpose of receipt, processing and
assessment of applications for grant of Letters of
Administration and Succession Certificates.

(2) For the purpose of sub-section (1), the Authority may
notify any of its existing offices as Succession Facilitation
Unit at such place or places as it may deem appropriate.

(3) The Authority may, from time to time, appoint officers, staff, experts, consultants, advisers and other employees, on such terms and conditions as it may deem fit, for the purpose of carrying functions under this Act.

The Succession Facilitation Unit shall perform the following functions, namely:—

a) receive applications for grant of Letters of Administration and Succession Certificates, as the case may be, from legal heirs of the deceased

_or their legal counsel;

Application for
Letters of
Administration
or Succession
Certificates.

b) process and assess the applications by way of a summary enquiry as prescribed, and in case of any controversy amongst the legal heirs decline to assess the application for filing afresh before the appropriate forum in accordance with the provisions of the Succession Act, 1925 (ACT NO. XXXIX of 1925) or any other applicable Law;

ce) maintain an online portal providing for updated record of the Letters of Administration and Succession Certificates issued in the Balochistan, Province, under this Act; and

d) discharge or perform such function as are incidental, ancillary or necessary for carrying out the purposes of this Act.

(1) An application for grant of Letter of Administration or Succession Certificate, as the case may be, shall be made to the Authority by the legal heirs or their legal counsel:

Provided that the legal heirs may also authorize in the prescribed form issued by the Authority, one Amongst themselves, to act on behalf of all other legal heirs, for the purpose of filing an application under this Act.

(2). An Application may be filed in the notified office of the Authority within whose jurisdiction the deceased ordinarily resided at the time of his death or within whose jurisdiction any property or asset of the deceased is located.

(3) The following documents shall be appended along-with the application:-

a) death certificate of the deceased;

b) list of the legal heirs and copies of their computerized national identity cards;

ce) an authorization in the prescribed form by the legal heirs in favour of the applicant as provided in proviso to sub-Section (1); and

d) details of movable and immovable property in respect of which the Letters of Administration or

Succession Certificate is applied for.

Forms of
Letters of
Administration
and Succession
Certificates.

Objection to the

Letters of
Administration
and Succession
Certificates.

(4) Within fourteen (14) days of the receipt of the application, a notice to the general public shall be published on an web portal to be maintained by the Authority and one notice each in English and Urdu language daily newspaper of wide circulation.

(5) where no objection or claim is received within fourteen days of the publication of notice, the Authority shall, in any of its notified office, obtain the bio-metric verification of the applicant and all the legal heirs:

Provided that where bio-metrics of a legal heir is not verified, the Authority may require him to appear in person before the Authority on a date fixed by the Authority:

Provided further that the Authority may resort to any other modern device with a view to satisfying itself as to the identity of any legal heir.

Explanation.- The bio-metric verification can be undertaken at any notified office within Pakistan or abroad.

(6) Upon satisfactory completion of the codal formalities mentioned in this section, the applicant shall appear before the Authority on a date fixed by it, whereafter the Authority shall issue the Letter of Administration or Succession Certificate, as the case may be, in favour of all legal heirs of deceased' with details of their respective shares as provided in the personal law of such legal heirs:

Provided that all the codal formalities shall be completed and Letter of Administration or Succession Certificate, as the case may be, shall be issued by the Authority within fourteen days after the notice period mentioned under sub-section (5) has elapsed.

(7) The Letters of Administration or Succession

Certificates issued under this Act shall have the same effect as if the same have been issued under the Succession Act, 1925 (ACT NO. XXXIX of 1925),

Letters of Administration and Succession Certificates shall be issued in the forms prescribed by the Authority.

Any person objecting to Letters of Administration or Succession Certificates, as the case may be, after the issuance of the Letters of Administration or Succession

Fees and costs.

www.ezqanoon.com

Bar of
Jurisdiction.

Penalty,
offences and
trial.

Act to override
other laws.

Power to make
rules.

www.ezqanoon.com

10.

11.

12.

13.

Certificates by the Authority, may seek remedies available under any other applicable law, within thirty days against the decision of the Authority by filing an appeal or application, as the case may be, before the court of

competent jurisdiction.

(2) The Authority may charge the prescribed fees or other sums for its services under this Act including the sums

incurred on publication of public notice.

(2) The charges or sums received under sub-section (1) shall be credited to the National Database and Registration Authority's Fund established under section-24 of the

Ordinance.

No Court shall exercise jurisdiction till such time the Authority decline to process the application for issuance of the Letters of Administration or Succession Certificates, by

the legal heirs or their legal counsel.

The provisions in relation to offences, penalties and trial mentioned in Chapter 1X of the Ordinance shall apply

mutatis mutandis under this Act.

The Provision of this Act shall have effect notwithstanding anything 'contained in any other law for the time being in force.

The Government may within six (6) months, by notification in the official Gazette, make rules for carrying out the (TAHIR re KAKAR)

Secretary.

purposes of this Act.

www.ezqanoon.com

www.ezqanoon.com

No.PAB/Legis: V(01)/2022. Dated Quetta, the 07th February, 2022.

A copy is forwarded to the Chief Controller, Government Printing Press,
Balochistan, Quetta for favour of publication in the next issue of Balochistan

Gazette. Before final printing, a copy thereof be sent to this Secretariat for proof
reading. Fifty copies of the Act may please be supplied to this Secretariat for record.

/

(ABDUL REHMAN)
Special Secretary (Legis:)

No.PAB/Legis: V(01)/2022. Dated Quetta, the 07th February, 2022.

A Copy is forwarded for information and necessary action:-

1. The Principal Secretary to Governor Balochistan, Quetta.

2. The Principal Secretary to Chief Minister Balochistan, Quetta.

3. The Secretary, Government of Balochistan, Law and Parliamentary Affairs
- Department, Quetta.

4. The Director General, Public Relations, Balochistan, Quetta.

5. The System Analyst, Balochistan Provincial Assembly.

Pa

6. P.S. to Secretary, Balochistan Provincial Assembly.

wale”

Special Secretary (Legis:)