

THE KHYBER PAKHTUNKHWA ENFORCEMENT OF WOMEN OWNERSHIP

RIGHTS ACT, 2012.

(KHYBER PAKHTUNKHWA ACT NO. III OF 2012)

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THE KHYBER PAKHTUNKHWA ENFORCEMENT OF WOMEN OWNERSHIP  
RIGHTS ACT, 2012.

(KHYBER PAKHTUNKHWA ACT NO. III OF 2012)

[first published after having received the assent of the Governor of  
the Khyber Pakhtunkhwa in the Gazette of Khyber Pakhtunkhwa  
(Extraordinary),dated the 17<sup>th</sup> January,2012].

AN  
ACT  
to protect and secure the right of ownership of  
women in the property

WHEREAS the Islamic Sharia provides equal guarantee for the protection of life  
and property of men and women;

AND WHEREAS the Constitution of Pakistan, 1973, and section 5 of the Khyber  
Pakhtunkhwa Shari Act, 2003, enjoins upon the Government to legislate with respect to the  
protection of the said right;

AND WHEREAS the Sharia gives due respect to the women in society and  
guarantees their right of ownership;

AND WHEREAS the rights of ownership of women is at stake in the society and  
such rights are violated by means of coercion, fraud, fabrication, forgery, cheating and it is  
necessary to protect and secure the said rights of women in the society;

Therefore, it is hereby enacted as follows:

1. Short title, extent\_an commencement.---(1) This Act may be called the Khyber  
Pakhtunkhwa Enforcement of Women Ownership Rights Act, 2012.

(2) It extends to the whole of the Khyber Pakhtunkhwa Province.

(3) It shall come into force at once.

2. Definitions.---In this Act, unless the context otherwise requires;

(a) "Ownership" means the right of ownership in the property both movable and  
immovable which is devolved upon and vested in women by way of  
inheritance, gift, purchase, mehr or acquired by her by way of any other legal

and Shari means; and

(b) "Government" means the Government of the Khyber Pakhtunkhwa.

3. Bar on depriving women of her ownership.---No person shall abridge, violate, curtail or obstruct the right of ownership or possession of a woman, nor shall he dispossess

any woman of her property save in accordance with law.

4. Punishment.---(1) Whoever contravenes or abets in the contravention of the provisions of section 3 shall be punishable with imprisonment of either description for a term not exceeding five years and fine not exceeding fifty thousand rupees:

Provided that this punishment shall be in addition to the punishment provided by any other law for the time being in force for such offence.

(2) Whenever a person is convicted of an offence under sub-section (1), the Court shall handover possession of the property, on account of which the person has been so convicted to the rightful owner.

(3) Whenever a woman files a suit, the Court shall decide the case in six months and the judgment and decree of the Court shall be implemented by the Court through local police in the supervision of the Court within one month of decision of the case, failing which the said officer shall be charged under section 5.

5. Abetment.---Whoever abets the offence under section 3 of this Act shall be punished as provided under section 4.