

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS AND
HUMAN RIGHTS DEPARTMENT**

NOTIFICATION

Peshawar, dated the 05th November, 2024

NO. SO (HR) LD/2-3/DGHR/2024-25/Vol X:

In exercise of the powers conferred by section 13 of the Khyber Pakhtunkhwa Promotion, Protection and Enforcement of Human Rights Act, 2014 (Khyber Pakhtunkhwa Act No. III of 2014), read with section 7 thereof, the Government of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

**THE KHYBER PAKHTUNKHWA NON-GOVERNMENTAL
ORGANIZATIONS REGISTRATION (WORKING IN THE FIELD OF
HUMAN RIGHTS) RULES, 2024.**

1. **Short title, commencement and application.**---(1) These rules may be called the Khyber Pakhtunkhwa Non-Governmental Organizations Registration (Working in the Field of Human Rights) Rules, 2024.

(2) They shall come into force at once.

(3) These rule shall apply to the Non-Governmental Organizations working in the field of human rights protection.

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

(a) “Act” means the Khyber Pakhtunkhwa Promotion, Protection and Enforcement of Human Rights Act, 2014 (Khyber Pakhtunkhwa Act No. III of 2014);

(b) “applicant” means the head of a Non-Governmental Organization or any official of the Non-Governmental Organization authorized by the head of the Non-Governmental Organization who has made an application under these rules for registration of the Non-Governmental Organization;

(c) “Charitable Commission” means the Khyber Pakhtunkhwa Charitable Commission established under the Khyber Pakhtunkhwa Charities Act, 2019 (Khyber Pakhtunkhwa Act No. XXIX of 2019);

(d) “Schedule” means a Schedule appended to these rules; and

(e) “Secretary” means the Secretary to Government, Law, Parliamentary Affairs and Human Rights Department.

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

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3. **Application for registration.**---(1) An application for the registration of a Non-Governmental Organization, shall be submitted to the Directorate General on the form as specified in Schedule-I.

(2) All existing Non-Governmental Organizations, working in the field of human rights protection and not registered with the Directorate General shall get themselves registered with the Directorate General within sixty days of coming into force of these rules.

(3) Failure to register an existing Non-Governmental Organization within the time limit given in sub-rule (2), the head of such Non-Governmental Organization shall be liable to pay late charges at the rate of ten percent (10%) of the registration fee per day in addition to the closing of operations of the Non-Governmental Organization by the Directorate General.

(4) In addition to the information contained in the form specified in Schedule-I, the application from, shall be accompanied by following documents and information, namely:

- (a) a copy of treasury challan/recipe of rupees five thousand as fee for the registration deposited in a scheduled bank;
- (b) address of the Non-Governmental Organization;
- (c) copy of the minutes of the last general meeting of the members of the Non-Governmental Organization;
- (d) annual report for the last three years or since the establishment of Non-Governmental Organization, whichever is less or a state of activities, undertaken during the said period, certified by a Gazette Officer, residing within the area of operation of the Non-Governmental Organization;
- (e) details of funds, donations or charities received by the Non-Governmental Organization alongwith sources of such funds, donations or charities etc.; and
- (f) registration certificate from the Charitable Commission.

(5) The Directorate General shall examine the application and if there is any deficiency in the application, it shall notify the applicant of the same with direction to rectify or fulfill the same within such time as may be specified by the Directorate General.

(6) In case the applicant fails to fulfill the deficiency within the time specified by the Directorate General, his application shall be rejected.


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(7) Upon scrutiny of the application, the Directorate General shall, if the application is complete in all respects and the Non-Governmental Organization fulfills all the requirements, issue a registration certificate in accordance with rule 4 of these rules with the approval of Director General.

4. **Certificate of registration.**---The Director General shall, if all the requirements under these rules have been fulfilled by a Non-Governmental Organization, issue a certificate of registration to such Non-Governmental Organization on the format provided in Schedule-II.

5. **Validity and renewal of registration.**---(1) The registration certificate issued under rule 4 of these rules shall be valid for a period of three years which shall be renewed after every three years. The application for renewal shall be made at least thirty days prior to the expiry of the existing registration certificate.

(2) The fee for renewal of registration shall be rupees two thousand and five hundred.

(3) If a Non-Governmental Organization fails to renew the registration in accordance with sub-rule (1), the said Non-Governmental Organization shall be dealt under sub-rule (5) of rules 10 of these rules. If the Non-Governmental Organization later on applies for renewal, it shall be liable to pay late charges at the rate of ten percent of the renewal fee per day.

(4) The procedure provided in rule 3 of these rules shall *mutatis mutandi*, apply to the application for renewal of registration.

6. **Cancellation of registration.**---(1) The Director General may, by an order in writing, cancel the registration of a Non-Governmental Organization on any one or a combination of the grounds mentioned bellow, namely:

- (a) the Non-Governmental Organization has been declared by the security agencies or law enforcement agencies of the State to be acting prejudicially to the security of the State;
- (b) the registration of the Non-Governmental Organization has been cancelled by the Charitable Commission;
- (c) the Non-Governmental Organization has failed to notify any change in its objectives constitution, address or place of operation to the Directorate General;
- (d) it has been found that the Non-Governmental Organization has defrauded in showing accurate funds and its sources or has concealed any material fact at the time of registration or during monitoring;
- (e) the Non-Governmental Organization has failed to carry out its obligations under rule 10 of these rules; and


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- (f) the Non-Governmental Organization has violated the provisions of the Act, these rules, any other laws and rules for the time being in force or any instructions of a relevant Government entity.

(2) The Director General shall, before passing the cancellation order, give an opportunity of hearing to the Non-Governmental Organization concerned.

7. Register of Non-Governmental Organizations.---(1) In order to ensure supervision and monitoring of all Non-Governmental Organizations working in the field of human rights across the Province, there shall be maintained record of the Non-Governmental Organizations which are registered with the Directorate General on the format given in **Schedule-III**.

(2) There shall also be maintained a register of Non-Governmental Organizations working in the field of human rights which are not registered with the Directorate General on the format given in **Schedule-IV**.

8. Monitoring and liaison.---(1) The Directorate General shall put in place an effective mechanism for the monitoring, supervision and liaison with the Non-Governmental Organizations registered under these rules.

(2) The Non-Governmental Organizations shall keep a liaison with the Directorate General as per rule 9 and 10 of these rules.

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9. Annual activity report.---(1) Every Non-Governmental Organization registered under these rules shall submit to the Directorate General an annual activities report within two months following the year to which such report belongs.

- (2) The annual activities report, inter alia, shall provide in detail-
- (a) the activities carried out by the Non-Governmental Organization during the year;
 - (b) the funds, donations and charities, if any, received by the Non-Governmental Organization in support of its activities;
 - (c) the sources of such funds, donations or charities;
 - (d) projects/programmes planned;
 - (e) projects, programmes completed;
 - (f) projects/programmes under implementation;
 - (g) assets of the NGOs both moveable and immoveable; and
 - (h) impact of the projects/programmes.

10. **Obligation of Non-Governmental Organizations.**---(1) The Non-Governmental Organizations, registered with Directorate General shall not carry out any other activity except to promote and protect human rights in the Province.

(2) The Department may, if needed, also assign any task or activity to the registered Non-Governmental Organizations which are required to fulfill the obligations of Government under any treaty or convention on human rights to which Pakistan is a signatory.

(3) Notwithstanding the generality of the foregoing provisions, all Non-Governmental Organizations registered under these rules shall be obligated to notify to the Directorate General, within a reasonable time, the following, namely:

- (a) amendment in the constitution or charter of the Non-Governmental Organization;
- (b) change in the registered address or place of operation of the Non-Governmental Organization;
- (c) any change in the composition or office bearers of the Non-Governmental Organization;
- (d) annual activity report under rule 9 of these rules;
- (e) implementation report of the project completed; and
- (f) voluntary dissolution of the Non-Governmental Organization.


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(4) Failure to notify any of the above mentioned information to the Directorate General shall lead to the cancellation of registration of the Non-Governmental Organization.

(5) Any Non-Governmental Organization which is not registered with the Directorate General or whose registration has expired and the same has not been renewed, shall not carry out any operation or activity in the Province.

11. **Appeals.**---(1) Any Non-Governmental Organization aggrieved from the orders of Director General, regarding rejection of application for registration or cancellation of registration, may within thirty days of the communication of order, prefer an appeal to the Secretary.

(2) The appeal under sub-rule (1), shall-

- (a) be accompanied by a copy of the impugned order;
- (b) contain brief facts of the case, any material facts and documents relied upon;
- (c) set forth concisely the grounds of appeal; and

(d) be signed and verified by the appellant.

(3) The appeal shall be disposed off by the Secretary within thirty days.

(4) The decision of the Secretary on appeal shall be final and binding.

(5) The Secretary may, before making final decision, call for any record of the case for examination which he thinks will enable him to arrive at a just and proper decision.

(6) The Secretary shall render final decision on appeal after giving an opportunity of hearing to the parties.


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