

25-9-23

**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR AT ABBOTTABAD**

**Service Appeal 1886/2022**

**Hafiz Muhammad Haroon**

**(Appellant)**

**VERSUS**

**Govt. of Khyber Pakhtunkhwa & others**

**(Respondents)**

**Comments / Reply on behalf of Respondent No.4**

<b>S No.</b>	<b>DESCRIPTION</b>	<b>ANNEXURE</b>	<b>PAGE</b>
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2	Copy Of Summary Of Posting / Transfer	A	5-6
3	Copy of Charge Sheet	B	7
4	Copy of Statement of Allegations	C	8
5	Copy of Notification of inquiry	D	9
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**Saqib Sultan Jadoon**

**Regional Director Prosecution Hazara Division**

**Respondent No.4**

**IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR AT ABBOTTABAD**

**Service Appeal 1886/2022**

***Hafiz Muhammad Haroon***

***(Appellant)***

**VERSUS**

***Govt. of Khyber Pakhtunkhwa & others***

***(Respondents)***

***Comments / Reply on behalf of Respondent No.4***

**Preliminary Objections**

1. That the appellant has been transferred from the post of Regional Director Prosecution by the Government of Khyber Pakhtunkhwa vide notification dated 15/09/2022 keeping in view his poor performance. This fact is duly mentioned in his transfer summary which ultimately culminated into the impugned Posting / Transfer order.
2. That the competent authority remarked against the appellant that, “**The officer has failed to supervise the field formation and is proceeded under E&D Rules**”, hence, transfer of the appellant has been made on disciplinary grounds i-e inefficiency in performance of official duties. Copy of Summary of posting / transfer of the appellant is Annexure “A”.
3. That the transfer of the appellant is a result of his inefficiency and his incapability to serve on administrative, responsible post of Regional Director Prosecution. Therefore, the transfer of the appellant from the administrative post is well within the definition of public interest.
4. That it is worth mentioning that the appellant was charge sheeted and an inquiry is still under process. Copies of charge sheet, statement of allegations and notification of inquiry are attached as Annexure “B, C & D”.
5. That it is further submitted that there is likelihood of conclusion of under process inquiry against the appellant regarding his lack of knowledge as well as interest in his service.
6. That Respondent No.4 is well capable and qualified Officer and is capable of performance of duties against the post of Regional Director Prosecution having sufficient service experience as a Judicial Officer as well as Master Trainer (Prosecution Department) inland and abroad as well. Respondent No.4 also delivered lectures to Prosecutors, Police Officers, Officers of Excise and Taxation Department as well as Judicial Officers. Copies of arrival report after appointment as Civil Judge, relieve application, relieving order, notification of appointment as APP / AGP and detail of lectures delivered as Master Trainer to trainees of different stack holders in criminal justice system including the Judicial Officers are Annexure “E, F, G, H & I”.

7. That the appellant concealed material facts from this Hon'ble tribunal and has not come to the Tribunal with clean hands which disentitles him for any sort of relief.
8. That according to proviso of Sub Section 2 of section 22 of Civil Servants Act 1973, "***No representation shall lie on matters relating to determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade***" as per law.
9. That the appellant has no locus standi to agitate his transfer order before this Hon'ble Tribunal. According to the Section 10 of the Khyber Pakhtunkhwa Civil Servants Act 1973, ***Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority or a corporation or body set up or established by any such Government.***  
***Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:***  
***Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favorable than those to which he would have been entitled if he had not been so required to serve.***
10. That the appellant on 28.11.2022 has already assumed the charge of the post of District Public Prosecutor, Kohistan Upper. Copy of charge assumption report is annexed as Annexure "J".
11. That it has now been settled by the Superior Courts that first deserve and then desire. The appellant has been transferred by the Provincial Government on the basis of his poor performance. Neither Respondent No.4 demanded posting as Regional Director Prosecution Hazara nor himself issued his own transfer orders.
12. That appeal in hand is liable to be set aside for mis-joinder and non-joinder of proper/necessary parties.

### **Comments on facts**

1. That para No.1 pertains to official record to the extent of appointment as Additional Public Prosecutor; however, rest of the para is incorrect. Reply in the preceding paras of preliminary objections are referred.
2. That para No.2 pertains to official record to the extent of posting of appellant, remaining para is incorrect and denied.
3. In reply to para No.3 it is submitted that according to proviso of Sub Section 2 of section 22 of Civil Servants Act 1973, ***No representation shall lie on matters relating to determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.*** In the light of proviso of sub section 2 of section 22 of the Civil Servants Act, 1973 the demand of appellant to hold a particular post i.e of the Regional Director Hazara is against the spirit of law and rules.
4. Para No.4 needs proof.
5. That the appellant has been transferred vide notification dated 15.09.2022 for the reason mentioned in the posting / transfer summary.
6. Para No.6 is incorrect to the extent of *mala fide*, collusion and concealment of facts, rest of the para relates to the record.

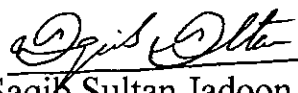
7. Para No.7 is incorrect and denied. It has already been submitted that in working paper / summary for transfer / posting of appellant it has been stated that *“The officer has failed to supervise the field formation and is proceeded under E&D Rules”*.

### **REPLY OF GROUNDS OF APPEAL**

1. Para No.1 is incorrect and denied.
2. In reply to Para No.2 it is submitted that the appellant has almost completed his tenure of 2 years at the time of transfer / posting notification and he has taken over charge of the post of District Public Prosecutor, Kohistan Upper On 28.11.2022. Keeping in view the poor performance of the appellant he has been transferred from the post of the Regional Director, Hazara to the post of District Public Prosecutor, Kohistan Upper by the Government of Khyber Pakhtunkhwa vide notification dated 15.09.2022.
3. Para No.3 is incorrect and denied.
4. Para No.4 is incorrect, against the facts and denied.
5. Para No.5 is incorrect and denied.
6. Para No.6 is incorrect and denied. Respondent No.4 has been posted as Regional Director Prosecution, Hazara Division on the basis of eligibility and efficient performance. Moreover, the appellant has deliberately omitted necessary parties and with *mala fide* targeted Respondent No.4 which renders the appeal in hand liable to be set aside solely on this score.
7. Para No. 7 not available.
8. Para No.8 is incorrect and denied. Detailed reply has already been given in preceding paras.
9. Para No. 9 is incorrect and denied. The department due to exigency of service has lawful authority to post efficient officer for smooth functioning of official work.
10. Para No.10 is incorrect and denied. The respondents' department followed the transfer, posting and placement policy of government and the appellant was transferred in the light of summary for posting / transfer.
11. Para No.11 is incorrect and denied.
12. Legal. No comments.
13. Legal. No comments.
14. No comments. Moreover, the Respondent No.4 also seeks permission to rely on additional grounds and reserves the right to rebut any sort of additional grounds agitated by the appellant, at the time of hearing.

**Prayer:**

**In view of the above, it is prayed that the appeal of the appellant may graciously be dismissed with cost throughout.**

  
Saqib Sultan Jadoon 20/5/2023  
Regional Director Prosecution  
Hazara Division  
Respondent No.4

**Through Counsel**

  
Muhammad Arshad Khan Tanoli  
Advocate Supreme Court of Pakistan.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR AT ABBOTTABAD**

**Service Appeal 1886/2022**

**Hafiz Muhammad Haroon**

**(Appellant)**

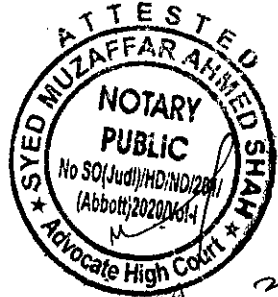
**VERSUS**

**Govt. of Khyber Pakhtunkhwa & others**

**(Respondents)**

**Affidavit**

I Saqib Sultan Jadoon, Regional Director Prosecution, Hazara Division, do hereby solemnly affirm and declares on oath that the contents of the reply / comments and the facts mentioned therein are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.



*Saqib Sultan Jadoon*  
**Deponent**



5 Annexure 'A'

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HOME AND TRIBAL AFFAIRS DEPARTMENT**  
**SUMMARY FOR CHIEF MINISTER, KHYBER**  
**PAKHTUNKHWA**

Subject: -

**POSTING/TRANSFER OF PUBLIC PROSECUTORS (B-19)**

In compliance with the directions of the Provincial Cabinet regarding two years transfer/posting Policy on same post, the Home & Tribal Affairs Department proposes the transfer/posting of Prosecutors.

S#	Name of Officer	From	To	Remarks
1.	Hafiz Muhammad Haroon, Senior Public Prosecutor (BPS-19)	Regional Director Prosecution Hazara Division at Abbottabad	District Public Prosecutor, Kohistan Upper vice Sr. No 19	The officer has failed to supervise the field formation and is proceeded under E & D Rules
2.	Mr. Saqib Sultan Jadoon, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Mansehra	Regional Director Prosecution Hazara Division at Abbottabad (OPS) vice Sr. No. 01	To fill the vacant post and the tenure is about to complete
3.	Mr. Akhtar Nawaz, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Swabi	District Public Prosecutor, Swabi vice Sr. No. 14	Upon completion of tenure i.e 02 Years
4.	Mr. Javed Iqbal Anwar Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Abbottabad	Senior Public Prosecutor, Haripur vice Sr. No. 05	Upon mutual request
5.	Mr. Asim Mehmood, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Haripur	Senior Public Prosecutor, Abbottabad vice Sr. No. 04	Upon mutual request
6.	Mr. Hayat Ullah, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Lakki Marwat	Senior Public Prosecutor, Kohat vice Sr. No. 07	Upon completion of tenure i.e 02 Years
7.	Muhammad Nadeem, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Kohat	Senior Public Prosecutor, Lakki Marwat vice Sr. No. 06	To fill the vacant post
8.	Mr. Zia Ullah Wazir, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Hangu	Senior Public Prosecutor, Mansehra vice Sr. No. 20	Upon completion of tenure i.e. 02 Years
9.	Mr. Shafi Ullah Wazir, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Peshawar	Senior Public Prosecutor, Khyber vice Sr. No. 10	To fill the vacant post
10.	Mr. Qaiser Khan, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Khyber	Senior Public Prosecutor, Peshawar vice Sr. No. 09	Upon completion of tenure i.e. 02 Years
11.	Mr. Javed Ur Rehman, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Mardan	Senior Public Prosecutor, Swabi vice Sr. No. 03	Upon completion of tenure i.e. 02 Years
12.	Muhammad Tufnil, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Mohmand	Senior Public Prosecutor, Charsadda vice Sr. No. 13	Upon completion of tenure i.e. 02 Years
13.	Mr. Bakhtiar Khan, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Charsadda	Senior Public Prosecutor, Mohmand vice Sr. No. 12	Upon completion of tenure i.e. 02 Years

Attended by Saad Khan  
Attorney at  
Law



**HOME AND TRIBAL AFFAIRS DEPARTMENT**  
**SUMMARY FOR CHIEF MINISTER, KHYBER**  
**PAKHTUNKHWA**

14.	Mr. Khalid Khan, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Swabi	Senior Public Prosecutor, Hangu vice Sr. No. 08	The tenure of the officer is about to complete and to fill the vacant post
15.	Mr. Tasawar Hussain, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, ATC D.I. Khan	Senior Public Prosecutor, Bannu vice Sr. No. 16	Upon completion of tenure i.e. 02 Years
16.	Mr. Asmat Ullah, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Bannu	Senior Public Prosecutor, ATC D.I. Khan Vice Sr. 15	Upon completion of tenure i.e. 02 Years
17.	Mr. Muhammad Shakeel Ahmad, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, D.I. Khan	Senior Public Prosecutor, Tank Vice Sr. No 18	Upon completion of tenure i.e. 02 Years
18.	Mr. Jamshaid Mehsood, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Tank	Senior Public Prosecutor, D.I. Khan Vice Sr. No 17	Upon completion of tenure i.e. 02 Years
19.	Mr. Hussain Ahmad, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Kohistan Upper	District Public Prosecutor, Kolai Palas against vacant post	Upon completion of tenure i.e. 02 Years
20.	Mr. Qasim Farooq, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, Mansehra	District Public Prosecutor, Haripur Vice Sr. No 21	Upon completion of tenure i.e. 02 Years
21.	Muhammad Younas, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Haripur	District Public Prosecutor, Mansehra Vice Sr. No 02	The tenure of the officer is about to complete and to fill the vacant post
22.	Mr. Atta Ur Rehman, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, Kohistan Lower	Senior Public Prosecutor, Buner against vacant post	Upon completion of tenure i.e. 03 Years
23.	Mr. Zeeshan Taj, Deputy Public Prosecutor (BPS-18)	Deputy Public Prosecutor, Haripur	District Public Prosecutor, Kohistan Lower OPS vice Sr. No 22	To fill the vacant post
24.	Mr. Sher Bahadar, Senior Public Prosecutor (BPS-19)	District Public Prosecutor, North Waziristan	Senior Public Prosecutor, South Waziristan vice Sr. No. 25	To fill the vacant post, posted since 11/06/2022
25.	Mr. Aman Ullah, Senior Public Prosecutor (BPS-19)	Senior Public Prosecutor, South Waziristan	District Public Prosecutor, North Waziristan vice Sr. No. 24	To fill the vacant post, posted since 11/06/2022

2. Proposal contained in Para-1, of the summary is submitted for approval of the  
 Chief Minister Khyber Pakhtunkhwa please

**CHARGE SHEET**

I, Dr. Shahzad Khan Bangash, Chief Secretary Khyber Pakhtunkhwa as Competent Authority, hereby charge you Mr. Hafiz Muhammad Haroon, Regional Director Prosecution Hazara Division, as follows: -

That you, while posted as Regional Director Prosecution Hazara Division committed the following irregularities: -

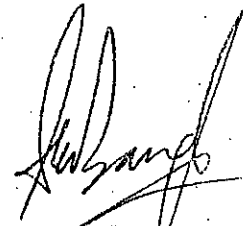
- iii. That you have failed to visit/inspect the office of District Public Prosecutor, Kohistan Lower and has not informed the office of Worthy Director General Prosecution Khyber Pakhtunkhwa regarding willful absence in respect of Mr. Atta ur Rehman, District Public Prosecutor Lower Kohistan and his staff from 05.09.2019 till the inspection date i.e. 10.02.2022 except 5-days on different occasions as per report i.e. dated 20.05.2022, of Syed Mohsin Mustafa, Deputy Public Prosecutor posted at Regional Director office Hazara Division at Abbottabad.
- iv. That as per mandate given to you under the Prosecution Act 2005, you were required to inform the office of Worthy Director General Prosecution, Khyber Pakhtunkhwa.

2. You are therefore required to submit your written defence within 14 days of the receipt of this charge sheet to the Inquiry Officer/ Inquiry Committee, as the case may be.

3. Your written defence, if any, should reach the Inquiry Officer / Inquiry Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case, an ex-parte action shall be taken against you.

4. Intimate whether you desire to be heard in person.

5. A statement of allegations is enclosed.



(Dr. Shahzad Khan Bangash)

*Lead  
Attorney  
Attested*



**DISCIPLINARY ACTION**

I, Dr. Shahzad Khan Bangash, Chief Secretary Khyber Pakhtunkhwa as Competent Authority, is of the opinion that Mr. Hafiz Muhammad Haroon, Regional Director Prosecution Hazara Division, has rendered himself liable to be proceeded against, as he committed the following acts/ omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

**STATEMENT OF ALLEGATIONS**

- ii. That he failed to visit/inspect the office of District Public Prosecutor, Kohistan Lower and has not informed the office of Worthy Director General Prosecution Khyber Pakhtunkhwa regarding willful absence in respect of Mr. Atta ur Rehman, District Public Prosecutor Lower Kohistan and his staff from 05.09.2019 till the inspection date i.e. 10.02.2022 except 5-days on different occasions as per report i.e. dated 20.05.2022, of Syed Mohsin Mustafa, Deputy Public Prosecutor posted at Regional Director office Hazara Division at Abbottabad.
- iii. That as per mandate given to him under the Prosecution Act 2005, he was required to inform the office of Worthy Director General Prosecution, Khyber Pakhtunkhwa.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/ inquiry committee consisting of the following is constituted under Rule-10(1)(A) of the ibid Rules.

3. Mr. Khayyam Hassan Khan MD. Sidail-  
Wal-Mehror.
4. Syed Arjad Ali Shah Reg. Director Proseo

3. The Inquiry Officer / Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within 60-days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/ Inquiry Committee.

AA /

*[Signature]*  
Attested  
Attorney

Dated Peshawar the 13<sup>th</sup> January, 2023

**NOTIFICATION**

No. SO(Prosecution)/HD/1-31/Inq:/Hafiz M. Haroon. The following Inquiry Committee is appointed to conduct inquiry against the accused officer Hafiz Muhammad Haroon, Regional Director Prosecution (BS-20), Hazara Division, Abbottabad to probe the allegations contained in the charge sheet/statement of allegations (copies enclosed), under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011:

- 1- Mr. Khayyam Hassan Khan (PCS EG BS-21), Managing Director, Lissail-c-Wal Mahroom Foundation, Peshawar.
- 2- Syed Amjad Ali Shah (BS-20), Regional Director (Prosecution) Malakand Division.

2. The Inquiry Committee shall submit its report / findings within 30 days.

**CHIEF SECRETARY  
KHYBER PAKHTUNKHWA**


**Endst: of even No. & Date**

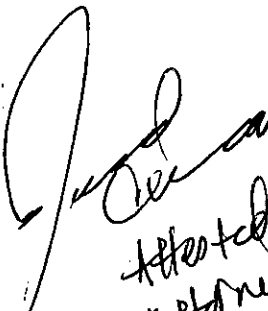
Copy alongwith a copy of charge sheet/statement of allegations is forwarded to: -

- 1- Mr. Khayyam Hassan Khan (PCS EG BS-21), Managing Director, Lissail-c-Wal Mahroom Foundation, Peshawar.
- 2- Syed Amjad Ali Shah (BS-20), Regional Director (Prosecution) Malakand Division

3- Hafiz Muhammad Haroon, Regional Director Prosecution, Hazara Division Abbottabad with the directions to appear before the inquiry committee on the date & time as and when fixed for the purpose of inquiry proceedings.

4- The Director General, (Prosecution), Khyber Pakhtunkhwa, with the request to nominate a well conversant departmental representative to assist the Inquiry Committee alongwith relevant record as and when required by the committee.

  
(Muhammad Israr)  
Section Officer (Prosecution)

  
Hafiz Muhammad Haroon  
Attended  
Attorney

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 4133  
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The Registrar,  
 Peshawar High Court, Peshawar

ARRIVAL REPORT

I have the honour to refer to Notification bearing SOE-II(ED)4(34)/86 V-II, dated 25<sup>th</sup> June, 2001, issued by the Government of N.W.F.P. Establishment Department and submit my arrival report for duty as Civil Judge/Judicial Magistrate today the 25<sup>th</sup> June, (F.N.).

Your obedient servant



(SAQIB SULTAN)  
 son of Sultan Khan Jadoon.

Javed  
 Qureshi  
 Attached  
 Attorney

From : Saqib Sultan Jadoon.  
Civil Judge-IV/Illaqqa Qazi,  
Swat.

To  
The Registrar,  
Peshawar High Court,  
Peshawar.

THROUGH : PROPER CHANNEL

Subject:- REQUEST FOR RELIEVE FROM THE POST OF CIVIL JUDGE.

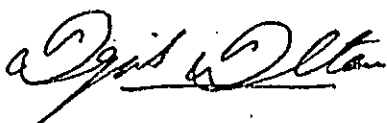
Sir,

I have the honour to state that I applied for the Post of Additional Public Prosecutor through proper channel. I have been selected and appointed as Additional Public Prosecutor/Additional Government Pleader vide Notification No.E&A(LD)9-2/APP dated 16-9-2003. (copy attached) by the Government of NWFP, Law, Parliamentary Affairs and Human Right Department.

2- It is humbly requested that I may kindly be relieved from the Post of Civil Judge so that I may be able to assume charge as Additional Public Prosecutor/Additional Government

An early action will highly be appreciated.

Yours sincerely,

  
(SAQIB SULTAN JADOON)  
Civil Judge-IV/Illaqqa Qazi  
Swat.

No 645 dated 30/09/03

Sir,  
Forwarded in original to  
the honorable D+S Judge for  
 onward transmission please.

0 11/11

سینٹر سول جج


PESHAWAR HIGH COURT  
PESHAWAR  
Receipt No. ....  
Dated. .... 3  
Signature. ....



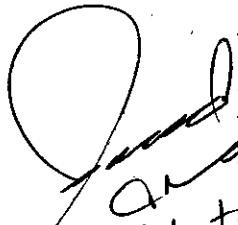
No: 3482

Dated: 20-8-03

Forwarded in original to the Worthy Registrar,  
Peshawar High Court, Peshawar for information and  
necessary action please.



District & Sessions Judge/  
Zilla Qazi Swat at Saidu Sharif



Attested  
Attorney

*Handwritten notes and signatures at the top right of the page.*

*25/9/2003*

**MUHAMMAD SALIM KHAN KHANDELWARI**  
**REGISTRAR**

*Handwritten signature of Muhammad Salim Khan Khandelwari.*

- 1- The District and Sessions Judge, Swat with reference to the Pndt. No. 3482, dated 20.9.2003.
- 2- The Senior Civil Judge, Swat with reference to his Pndt. No. 645, dated 20.9.2003.
- 3- Mr. Saqib Gulam Jadoon, Civil Judge-IV/Illego Court Swat with reference to his letter No. 1779, dated 20.9.2003.
- 4- The District Accounts Officer, Swat.
- 5- The Private Secretary to Hon. Registrar High Court, Peshawar.
- 6- The Registrar, Computer Section Peshawar High Court, Peshawar.

Copy forwarded to :-

10903-10910  
Adm. dated Peshawar on 25/9/2003

**MUHAMMAD SALIM KHAN KHANDELWARI**  
**REGISTRAR**

*Handwritten signature of Muhammad Salim Khan Khandelwari.*

**BY ORDER OF THE CHIEF JUSTICE**

Government pleader.

It is now assigned as Addl. Public Prosecutor/Adl. Magistrate/Judicial Magistrate/Illego Magistrate to join and has been pleased to relieve Mr. Saqib Gulam Jadoon, the Hon'ble Chief Justice of the Court dated Peshawar the 24th September, 2003.

**ORDER.**

**PESHAWAR HIGH COURT, PESHAWAR.**

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**GOVERNMENT OF THE N.-W.F.P.,  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT.**

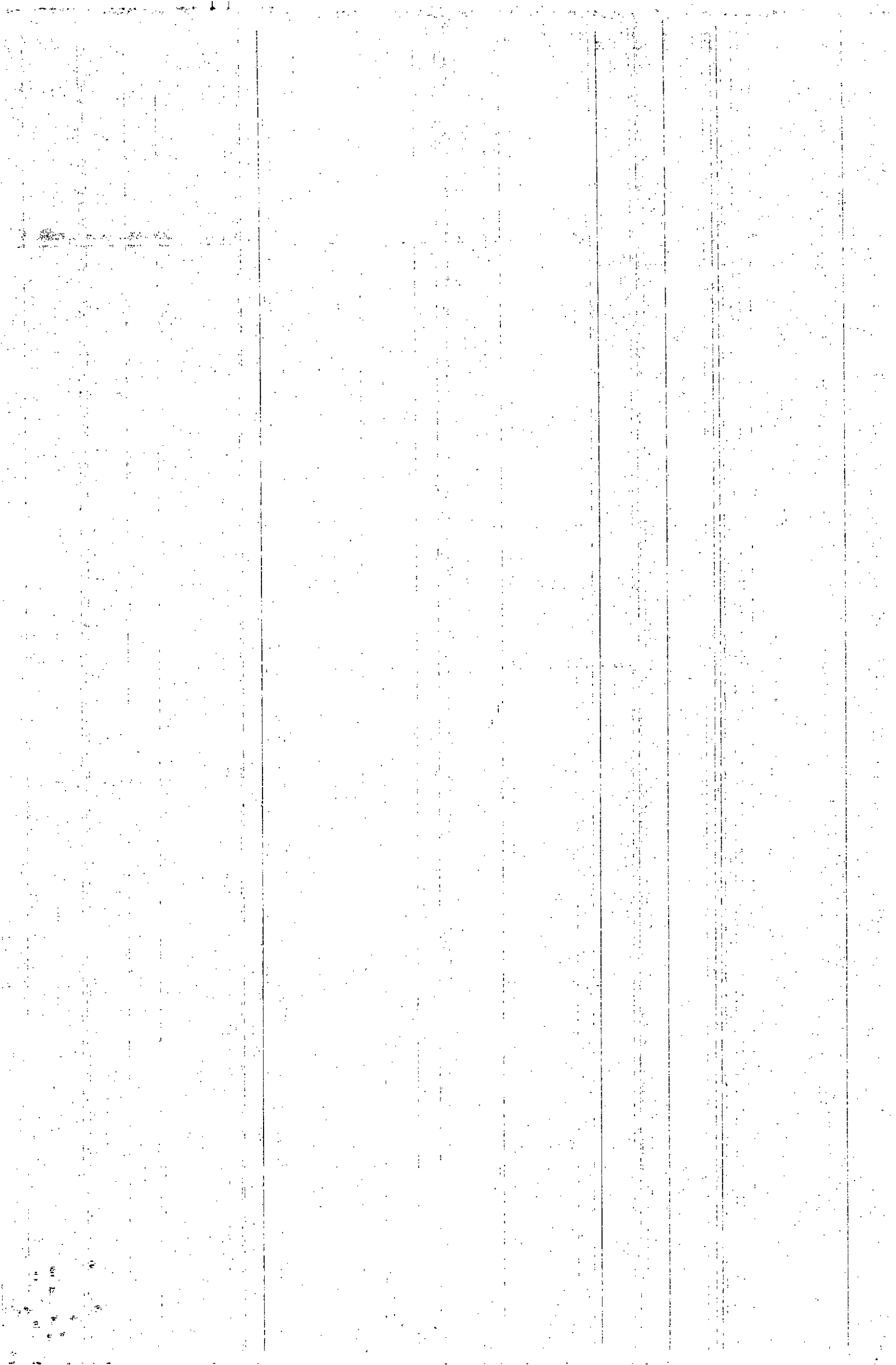
Dated Peshawar the 22.09.2003.

**ORDER-**

No. E&A(LD)9-2/2003/APP.---Consequent upon the submission of arrival reports and signing of contract agreements by the Additional Government Pleaders/Additional Public Prosecutors (BPS-17) in pursuance of this Department Notification No. E&A(LD)9-2/APP, dated 16.9.2003, the following postings/transfers are hereby ordered in the interest of public with immediate effect:

S.No	NAME	FROM	TO
1.	Mr. Nusratullah, APP/AGP	APP, Peshawar	Mardan (against vacant post)
2.	Mr. Shahzad Iqbal, AGP/APP	APP, Abbottabad	Charsadda
3.	Mr. Fazli Noorani, AGP/APP	APP, Mansehra	Charsadda (against vacant post)
4.	Malik Muhammad Zaheer-ud-Din Babar, AGP/APP	1 <sup>st</sup> appointment	APP Mardan (Takhtbhai)
5.	Mian Shahid-ur-Rehman, AGP/APP	1 <sup>st</sup> appointment	Swat (against vacant post)
6.	Muhammad Zulfiqar Ali, AGP/APP	1 <sup>st</sup> appointment	Nowshera
7.	Muhammad Ayub, AGP/APP.	1 <sup>st</sup> appointment	APP/acting PP, ATC Bannu
8.	Saqib Sultan Jadoon, AGP/APP.	1 <sup>st</sup> appointment	Abbottabad.
9.	Irshadullah, AGP/APP.	1 <sup>st</sup> appointment	APP Charsadda (against vacant post)
10.	Muhammad Irshad, AGP/APP	1 <sup>st</sup> appointment	Swabi (against vacant post)
11.	Bashir Muhammad AGP/APP.	1 <sup>st</sup> appointment	Batagram (against vacant post)
12.	Muhammad Litaf, AGP/APP.	1 <sup>st</sup> appointment	Dir Lower (Timergara)
13.	Muhammad Khalid, AGP/APP.	1 <sup>st</sup> appointment	Mansehra. (Vice No. 3)





S.No	NAME	FROM	TO
14.	Riaz Hussain, Asstt: PP.	Asstt: PP Charsadda	Peshawar (Vice No 15)
15.	Jamal Khattak, Asstt: PP.	Asstt: PP Peshawar	Charsadda (Vice No 14)
16.	Muhammad Iftikhar, Asstt: PP.	Asstt: PP Abbottabad	Mansehra
17.	Changez Khan, Asstt: PP.	Abbottabad	Haripur
18.	Abdul Hamed, Asstt: PP.	Haripur	Abbottabad

**Note:-**

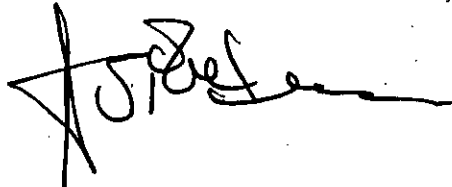
1. The officer at S.No. 8 will assume the charge on his, relieve orders by the Hon'ble Peshawar High Court.
2. The officer at S.No. 14 to 18 should relinquish the charge to their respective posts on the receipt of this order otherwise their charge shall stand relinquished.

**(AMIR GULAB KHAN)**  
Secretary to Government of the N.-W.F.P.,  
Law, Parliamentary Affairs and  
Human Rights Department.

Endst: No. DP-01(11)2002/KC. 56/3 - 57/3 Dated: <sup>22</sup>7/09/2003.

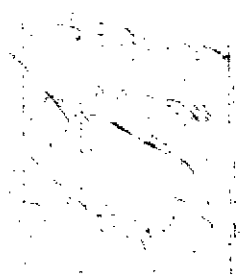
Copy forwarded to:

1. Accountant General, N.-W.F.P., Peshawar.
2. All concerned District and Sessions Judges/ATC Courts.
3. PS to Minister Law, Parliamentary Affairs and Human Rights Department.
4. All District Accounts Officers concerned.
5. Private Secretary to Secretary Law, Parliamentary Affairs and Human Rights Department.
6. All concerned Public Prosecutors in N.-W.F.P.
7. Personal file of Officers concerned.
8. All concerned officers.
9. Computer Cell, Law Department.



Director Prosecution  
Law Department.


*Attorney  
Attorney  
Attorney*



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**TRAININGS GIVEN AS MASTER TRAINER**

1	Trial Advocacy skills for newly inducted Prosecutors.(As Master Trainer)	Trial Advocacy skills for newly inducted Prosecutors.(As Master Trainer)	27.01.2014	31.01.2014	Nil	Bangkok, Thailand
2	Investigation of Crimes & the Role of Police & Prosecution.	Investigation of Crimes & the Role of Police & Prosecution.	08.09.2014	12.09.2014	Hazara University Mansehra, Pakistan	Nil
3	Training on Case Management Techniques for Prosecutors.	Training on Case Management Techniques for Prosecutors.	05.11.2014	09.11.2014	Pameer Hotel Swat, Pakistan	Nil
4	Pre-Service training for newly inducted Prosecutors.	Pre-Service training for newly inducted Prosecutors.	08.01.2015	09.01.2015	3 <sup>rd</sup> Pre-Service Training, Lahore, Pakistan	Nil
5	Pre-Service training for newly inducted Prosecutors.	Pre-Service training for newly inducted Prosecutors.	25.07.2016	26.07.2016	4 <sup>th</sup> Pre-Service Training, Lahore, Pakistan	Nil
6	5Days Training on collection of evidence through modern devices, its preservation and presentation	5Days Training on collection of evidence through modern devices, its preservation and presentation	20.09.2016	24.09.2016	PTDC Swat, Pakistan	Nil
7	Pre-Service training for newly inducted Prosecutors	Pre-Service training for newly inducted Prosecutors	29.09.2016 (One Day)	Nil	5 <sup>th</sup> Pre-Service training, Lahore	Nil
8	5Days Training on collection of evidence through modern devices, its preservation and presentation	5Days Training on collection of evidence through modern devices, its preservation and presentation	01.10.2016	05.10.2016	PTDC Swat, Pakistan	Nil
9	Trial Advocacy skills for newly inducted Prosecutors.(As Master Trainer)	Trial Advocacy skills for newly inducted Prosecutors.(As Master Trainer)	17.10.2016	21.10.2016	Nil	Bangkok, Thailand
10	Pre-service Training of Judicial Officers	Pre-service Training of Judicial Officers	09.05.2018	Nil	KPK Judicial Academy, Peshawar	Nil
11	01 day Capacity Building Training of SHOs and IOs on forensic evidence.	Participated by all the SHOs and IOs of District Haripur	19-12-2018	Nil	District Council Hall Haripur	Nil
12	02 days Capacity Building Training of SHOs and IOs	Participated by all the SHOs and IOs of District Haripur	28-10-2020	29-10-2020	Police Conference Hall Haripur	Nil

*Attested by*  


13	02 days Capacity Building Training of SHOs and IOs on forensic evidence.	Participated by all the SHOs and IOs of District Mansehra	17-02-2021	18-02-2021	Police Conference Hall Mansehra	Nil
14	Capacity Building Training of the Excise and Taxation staff in narcotics control.	Excise and Taxation Officers	12-07-2022	Nil	KPK Judicial Academy Peshawar	Nil
15	Capacity Building Training of the Excise and Taxation staff in narcotics control.	Excise and Taxation Officers	28-10-2022	Nil	KPK Judicial Academy Peshawar	Nil

**NOTE:- I have also served as civil Judge/Judicial Magistrate from June 2001 to September 2003 (for about two years and four months).**

*Sikandar*  
Attested

**CHARGE ASSUMPTION REPORT**

In pursuance to the Notification of Secretary to Govt. of Khyber Pakhtunkhwa, Home & Tribal Affairs Department Peshawar bearing No. SO(PROSP)/HD/1-2/Post&Trans/2022, dated 15-09-2022, I Hafiz Muhammad Haroon after partial recovery from illness mentioned in Medical Leave, do hereby assume the charge of the post of District Public Prosecutor Upper Kohistan (BPS-19), today on 28-11-2022 (F.N) under protest on account of transfer/posting of a junior officer (who remained under my direct subordination) as Regional Director Prosecution Hazara Division in utter disregard of the amended Prosecution Service Rules 2018 & Rule 9 of Civil Servant (Appointment, Promotion & Transfer) Rules, 1989. The said Notification has also been challenged before the competent forum on which the decision is still awaited.

**Hafiz Muhammad Haroon  
De-jure Regional Director Prosecution  
Presently District Public Prosecutor  
Upper Kohistan**

**OFFICE OF THE DISTRICT PUBLIC PROSECUTOR UPPER KOHISTAN**No. 296-304/DPP/UKHDated 28-11-2022

Copy forwarded to:

1. The PA to chief Secretary, Khyber Pakhtunkhwa Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department Peshawar.
3. The Director General Prosecution Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department Peshawar.
4. The Section Officer (Prosecution) Home & Tribal Affairs Department Khyber Pakhtunkhwa Peshawar.
5. All the District Public Prosecutors Hazara Division.
6. The District Account officer Abbottabad.
7. The District Account officer Kohistan Upper.
8. Office record.

**De-jure Regional Director Prosecution  
Presently District Public Prosecutor  
Upper Kohistan**

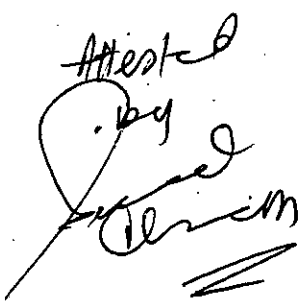
*Attested*

## **AUTHORITY LETTER**

I Mr. Saqib Sultan Jadoon Regional Director Prosecution Hazara Region at Abbottabad (Respondent No.04) do hereby authorize **Mr. Saad Khan** Advocate to submit reply on my behalf in service appeal titled "**Hafiz Muhammad Haroon Vs Govt Etc**" case No.1886/22.



**(SAQIB SULTAN JADOON)**  
Regional Director Prosecution,  
Hazara Division Abbottabad

Attested  
by  
  
Saad Khan