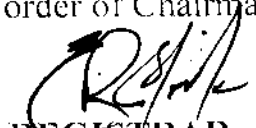


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** \_\_\_\_\_

**725/2024**

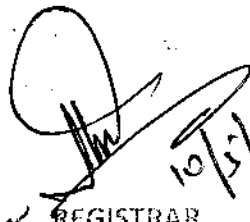
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/05/2024	<p>The appeal of Mr. Atta-ur-Rehman resubmitted today by Mr. Fazal Shah Mohmand Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar 31.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Atta ur Rehman received today i.e on 09.05.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- ✓ Check list is not attached with the appeal.
- 2- ✓ Appeal has not been flagged/marked with annexures marks.
- 3- ✓ Annexures of the appeal are unattested.
- 4- Copy of Notification dated 22.03.2018 mentioned in para-2 of the memo of appeal is not attached with the appeal.
- 5- Documents mentioned in para-4 of the memo of appeal is not attached with the appeal be placed on it.
- 6- Copy of notification dated 15.09.2022 mentioned in para-6 of the memo of appeal is not attached with the appeal.
- 7- All the annexures of the appeal are illegible which may be replaced by legible/better one.
- 8- Annexures of the appeal are not in sequence be annexed serial wise as mentioned in the memo of appeal.
- 9- The documents that are to be provided must be readable/legible.
- 10- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 05 /Inst.KPST,


Dt. 10/05 /2024.

  
10/5/24  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Tariq Kamal Adv.  
High Court Peshawar.

Respected Sir,

Re-submitted after necessary  
completion. objections removed

Note: Copy of Notification dated 15-09-2022 mentioned in objection No 6  
is already available on file <sup>104</sup> ~~104~~ Page 13 & 14.  
24-05-2024  


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

Service Appeal No 725 /2024

Ata Ur Rehman. . . . . Appellant

**V E R S U S**

Govt. of Khyber Pakhtunkhwa & anther. . . . . Respondents

**I N D E X**

S #.	Description of Documents	Annex	Pages
1.	Service Appeal with Affidavit		1-7
2.	Copies of Notifications	A	8-14
3.	Copy of Notification dated 16-09-2021	B	15
4.	Copy of Letter dated 14-10-2019, Documents and Office Order dated 21-09-2021	C, D & E	16-79
5.	Copy of Show Cause Notice & Reply	F, G	80-88
6.	Copy of Application dated 17-04-2022 & Documents	H, I	89-112
7.	Copy of Inquiry Report & Reply	J, K	113-123
8.	Copy of Application dated 02-11-2023	L	124-125
9.	Copy of Application dated 13-10-2023	M	126-127
10.	Copy of Notification dated 06-11-2023	N	128
11.	Copies of Review Petition, Letter dated 01.12.2023 and Summary dated 01-01-2024	O, P & Q	129-134
12.	Vakalat Nama		

Dated:- 08-05-2024

Through

Appellant

**Fazal Shah Mohmand**

Advocate,

Supreme Court of Pakistan

**OFFICE:-**

Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841

Email:-

fazalshahmohmand@gmail.com

①

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

Service Appeal No 725 /2024

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12654

Dated 09-05-2024

Ata Ur Rehman, Ex-District Public Prosecutor, Directorate of  
Prosecution, Home & Tribal Affairs Department, Khyber  
Pakhtunkhwa, Peshawar. . . . . **Appellant**

**V E R S U S**

1. Govt. of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar. . . . . **Respondents**

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT 1974 AGAINST THE  
NOTIFICATION DATED 06-11-2023 WHEREBY THE  
APPELLANT HAS BEEN REMOVED FROM SERVICE  
AND AGAINST WHICH REVIEW PETITION/  
DEPARTMENTAL APPEAL OF THE APPELLANT DATED  
24-11-2023 HAS NOT BEEN RESPONDED SO FAR  
DESPITE THE LAPSE OF MORE THAN THE STATUTORY  
PERIOD OF NINETY DAYS.**

**PRAYER:-**

On acceptance of this appeal the impugned Notification dated 06-11-2023, may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits.

2

**Respectfully Submitted:-**

1. That upon the recommendations of Khyber Pakhtunkhwa Public service Commission, the appellant was initially appointed as Additional Public Prosecutor (BPS-17) on 14-02-2004, was then promoted as Public Prosecutor (BPS-18) and was then promoted as District Public Prosecutor (BPS-19) (herein after referred to as DPP) and since appointment, the appellant performed his duties with honesty and full devotion and to the entire satisfaction of his high ups.
2. That since appointment, mostly the appellant has been posted to hard/unattractive areas, the appellant was transferred to Dir Lower vide Notification dated 08-11-2012, was posted as DPP Hangu vide Notification dated 22-03-2018, was then posted as DPP Lower Kohistan vide Notification dated 05-09-2019 and was posted as senior PP Buner vide Notification dated 15.09.2022. **{Copies of Notifications are enclosed as Annexure A}.**
3. That the Regional Director namely Fakhr Ul Islam prepared fake report about the absence of the appellant, upon which inquiry was conducted wherein the appellant was exonerated vide Notification dated 16-09-2021. **{Copy of Notification dated 16-09-2021 is enclosed as Annexure B}.**
4. That the appellant after being transferred to Lower Kohistan, assumed charge as DPP, on 26-09-2019, where he came to know that there is no office, no supporting staff nor other accessories for running the affairs of his office, so he requested the Director General Prosecution for providing him office, staff and other accessories in order to run and manage the affairs of office vide Letter dated 14-10-2019 but with no fruits, however the appellant continued his duties and managed the office

- affairs and in order to stream line the affairs of the Courts, duties were assigned to the Assistant Public Prosecutors (herein after referred to as APP), and other Prosecution staff vide Office Order dated 21-09-2021. **(Copy of Letter dated 14.10.2019, documents & Office Order dated 21-09-2021 is enclosed as Annexure C, D & E).**
5. That as the prosecution staff including the Assistant Public Prosecutors and others who were assigned Court duties and were directed by the appellant to perform their duties regularly vide the above Office Oder, got annoyed and they started to hatch plan against the appellant, even one of the stated APP namely Mohsin Mustafa who was the relative of the Regional Director of the Prosecution, and being the most junior was deputed by the Regional Director of Prosecution to visit the appellant who misbehaved with appellant and despite being meeting with appellant, prepared a fake report that the appellant was absent during his visit and forwarded the same to the Regional Director who further forwarded the same, upon which, Show Cause Notice was issued to the appellant on the allegations of absence from duty and which the appellant replied in detail refuting the allegations. **(Copy of Show Cause Notice & Reply is enclosed as Annexure F & G).**
6. That after completion of his tenure at the hard area besides due to health and other ancillary issues, the appellant time and again approached respondents for his transfer and also continued his duties till he was transferred to District Buner vide Notification dated 15-09-2022 however there too, junior to the appellant namely Falak Sayer was placed senior to the appellant. **(Copy of Application dated 17-04-2022 & documents are enclosed as Annexure H & I).**

7. That in the meanwhile an inquiry was initiated against the then Regional Director of the area, namely Hafiz Muhammad Haroon who during inquiry stated about the attendance of the appellant during his posting. **(Copy of Inquiry Report & Reply of Hafiz Muhammad Haroon is enclosed as Annexure J & K).**
8. That the appellant even approached respondents for treatment in accordance with law, vide application dated 02-11-2023. **(Copy of Application dated 02-11-2023 is enclosed as Annexure L).**
9. That the salary of the appellant was also stopped w.e.f September 2023 for the release of which the appellant requested vide application dated 13-10-2023 but with no response. **(Copy of Application dated 13-10-2023 is enclosed as Annexure M).**
10. That strangely the appellant was awarded the punishment of removal from service vide Notification dated 06-11-2023. **(Copy of Notification dated 06-11-2023 is enclosed as Annexure N).**
11. That against the impugned Notification, the appellant preferred Review Petition/Appeal on 24-11-2023, where upon Letter dated 01-12-2023 was issued, upon which Summary dated 01-01-2024, was moved to the competent authority with request to reinstate the appellant into service by setting aside the removal order for denovo inquiry with further request to appoint another inquiry officer, as Mr. Manzoor Ahmad, Secretary Administration had already heard the appellant in person on behalf of the competent authority, however with no response so far, despite the lapse of more than the statutory

period of ninety days. (Copy of Review Petition, Letter dated 01-12-2023 and Summary dated 01-01-2024 is enclosed as Annexure O, P & Q).

12. That the impugned Notification dated 06-11-2023 is against the law, facts and principles of justice on grounds inter-alia as follows:-

**GROUNDS:-**

- A. That the impugned Notification dated 06-11-2023 is illegal, unlawful, without lawful authority and void ab-initio.
- B. That mandatory provisions of law and rules have been badly violated by the respondents and the appellant has not been treated according to law and rules in violation of Article 4, 10A and 25 of the Constitution.
- C. That the impugned Notification is in total disregard of the law on the subject and as such void ab-initio.
- D. That after inquiry the appellant was earlier exonerated from the same charges of absence from duty by the competent authority vide Notification dated 16-09-2021 but strangely he was proceeded again on the same charges in utter violation of law and rules on the subject.
- E. That no Charge Sheet was issued to the appellant hence no charge was farmed against the appellant hence the impugned Notification is liable to be set at naught on this score alone.
- F. That no inquiry was conducted in the matter though allegations of absence have been leveled against the appellant, which could not be thrashed without proper regular inquiry.



- G. That no evidence of any sort with respect to the allegations have been collected to substantiate the same.
- H. That no one could be proceeded twice on the same allegations hence the impugned Notification is not tenable in the eyes of law.
- I. That the malafide is proved from the fact that junior to the appellant was deputed to visits the office of the appellant who after being met with the appellant reported about the absence of the appellant.
- J. That the appellant regularly prepared monthly reports/data and duly submitted the same to the Directorate of monitoring which is sufficient to prove that the appellant regularly performed his duties and never became absent. Also the appellant attended all the meetings during his posting.
- K. That the appellant was not afforded opportunity of meaningful personal hearing.
- L. That the appellant is jobless since his illegal removal from service.
- M. That the appellant has about 20 years of service with unblemished service record.
- N. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

**It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.**

7

Any other relief deemed appropriate and not specifically asked for, may also be granted in favor of the appellant.

Dated:- 08.05.2024

*[Handwritten Signature]*  
Appellant

Through

*[Handwritten Signature]*  
**Fazal Shah Mehmood**  
Advocate,  
Supreme Court of Pakistan

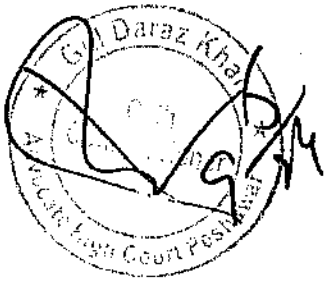
**Baseer Ahmad Shah**

&

**Ibad ur Rehman Khalil**  
Advocates Peshawar

**AFFIDAVIT**

I, Ata Ur Rehman, Ex-District Public Prosecutor, Directorate of Prosecution, Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.



*[Handwritten Signature]*  
DEPONENT



(8) A

**Government Of Khyber Pakhtunkhwa**  
**Home & Tribal Affairs Department**  
No. SO (Prosecution)/HD/1-2/2012  
Dated Peshawar the 08/11/2012

**NOTIFICATION**

**NO.SO (Prosecution) HD/1-2/2012/Vol-1.** The competent authority is pleased to order the posting/transfer of the following officers with immediate effect in the best public interest : -

Sl. N. O.	NAME OF OFFICER WITH DESIGNATION AND BPS	FROM	TO	REMARKS
1.	Mr. Nasrullah Khan, Public Prosecutor (BS-18)	Karak	Peshawar	Against the vacant post of Public Prosecutor (BS-18)
2.	Mr. Arif Bilal, District Public Prosecutor (BS-18)	Dir (Upper)	Peshawar	Vice No. 3, as Public Prosecutor ATC-III, Peshawar
3.	Mr. Muhammad Khalid, Public Prosecutor (BS-18)	ATC-III Peshawar	Dir (Upper)	Vice No. 2, As District Public Prosecutor in his own pay and scale
4.	Mr. Atta-Ur-Rehman Public Prosecutor (BS-18)	Charsadda	Dir Lower	Against the vacant post of Public Prosecutor (BS-18)
5.	Mr. Abdul Hameed District Public Prosecutor (BS-18)	Kohistan	Abbottabad	Vice No. 6
6.	Mr. Shahzad Iqbal Public Prosecutor (BS-18)	ATC Abbottabad	Kohistan	Vice No. 5 as District Public Prosecutor in his own pay and scale
7.	Mian Aziz Ud Din, Deputy Public Prosecutor (BS-17)	Dir (Upper)	Peshawar	Against the vacant post of Public Prosecutor (BS-18) in his own pay & scale.

**Secretary to Govt of Khyber Pakhtunkhwa,  
Home and Tribal Affairs Department**

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

*Copy forwarded to:-*

1. The Director General (Prosecution), Khyber Pakhtunkhwa Peshawar.
2. The Accountant General Khyber Pakhtunkhwa Peshawar.
3. The District Accounts Officer Karak, Dir Upper, Charsadda, Kohistan and Abbottabad.
4. The District Public Prosecutor Karak, Dir Upper Charsadda, Kohistan, Abbottabad, Peshawar and Dir Lower.
5. PS to Home Secretary, Khyber Pakhtunkhwa.
6. PS to Special Secretary, Home Department, Khyber Pakhtunkhwa.
7. The Officer concerned

*[Signature]*  
Section Officer (Prosecution) 13/11/12



**GOVERNMENT OF KHYBER PAKHTUNKHWA,  
HOME & TRIBAL AFFAIRS DEPARTMENT.**

NO. SO (Pros)/HD/1-2/2018/Vol-I.  
Dated Peshawar the 22<sup>nd</sup> March 2018

**NOTIFICATION**

**NO.SO(Prosecution)HD/1-2/2018/VOL-1:** The Government of Khyber Pakhtunkhwa is pleased to order the postings/transfers of the following officers, in the public interest with immediate effect:-

S.#	Name with Designation	From	To
1.	Mr. Imtiaz-ud-Din Mansoor Senior Public Prosecutor (BS-19)	Senior Public Prosecutor ATC Swat at Mardan	District Public Prosecutor DI Khan, Vice No.18
2.	Mr. Muhammad Ibrahim Senior Public Prosecutor (BS-19)	District Public Prosecutor Dir Lower	District Public Prosecutor Peshawar, Vice No.9
3.	Mr. Muhammad Idrees Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Peshawar	Regional Director Malakand Division (OPS), against the vacant post
4.	Mr. Zubair Anwar Senior Public Prosecutor (BS-19)	District Public Prosecutor Hangu	Regional Director Bannu Division (OPS) against the vacant post
5.	Mr. Bilal Mohyuddin Senior Public Prosecutor (BS-19)	Director Administration	Regional Director Peshawar Division (OPS) against the vacant post
6.	Mr. Fakhr-ul-Islam Senior Public Prosecutor (BS-19)	District Public Prosecutor Mansehra	Regional Director Mardan Division (OPS) against the vacant post
7.	Mr. Sultan Mahmood Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Peshawar	Regional Director Kohat Division (OPS) against the vacant post
8.	Mr. Qadir Bakhsh Senior Public Prosecutor (BS-19)	Senior Public Prosecutor D.I Khan	Regional Director D.I Khan Division (OPS) against the vacant post
9.	Mr. Amjad Ali Shah Senior Public Prosecutor (BS-19)	District Public Prosecutor Peshawar	Regional Director Hazara Division (OPS) against the vacant post
10.	Mr. Zulfiqar Ali Khan Senior Public Prosecutor (BS-19)	On arrival from Establishment Department	Director Monitoring Directorate of Prosecution Vice No.30
11.	Mr. Shahbaz Noor Assistant Public Prosecutor (BS-17)	On repatriation from the post of Civil Judge-cum-Judicial Magistrate	Deputy Public Prosecutor Peshawar (OPS)
12.	Mr. Sikandar Hayat Senior Public Prosecutor (BS-19)	Law officer, Peshawar High Court, Peshawar	Senior Public Prosecutor, Peshawar Vice No.03
13.	Mr. Muhammad Zulfiqar Ali Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Peshawar	District Public Prosecutor Dir Lower Vice No.02
14.	Mr. Mian Shahid Ur Rehman Senior Public Prosecutor (BS-19)	District Public Prosecutor Battagram	District Public Prosecutor Mansehra Vice No.06
15.	Mr. Atta Ur Rehman Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Peshawar	District Public Prosecutor Hangu Vice No.4
16.	Mr. Bashir Muhammad Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Abbottabad	District Public Prosecutor Abbottabad against the vacant post
17.	Mr. Amir Subhan Khattak Senior Public Prosecutor (BS-19)	District Public Prosecutor Nowshera	Senior Public Prosecutor Peshawar Vice No.13
18.	Mr. Kamran Khan Wazir Senior Public Prosecutor (BS-19)	District Public Prosecutor D.I Khan	Senior Public Prosecutor Anti-Corruption Court, Bannu against the vacant post

83

Sr.	Name with Designation	From	To
19.	Mr. Muhammad Ishaq Senior Public Prosecutor (BS-19)	Senior Public Prosecutor ATC, Peshawar	Senior Public Prosecutor ATC, Swat at Mardan Vice No 01
20.	Mr. Farman Ullah Senior Public Prosecutor (BS-19)	Senior Public Prosecutor Kohat	District Public Prosecutor Bannu against the vacant post
21.	Mr. Sangeen Khan Deputy Public Prosecutor (BS-18)	Deputy Public Prosecutor Nowshera	District Public Prosecutor Nowshera (OPS) Vice No.17
22.	Mr. Nawab Zareen Deputy Public Prosecutor (BS-18)	Deputy Public Prosecutor Karak	Deputy Public Prosecutor Bannu against the vacant post
23.	Mr. Muhammad Bilal Qureshi, Deputy Public Prosecutor (BS-18)	Deputy Public Prosecutor Mansehra	Deputy Public Prosecutor Haripur against the vacant post
24.	Mr. Shah Saud Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor Swat	Assistant Public Prosecutor Nowshera against the vacant post
25.	Mr. Nigar Ahmad Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor Malakand	Assistant Public Prosecutor Mardan against the vacant post
26.	Mr. Shakir Ullah Khan Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor Chitral	Assistant Public Prosecutor Malakand Vice No.25
27.	Mr. Javed Akhtar Wazir, Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor Karak	Assistant Public Prosecutor D.I. Khan Vice No.28
28.	Mr. Israr Ahmad, Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor D.I. Khan	Assistant Public Prosecutor Karak Vice No.27
29.	Mr. Khalid Khan Assistant Public Prosecutor (BS-17)	Assistant Public Prosecutor Dir Lower	Assistant Public Prosecutor Mardan
30.	Mr. Zafar Abbas Mirza Senior Public Prosecutor (BS-19)	Director Monitoring Directorate of Prosecution	Law Officer Peshawar High Court Peshawar Vice No.12
Note: The officer at Serial No.5 Mr. Bilal Mohyuddin, Senior Public Prosecutor (BS-19) shall hold additional charge of Director Administration, Directorate of Prosecution till further orders.			

Secretary to Government of Khyber Pakhtunkhwa  
Home & Tribal Affairs Department

Encls: No. and date even

Copy forwarded to:-

1. The Principal Secretary to Chief Minister, Chief Minister's Secretariat, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Peshawar.
3. The PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
4. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
6. The District Accounts Officers concerned.
7. The District Public Prosecutors concerned.
8. All Officers Concerned.
9. P.S to Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.

Section Officer (Prosecution)



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT**

Dated Peshawar the 16<sup>th</sup> September, 2019.

9

**NOTIFICATION**

**NO.SO (Prosecution) HD/1-2/2019/VOL-1:** In pursuance of this department Notification of even No. dated 5<sup>th</sup> September, 2019, Mr. Atta-ur-Rehman, District Public Prosecutor BS-19 is hereby relieved from the post of District Public Prosecutor, Hangu, with immediate effect.

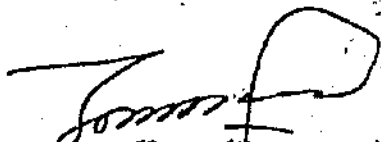
He is directed to assume charge as District Public Prosecutor, Lower Kohistan without fail.

**SECRETARY  
HOME DEPARTMENT**

**Endst: No. and date even:**

***Copy forwarded to: -***

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
3. The Regional Directors Prosecution, Peshawar, Malakand, Kohat.
4. The District Public Prosecutor, Hangu & Kohistan.
5. The District Accounts Officers, Kohistan Lower and Hangu.
6. P.S to Secretary, Home Department, Khyber Pakhtunkhwa.
7. Officer concerned.

  
Section Officer (Prosecution)

10

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

Date: Peshawar, the 05<sup>th</sup> September, 2010

**NOTIFICATION**

NO. SO (Prosecution) HD/1-2/2010/VOI-1. The competent authority is pleased to order postings/transfers of the following Prosecution Officers, with immediate effect, in the public interest.

S#	Name & Designation	From	To
1.	Mr. Atta ur Rehman District Public Prosecutor (BS-19).	District Public Prosecutor, Hangu.	District Public Prosecutor, Kohistan Lower against the vacant post.
2.	Mr. Muhammad Khalid Senior Public Prosecutor (BS-19).	Senior Prosecutor, Corruption Court, Peshawar.	District Public Prosecutor, Hangu vice No.01.
3.	Mr. Azhar Ali Deputy Public Prosecutor (BS-18).	Deputy Prosecutor, Kohat.	Senior Prosecutor, Anti-Corruption Court, Peshawar in OPS vice No.02.
4.	Mr. Taimur Khattak Deputy Public Prosecutor (BS-18).	Awaiting posting.	Deputy Public Prosecutor, Buner against the vacant post.

SECRETARY  
HOME DEPARTMENT

Encls: No. and date even:

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
3. The Regional Directors Prosecution, Peshawar, Malakand, Kohat.
4. The District Public Prosecutors, Peshawar, Buner, Kohistan Lower, Kohat and Hangu.
5. The District Accounts Officers, Buner, Kohistan Lower, Kohat and Hangu.
6. Officers Concerned.
7. P.S to Secretary, Home Department, Khyber Pakhtunkhwa.

Section Officer (Prosecution)

11

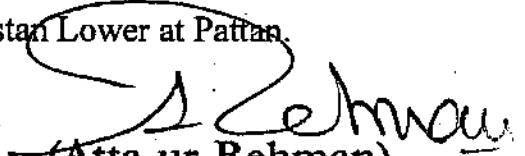
**CHARGE ASSUMPTION REPORT.**

In pursuance of the order of Government of Khyber Pakhtunkhwa Home & Tribal Affairs Department bearing Endst: No. SO (Prosecution) HD/1-2/2019/Vol-1: dated 05.09.2019, I, Atta ur Rehman, do hereby assume the charge of the post of District Public Prosecutor, (BPS.19) in the District Kohistan Lower today on 26.09.2019.

**(Atta ur Rehman)**  
District Public Prosecutor,  
Kohistan Lower,  
At Pattan

Copy to:-

1. The Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer Kohistan Lower at Pattan.

  
**(Atta ur Rehman)**  
District Public Prosecutor,  
Kohistan Lower,  
At Pattan





The  
**District Prosecution**  
Lower Kohistan

No: 250-261 /2022/DPP/LK  
Dated Lower Kohistan 16/9/2022

(12)

### Charge Relinquish Report

In pursuance of the notification of honourable secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department, Peshawar bearing No. SO (Prosecution)/HD/1-2/Post & Trans/2022 Dated 15-09-2022.  
I **Atta-ur-Rehman (BS-19)** do here by relinquish the charge of post of District Public Prosecutor Lower Kohistan at pattan today. **A.N.**

Yours Faithfully

**Atta-ur-Rehman**  
District Public Prosecutor  
Lower Kohistan

Dated Lower Kohistan 26/09, 2022

No 250-261 /DPP/LK

Copy Forwarded to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Khyber Pakhtunkhwa.
4. The Director General Prosecution Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Peshawar.
5. The PSO to the Chief Secretary, Khyber Pakhtunkhwa.
6. The Accountant General, Khyber Pakhtunkhwa.
7. The Regional Director Prosecution, Hazara Division at Abbottabad.
8. The Section Officer (Prosecution), Home and Tribal Affairs Department Peshawar.
9. The District Account Officer, Buner.
10. The District Account Officer, Kohistan Lower.
11. Officer Concerned.
12. Office Record.

**Atta-ur-Rehman**  
District Public Prosecutor  
Lower Kohistan.



13

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT**

Dated Peshawar, the September 15, 2022

**NOTIFICATION**

**No.SO(PROSP)/HD/1-2/Post&Trns/2022**; The competent authority (Chief Minister Khyber Pakhtunkhwa) is pleased to order the following postings/transfers of the Senior Public Prosecutors, with immediate effect, in the public interest:-

S#	Name with Designation	From	To
1.	Haft Muhammad Haroon, Senior Public Prosecutor (BS-19)	Regional Director Prosecution Hazara Division at Abbottabad	District Public Prosecutor, Kohistan Upper vice Sr. No 17
2.	Mr. Saqib Sultan Jadoon, Senior Public Prosecutor (BS-19)	District Public Prosecutor, Manshra	Regional Director Prosecution Hazara Division at Abbottabad (DPS) vice Sr. No. 01
3.	Mr. Akhtar Nawaz, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Swabi	District Public Prosecutor, Swabi vice Sr. No. 14
4.	Mr. Javed Iqbal Anwar Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Abbottabad	Senior Public Prosecutor, Haripur vice Sr. No. 05
5.	Mr. Asim Mahmood, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Haripur	Senior Public Prosecutor, Abbottabad vice Sr. No. 04
6.	Mr. Hayat Ullah, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Lakki Marwat	Senior Public Prosecutor, Kohat vice Sr. No. 07
7.	Muhammad Nadeem, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Kohat	Senior Public Prosecutor, Lakki Marwat vice Sr. No. 06
8.	Mr. Zia Ullah Wazir, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Hangu	Senior Public Prosecutor, Manshra vice Sr. No.18
9.	Mr. Shafi Ullah Wazir, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Peshawar	Senior Public Prosecutor, Khyber vice Sr. No. 10
10.	Mr. Qaiser Khan, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Khyber	Senior Public Prosecutor, Peshawar vice Sr. No. 09
11.	Mr. Javed Ur Rehman, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Mardan	Senior Public Prosecutor, Swabi vice Sr. No. 03
12.	Muhammad Tufail, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Mohmand	Senior Public Prosecutor, Charsadda vice Sr. No. 13
13.	Mr. Bakhtiar Khan, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Charsadda	Senior Public Prosecutor, Mohmand vice Sr. No. 12
14.	Mr. Khalid Khan, Senior Public Prosecutor (BS-19)	District Public Prosecutor, Swabi	Senior Public Prosecutor, Hangu vice Sr. No. 08
15.	Mr. Tasawar Hussain, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, ATC D.I. Khan	Senior Public Prosecutor, Banna vice Sr. No. 16
16.	Mr. Asmat Ullah, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Banna	Senior Public Prosecutor, ATC D.I. Khan Vice Sr. 15
17.	Mr. Hussain Ahmad, Senior Public Prosecutor (BS-19)	District Public Prosecutor, Kohistan Upper	District Public Prosecutor, Kolai Palas against vacant post
18.	Mr. Qasim Farooq, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, Manshra	District Public Prosecutor, Haripur Vice Sr. No 19


14

19.	Muhammad Younas, Senior Public Prosecutor (BS-19)	District Public Prosecutor, Haripur	District Public Prosecutor, Manshra Vice Sr. No 02
20.	Mr. Atta-Ur Rehman, Senior Public Prosecutor (BS-19)	District Public Prosecutor, Kohistan Lower	Senior Public Prosecutor, Buner against vacant post
21.	Mr. Zeeshan Taj, Deputy Public Prosecutor (BS-18)	Deputy Public Prosecutor, Haripur	District Public Prosecutor, Kohistan Lower OPS vice Sr. No 20
22.	Mr. Sher Bahadar, Senior Public Prosecutor (BS-19)	District Public Prosecutor, North Waziristan	Senior Public Prosecutor, South Waziristan vice Sr. No. 23
23.	Mr. Aman Ullah, Senior Public Prosecutor (BS-19)	Senior Public Prosecutor, South Waziristan	District Public Prosecutor, North Waziristan vice Sr. No. 22

**SECRETARY  
HOME & TRIBAL AFFAIRS  
DEPARTMENT**

**Endst: No. and date even:**

1. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa Establishment Department KP.
4. Director General Prosecution Khyber Pakhtunkhwa.
5. PSO to Chief Secretary Khyber Pakhtunkhwa.
6. Regional Directors Prosecution, concerned.
7. All the District Public Prosecutors concerned.
8. All the District Accounts Officers concerned.
9. PS to Secretary Home Department, Khyber Pakhtunkhwa
10. PS to Special Secretary-I Home Department, Khyber Pakhtunkhwa
11. PA to Additional Secretary (Judicial), Home Department, Khyber Pakhtunkhwa.
12. PA to Deputy Secretary (Judicial), Home Department, Khyber Pakhtunkhwa.
13. Officers concerned.
14. Master File.

  
**(UMAR NAWAZ KHAN)  
Deputy Secretary (Judicial)**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
 HOME & TRIAL AFFAIRS DEPARTMENT  
 021-9210041 & Fax 9210201

Notification

Dated Faisalwar the 14<sup>th</sup> September, 2021

No. 201/Prosecution/1-11/HQ/NO. A/Ur-Rehman DEP Kohistan Lower/2021/ WHEREAS  
 Mr. Atta-Ur-Rehman District Public Prosecutor-85-19, Kohistan Lower was served with show  
 case notice by the competent authority for his willful absence.

2. AND WHEREAS, the said officer in his reply to the show case notice prayed for  
 personal hearing. Thus opportunity of personal hearing accordingly granted. On behalf of the  
 competent authority Mr. Ismaelzaid, Secretary, Forestry, Environment & Wildlife Department,  
 Khyber Pakhtunkhwa has conducted the personal hearing and proceedings thereof duly  
 submitted for consideration of the competent authority, (the Chief Minister, Khyber  
 Pakhtunkhwa).

3. AND NOW THEREFORE, the competent authority has granted approval to the  
 recommendation made by the Secretary Forestry, Environment, and Wildlife Department in the  
 personal hearing proceedings.  
 4. Now therefore, the competent authority is pleased to, ~~appoint~~  
 Mr. Atta-Ur-Rehman from the charges levied against him of willful absence from duty.

SECRETARY  
 HOME DEPARTMENT

Endst: No & dt: cvcn

- 1. Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 2. Director General Prosecution, Khyber Pakhtunkhwa, Peshawar.
- 3. Regional Director Prosecution Hazara ( Abbottabad).
- 4. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 5. Officer Concerned through the Prosecution.
- 6. Master file



(Khushti Muhammad Kh  
 Section Officer, Prosecut

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15

GOVERNMENT OF KHYBER PAKHTOONKHWA  
HOME TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar the 16 September, 2021

**Notification:-**

No. 50(prosecution)1-31 /HD/NQ-Atta ur rehman DPP kohistan Lower2021\_\_\_\_\_. **WHEREAS**, Mr Atta ur rehman district public prosecutor BS 19, kohistan lower was served with show Case notice by the competent authority for his willful absence

2. **AND WHEREAS**, the said officer in his reply to the show case notice prayed for personal hearing. Thus opportunity of personal hearing according granted. On behalf of the Khyber pakhtoonkhwa has conducted the personal hearing and proceedings thereof duly submitted for consideration of the competent authority. (The chief Minister, Khyber pakhtoonkhwa

3. **AND NOW THEREFORE**, the competent authority has granted to the recommendation made by the secretary forestry, Environment and wildlife Department in the personal hearing proceedings.

4. **NOW THEREFORE**. The competent authority is pleased to exonerate Mr. Atta ur Rehman from the charge leveled against him of willful absence from duty

SECRETARY HOME  
DEPARTMENT

**Endst : No & dt;even**

***Copy of the above is forwarded to the:-***

1. Principal Secretary to chief minister Khyber pakhtoonkhwa
2. Director General Prosecution, Khyber Pakhtoonkhwa
3. Regional Director Prosecution, Hazara(abttabad).
4. PSO to chief secretary, Khyber pakhtoonkhwa, Peshawar.
5. Officer Concerned through Dte Prosecution.
6. Master file

(Khushi Muhammad Khan)  
section officer(prosecution)

Diary No 9691/dated 20/9/2021

1) That undersigned after assuming charge as District Public Prosecutor Rajasthan Lower at Patan on 26th September 2019. But faced very strange and bewildering situations they found terms of alone. as no single staff and chair were found. and besides report on one available present for assistance and for keeping. Prosecution record which are

8445  
14/10/19

R/S/ with great reverence. having honor to bring in the your kind notice the following sharp issues facing by the undersigned.

Subj- Men availability of Prosecution Office, Staff, and all relevant accessories. Essential for Prosecution official affairs etc on

NO-D.P.D-K.E. 23/9-10-2019  
To The worthy Director General Prosecution (A)  
Amritsar  
Member Patan, Lower Rajasthan

(16)

5

While essential / necessary for smooth  
 and swift prosecution affairs. But Directorate  
 transferred the undersigned in hasty manner  
 without any official facilities for which  
 the District prosecution legally entitled  
 and all the Districts of KP already official  
 necessary accommodations. With required official  
 requirement but undersigned deprived  
 general, which badly suffer, and damage  
 the prosecution's District official affairs.  
 What keeping a prosecution record, i.e. opinion  
 guidance account, put in court cases, and  
 maintaining the official correspondence are  
 beyond the control of undersigned as  
 it is not the job of single person  
 that undersigned besides the other prosecution  
 related official activities performing duty  
 in two Courts i.e. District and Session Judge  
 and Senior Civil Judge which extremely  
 developed extra ordinary stress and pressure

(2)

(17)

and undersigned is not in position to  
 Dear/forwards further in single position.  
 It is pertinent to mention that undersigned  
 tried hard to find some space for other  
 prosecution officers but none was ready in  
 a District to provide single chair space  
 in present scenario District Prosecution  
 passing through a dark and stormy age. In  
 District Kishan Nagar is demanding any  
 sort of data by the Director would be  
 unjust and unfair in present circumstances  
 and in the litigation is still exist in a same  
 mode and manner than it used to be quite  
 difficult to cover the prosecution affairs  
 in District.

that mentioning record pertain to police  
 guidance, opinion, as well as of both wings  
 consistently and repeatedly approaching for  
 discussing different legal issues with  
 undersigned but there is no need and seem  
 available to maintain the record

(3)



⑥ Which further make the prosecution officers  
complicated and complexity in matter  
creates more official complication.

It is universal fact that Army without  
escapes/ammunitions neither more a single

step towards success over even computer a  
small piece of foe land similarly

single prosecutor is like handicapped/cripple  
before the opponent, and state holders. So

Let the District Prosecution Equipped with  
all requisite, necessary requirement and  
not to be dealt with in humane manner

by the responsible officer of Directorate

Therefore requested in the light of  
facts and circumstances as disclosed  
in few selected words your kind

attention is quite necessary for perusing  
@ Whether a prosecution may and may  
also issue directions to concerned Section

copy forwarded to  
P/A to worky <sup>the</sup> <sup>secretary</sup>

Dated. 9/10/19

District Public Prosecutor  
Karnataka Lower AT pattern

Yours truly  
A. S. Channa  
Attor-ur-Rehman

Your cooperation shall highly  
be appreciated.  
The required/dissused <sup>printed</sup> arrangement shall  
be of our footing base.  
It is further humbly requested the  
Disregarding in the eye of others -  
Secured the District Prosecution form  
for District Prosecution Affairs, and be  
For arrangement of required requirement

19A

26

90

Every Director General  
Pakistan Railway Pakhtun Khan  
Peshawar

Subj: Revision of information regarding

Submitted different applications

Sir, with great reverence, I may have to  
address you that undersigned have

Submitted different applications  
regarding non availability of Pakistan  
office and supporting staff etc vide

Copy no 845/dated 11/11/19 and leave  
application on medical ground

vide copy no 844/dated 11/11/19  
Rail letters dispatched from District  
Khanjira via Karachi Registry P.O.

And copies of the same received



15.09.19  
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-e apl  
-apl -

12

*Better copy*

*(20)*

To

The Worthy Director General Prosecution Khyber pakhtoonkhwa  
Peshawar

Sub: - Provision of information regarding submitted different applications.

With the great reverence having honor to address you that undersigned have submitted different application regarding non availability of prosecution office and supporting staff etc vide diary no 8445/Dated 14/9/19 and leave application on medical ground vide diary no 8444/Dated 14/9/19 both letters dispatched from district kohistan lower through registry P/O and copies of the same delivered to personally and received Diary was mentioned there in but no response has been received yet beside above Submitted application for Earned leave, etc and delivered personally in the prosecution staff vide diary no-10375/10376/10377 but no heed paid to matter.

IT is therefore requested your good self may please be direct the concerned for, of fate of submitted application mentioned above

Thanking you your

Atta ur Rehman DPP kohistan lower

Submitted to directorate vide diary No 10894/Dated  
22/11/19

Personally and received diary also mentioned  
Merry. Bill on response has been received yet  
Besides above submitted application for  
earned leave, etc and delivered personally.  
in the Prosecution Staff vide Chiry. 110-1037  
10376/10377 dated 13/11/19. But no heed paid  
to the matter.

It is therefore humbly requested  
your request may please be directed  
in concerned for, if title of my  
Submitted application is forwarded  
above

Dated 13/11/19

Yours faithfully  
M. S. Srinivasan  
M. S. Srinivasan  
M. S. Srinivasan  
D. P. P. & K. Srinivasan

20A



THE  
**PESHAWAR HIGH COURT,**  
**ABBOTTABAD BENCH**

Ph: 0992-9310058  
Fax: 0992-9310055

No: 761

Dated Abbottabad 24 October, 2019

From

The Additional Registrar,  
Peshawar High Court,  
Abbottabad Bench.

To

1. The District Public Prosecutor,  
Lower Kohistan.
2. The District Public Prosecutor,  
Upper Kohistan at Dasso.

Subject : **WRIT PETITION NO. 1145-A OF 2019.**

Maulana Karim Dad S/o Maulana Abdul Haleem & 4 others R/o Pattan Tehsil Pattan  
District Kohistan Lower.

.....Petitioner.

**VERSUS**

The State & others.

.....Respondents.

Memo,

I am directed to forward herewith order dated 16.10.2019 passed by the Honourable  
Division Bench of this court, which is reproduced below in the subject case for **IMMEDIATE**  
**COMPLIANCE.**

**ORDER**

16.10.2019.

**WP No. 1145-A OF 2019.**

Present: Mr. Abdul Saboor Khan, Advocate, for petitioner.

\*\*\*

*Learned AAG (Sardar Muhammad Asif) present in court is directed to assist the  
court on the issue raised in the petition on the next date of hearing.*

**INTERIM RELIEF.**

*Notice for a short date. In the meanwhile, status-quo be maintained.*

Sd/  
JUDGES



OUT DOOR PATIENT TICKET

22

Diagnose kelelahan delever CRP No: \_\_\_\_\_  
Facility Name Tika Hospital Paltan  
Name Asturahman Age: 1.5g Sex: Male  
Father's/Husband's Name \_\_\_\_\_

Ministry/OPU Serial No. 1245  
Provisional Diagnosis: Basic Pain

10  
9-019

Date

Clinical Findings / Investigations / Treatment / Advice / Test Findings

Rx  
• 2mg Mabil 50mg <sup>1/m</sup>  
• 10  
• Tab Mabil 50mg  
1 + 1  
• Tab felbed <sup>(X)</sup>  
1 + 1  
• Tab Voren  
1 - 1 <sup>(SAS)</sup>

[Signature]  
01/01/19

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Date: \_\_\_\_\_

Clinical Record

Rx

(23)

Tab Mabil

1-1

Tab Voreen

1-1

120/2 روفی



Handwritten notes at the top of the page, including a circled '10' and some illegible text.

Main body of handwritten text, appearing to be a list or series of notes, with some numbers and symbols.

Handwritten text in the lower middle section of the page.

24

**TO:-**

**The Worthy Director General Prosecution  
Khyber pakhtoonkhwa Peshawar**

**Sub:- Casual Leave**

R/Sir

With the great reverence having honor that undersigned was some urgent works I/R children school and related/concerned matter with Educational institution which required my personal existence Beside mentioned matter undersigned in also required to be appeared before august Peshawar High court in connection of with petition fixed on **16/10/19**

It is therefore requested you please be granted four days casual leave i e **15/10/19 to 18/10/19**

*Atta ur rehman*

*DPP kohistan lower*

**Submitted to directorate vide diary  
No 9982/ Dated 15/10/19**

CONSTITUTION

ARTICLE I  
SECTION 1  
CL. 1

1787

ALL LEGISLATIVE POWERS SHALL BE VESTED IN A CONGRESS

WHICH SHALL CONSIST OF A SENATE AND HOUSE OF REPRESENTATIVES

THE HOUSE OF REPRESENTATIVES SHALL BE COMPOSED OF MEMBERS

CHOOSE BY THE PEOPLE OF THE SEVERAL STATES

THEir NUMBERS IN EACH STATE SHALL BE PROPORTIONAL TO

THEir FREE POPULATION AND TO THE NUMBER OF FREE PERSONS

UNDER TWENTY YEARS OF AGE

EXCEPT SUCH MEMBERS AS MAY BE CHOSEN BY THE LEGISLATURE

OF SMALL STATES

NO STATE SHALL HAVE MORE REPRESENTATIVES THAN THE

NUMBER OF FREE PERSONS WHICH IT HAS IN CONGRESS

AND THE RATIO SHALL BE THE SAME THROUGHOUT THE UNION

THE HOUSE OF REPRESENTATIVES SHALL CHOOSE THEIR SPEAKER

(95)

(2)

To:-

(25)

**The Worthy Director General  
Prosecution Khyber pakhtoonkhwa  
Peshawar**

**Sub:- Casual Leave/Medical**

R/Sir

With the great reverence having honor that due to severity of season at district kohistan lower in winter season and having no proper arrangement to cover our self from sudden colder, back pain problem turn more sever which is beyond control of undersigned you may kindly be granted 4 days casual/medical leave for treatment

Thanking you

Atta ur Rehman DPP kohistan lower

**Submitted to directorate vide  
diary NO 10375/Dated 11/11/19**

(26)

70

The worthy Secretary Finance Department  
Khyber Pakhtoon Khwa.

Subj: - Inquiry.

With great reverence. Having honor to

address you for submitting application  
for extension of time for subject  
matter.

That applicant came to know that  
letter bearing no-PS/FS/Inquiry/2020 and  
the same was address through Director General  
Prosecution for inquiry proceedings.

That applicant required few days for  
preparing documentation for inquiry  
proceedings.

It is therefore most humbly requested your good self  
may kindly be extended the time of inquiry  
proceeding for ten days which make me able  
to defend my cause.

Yours Sincerely  
Atto-ug. Rahmay

5746  
dt 18/3/20

Dated 18/03/2020 District P.P. K.L. Atto-ug. Rahmay

26

To:-

**The Worthy Director General Prosecution  
Khyber pakhtoonkhwa Peshawar**

**Sub:-Inquiry**

With the great reverence having honor to address you for submitting application for Extension of time for subject matter.

That application came to know that deter bearing No PS/FS inquiry/2020 and the same was address through director general prosecution for inquiry proceedings

That applicant required few days for preparing documentation for inquiry proceedings

It is therefore most humbly requested your good self may kindly be extended the time of inquiry proceedings for ten days which make ma able to defend my cause

***Your sincerely  
Atta Ur Rehman***

**Submitted to directorate vide diary No 5746/Dated  
18/3/2020**

APPLICATION FOR EARNED LEAVE

27

Item No. 1 to 9 must be filled in by all applicants. Item# 12 applies only in the case of Government Servants of BPS-16 and above

- 1. Name of Applicant ATTA-UR-REHMAN
- 2. Leave Rules applicable \_\_\_\_\_
- 3. Post held DISTRICT PUBLIC PROSECUTOR
- 4. Department or Office HOME & Tribal affairs
- 5. Basic Pay Bps. 19
- 6. House Rent Allowance/Conveyance Allowance or other Compensatory allowances drawn in the present post BPS 19

- 7. (a) Nature on leave applied for Earned leave
- (b) Period of leave in days FOUR MONTHS - 4 MONTHS
- (c) Date of commencement 15-11-2019
- 8. Particular Rule/Rules under which leave is admissible leave Rules 1981
- 9. (a) Date of return from last leave 15-03-2019
- (b) Nature of leave Earned leave
- (c) Period of leave in days FOUR MONTHS - 4 MONTHS

Date: 6/11/19

Atta-ur-Rehman  
Signature of Applicant

10. Remarks recommendation of the Controlling Officer For favorable reply please

11. Certified that leave applied for is admissible under Rule Leave Rules 1981 and necessary conditions are fulfilled.

Date: 6/11/2019

Atta-ur-Rehman  
Signature  
Designation  
District Public Prosecutor Kasitarni Lower

12. Report of Audit Officer

Date: \_\_\_\_\_

Signature  
Designation

13. Orders of the sanctioning authority certifying that on the expiry of leave, the applicant is likely to the same post carrying the compensatory being drawn by him.

No: DAO/koh/L/203

Dated: 7/11/2019

Date: \_\_\_\_\_

Leave applied for (4-months) is available at the Credit of Officer.

Signature  
Designation

Atta-ur-Rehman  
Signature  
7/11/19

**DISTRICT PUBLIC PROSECUTOR, KOHISTAN (LOWER)  
KHYBER PAKHTUNKHWA**

No. 173 DPP/KL/2020

Dated Kohistan Lower 06 / 05 / 2020

28

To

**The Director General Prosecution,  
Government of Khyber Pakhtunkhwa,  
Home & Tribal Affairs Department,  
Peshawar.**


Subject:

**DEPARTMENTAL PERMISSION/NOC/EXPERIENCE  
CERTIFICATE.**

Respected Sir,

I have the honour to enclose herewith applications of Mr. Qasim Farooq Deputy Public Prosecutor and Muhammad Usman Ali Assistant Public Prosecutor, Kohistan (Lower) in original seeking Departmental Permission/NOC/ Experience Certificate to appear for the post of Additional District & Sessions Judge/Izafi Zilla Qazi announced by Worthy Registrar Peshawar High Court Peshawar, vide advertisement dated 21/04/2020.

It is, therefore, requested that Departmental Permission/NOC and Experience Certificate may kindly be issued and the same may please be submitted to Worthy Registrar Peshawar High Court Peshawar before 30/05/2020, please.



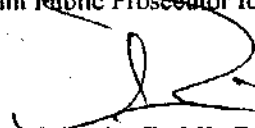
**Atta ur Rehman  
District Public Prosecutor,  
Kohistan (Lower).**

**OFFICE OF THE DISTRICT PUBLIC PROSECUTOR, KOHISTAN (LOWER).**

No. \_\_\_\_\_ /DPP/KL/2020 Dated Kohistan Lower \_\_\_\_\_ 2020

**Copy Forwarded to:**

- 1) Mr. Qasim Farooq Learned Deputy Public Prosecutor, for information.
- 2) Mr.M.Usman Ali Learned Assistant Public Prosecutor for information.
- 3) Office record.



**District Public Prosecutor,  
Kohistan(Lower).**





Request that applicant having chest, infection due to covid-19 and post covid-19 disease/problem also infected kidneys as well as tick required to be medically checked in hospital as advised by police service of hospital. CMO-1. Therefore currently requested inquiry into may kindly be performed as I am unable to visit due to UFI. To attend the inquiry proceeding. Your sincerely, AHA-Mr. Rebin Singh. 1st. P.P. Indraprastha

Request application for advancement of inquiry Date no. 21-9-2020 with a great reverence and humble

The worthy Secretary Finance  
 Mr. Rajender Pal Singh  
 18/9

36

R/Sr

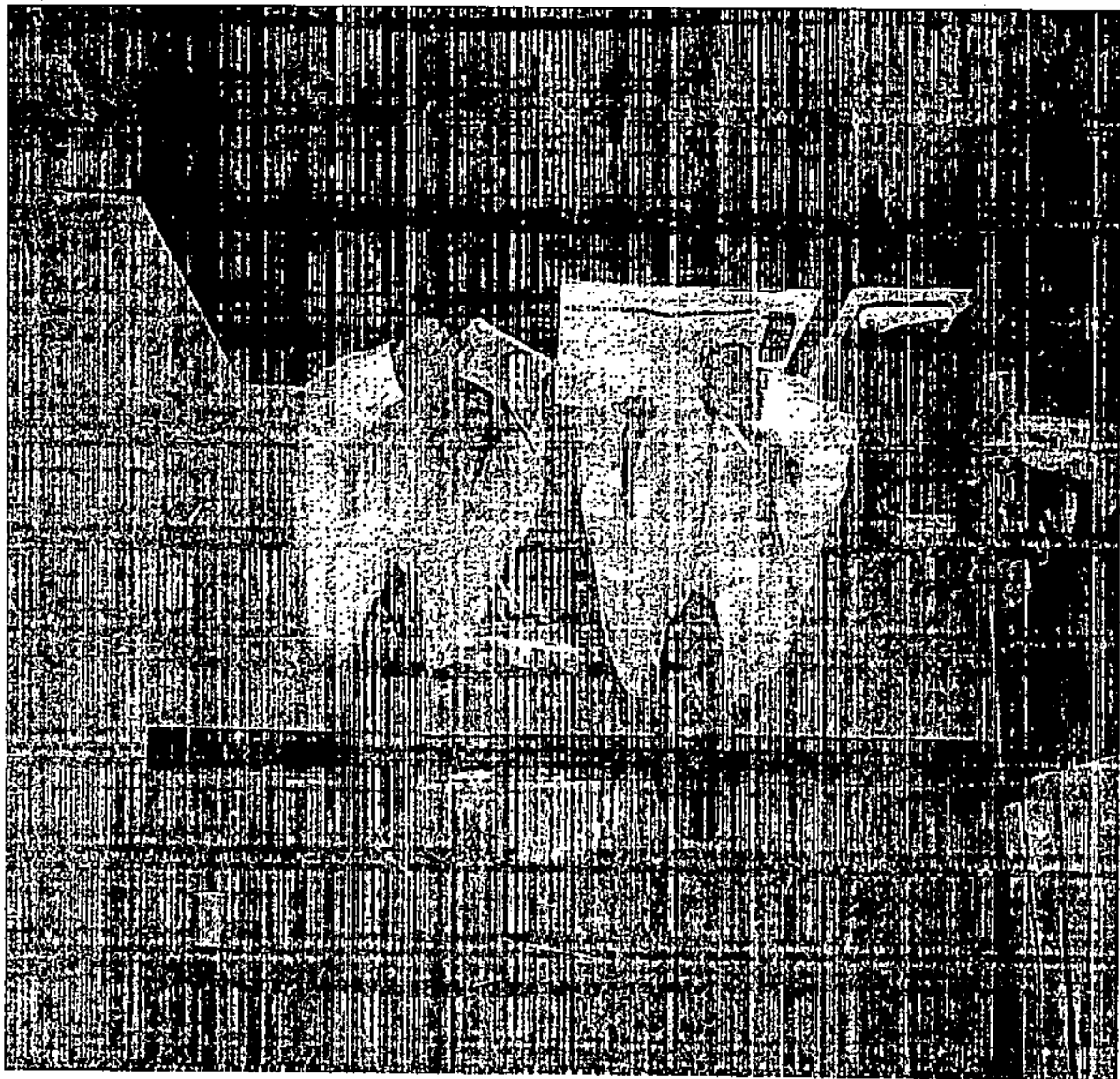
Subj-

11453  
 P.S. No.

To

DATED: 5/7/2020

**Visit to BP Office Lower Khoristan in respect of  
Discussion for Submission of CHALLANS on**



OFFICE OF THE DISTRICT PUBLIC PROSECUTOR  
KOHISTAN LOWER AT PATTAN

32




Dated \_\_\_ / \_\_\_ / 2021

To,  
The Manager National Bank of Dassu.

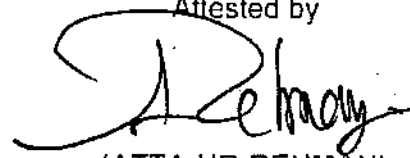
Subject - SPECIMEN SIGNATURE OF DDO

It is requested that the Specimen Signature of DDO is submitted for information and implementation please

Specimen of Signature

1.   
2.   
3. 

Attested by



(ATTA-UR-REHMAN)

Office of the District Public Prosecutor  
Kohistan Lower at Pattan

Enclst No. \_\_\_\_\_ / Dated - \_\_\_\_\_ / 2021

CCV forwarded for information please.

1. Deputy Commissioner, Kohistan Lower.
2. Office Copy.



Office of the District Public Prosecutor  
Kohistan Lower at Pattan

32-A



715  
Office of Regional Director, Prosecution  
Hazara Division, Abbottabad

No: 109-190  
Dated Abbottabad the 23-02-21  
Phone & Fax # 0992-405749  
Email: rthazara@gmail.com

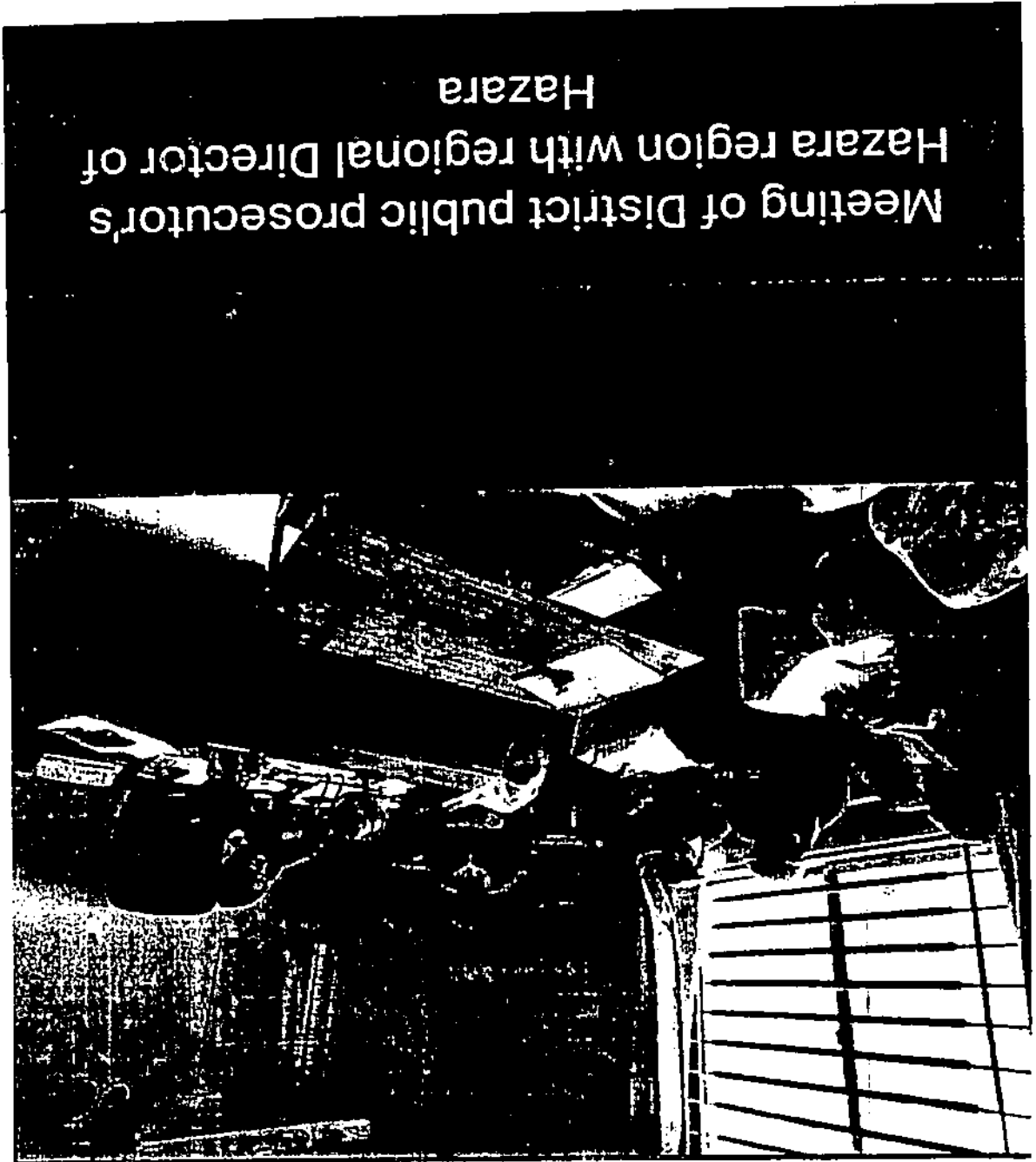
**MINUTES OF MEETING.**

A meeting of District Public Prosecutors Hazara Division was held on 13/02/2021 at 11:00 AM in the office of Regional Director Prosecution Hazara Division at Abbottabad and was attended by the following:-

1. Hafiz Muhammad Haroon  
Regional Director Prosecution,  
Hazara Division, Abbottabad. (In Chair)
2. Mr. Shabaz Iqbal  
District Public Prosecutor, Abbottabad. (Participant)
3. Mr. Sagib Sultan Jadoon  
District Public Prosecutor,  
Khansehra (Participant)
4. Mr. Mian Shabid-ur-Rehman  
District Public Prosecutor,  
Battagram (Participant)
5. Muhammad Younas Tanoil  
District Public Prosecutor,  
Haripur (Participant)
6. Mr. Iqbal Hussain Akhtar  
District Public Prosecutor,  
Torghar at Oghi. (Participant)
7. Mr. Hussain Ahmad  
District Public Prosecutor,  
Kohistan Upper (Dasu). (Participant)
8. Mr. Atta-ur-Rehman  
District Public Prosecutor  
Lower Kohistan (Participant)

The meeting commenced with recitation from Holy Quran. The chair welcomed the participants and highlighted the objective with reference to agenda of meeting and invited the participants to share their precious views for progressive implementation of the agenda.  
Mr. Hussain Ahmad Learned DPP Upper Kohistan informed that Mr. Ataulah Acing DPP Kojal Palas Kohistan has been transferred to Battagram, thus, he is unable to attend the meeting. The chair directed the

DATED 13/2/2022



Meeting of District public prosecutors  
Hazara region with regional Director of  
Hazara

32-B

**ATTENDANCE CERTIFICATE**

33

This is to certify that Mr. Atta-ur-Rehman District Public Prosecutor, Kohistan Lower (Pattan) attended official meeting held on 5<sup>th</sup> June, 2021 at 11:00 AM in the office of undersigned.



**Hafiz Muhammad Haroon**  
Regional Director Prosecution  
Hazara Division, Abbottabad.

Dated: 5<sup>th</sup> June, 2021

**ATTENDANCE CERTIFICATE**

34

This is to certify that Mr. Atta-ur-Rehman District Public Prosecutor, Kohistan Lower (Patan) attended official meeting held on 13<sup>th</sup> February, 2021 at 11:00 AM in the office of undersigned.



**Hafiz Muhammad Haroon**  
Regional Director Prosecution  
Hazara Division, Abbottabad.

Dated: 13<sup>th</sup> February, 2021



OFFICE OF THE PUBLIC PROSECUTOR ANTI-TERRORISM COURT

HAZARA DIVISION AT ABBOTTABAD

Subject: ATTENDANCE CERTIFICATE

Certified that Mr. Atta ur Rehman DPP KP Kohistan Lower attended the meeting regarding case FIR NO 51 DATED 02-10-1998 U/S 17 (4) HARRABAH 324/353/148/149 PPC & 6/7 ATA PS PATAN KOHISTAN LOWER AND CASE FIR NO. 38 DATED 03-09-1998 U/S 17 (4) HARRABAH 6/7 ATA PS PATAN KOHISTAN LOWER, held in the office of undersigned on 23-01-2021 at 12:00 PM.

Muhammad Arif Masud  
Public Prosecutor ATC,  
Abbottabad.  
Muhammad Arif Masud  
Public Prosecutor Anti-Terrorism  
Court, Abbottabad

Attendance Certificate

36

It is certified that, Mr. Attau Rehman (District Public Persecutor, Kohistan Lower) has attended the budget meeting in Finance Department, Peshawar, today on 28-1-2020, in compliance of Finance Department letter No: BO-III/FD/6-5/Res/2016-17, dated 03-01-2020

*Fin*  
*28/01/2020*  
Budget Officer-III  
Govt. of Khyber Pakhtunkhwa  
Finance Department

37

## ATTENDANCE CERTIFICATE

Certified that Mr. Atta Ur Rehman District Public Prosecutor, Kohistan Lower attended this office in connection with collection of Laptop for the prosecutors of District Public Prosecutor Office, Kohistan Lower today on 17-06-2021 at Peshawar



Assistant Director, Finance  
Directorate of Prosecution,  
Peshawar

37A



**DISTRICT PUBLIC PROSECUTORS MEETING HELD ON**  
**19/7/2021 AT HOME AND TRIBAL DEPARTMENT KHYBER**  
**PAKHTOONKHWA**

**VISIT TO PATTAN POLICE STATION**



37-8

37c



Inspection/visit of regional director Hazara division to District Kohistan lower on 10/03/2022

OFFICE OF THE PUBLIC PROSECUTOR ANTI-TERRORISM COURT

HAZARA DIVISION AT ABBOTTABAD

ATTENDANCE CERTIFICATE

Certified, that Mr. Atta ur Rehman DPP KP Kohistan Lower

attended the meeting regarding case FIR NO 51 DATED 02-10-1998 U/S 17 (4)

HARRABAH 324/353/148/149 PPC & 67 ATA PS PATAN KOHISTAN

LOWER AND CASE FIR NO. 38 DATED 03-09-1998 U/S 17 (4) HARRABAH

ATA PS PATAN KOHISTAN LOWER, held in the office of undersigned on

13-07-2021 at 12:00 PM

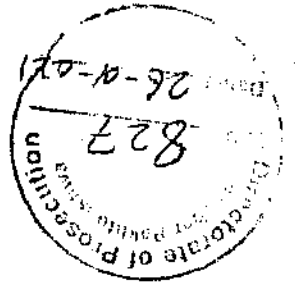
*[Handwritten signature]*

Muhammad Arif Masud  
Public Prosecutor ATC,

Abbottabad,  
Muhammad Arif Masud  
Public Prosecutor ATC,

26/01/21

Yours sincerely  
Attor-Gr. Johnson  
Griff Public Prosecutor  
11, White Lion Lane



As it therefore requested my request  
applications may finally be accepted  
and I may kindly be granted leave  
for three days i.e. 26/01-28/01/21

With great reverence having honor to  
Address you, it is under signed has  
some urgent work at home which  
needs my personal presence. and  
attention.

Respectfully

Leave application/Station leave  
for three days i.e. 26/01 to 28/01/21

Sd/-

The worthy Director General  
Prosecution Khyber Pakhtoonkhwa  
Peshawar

(39)

To





GOVERNMENT OF KHYBER PAKHTUNKHWA  
Cheque No. 1728140

AC No. 0000119844  
AC Type. NON FINANCIAL BANK Pre-Audit Cheque Dated 25.01.2021

Department \_\_\_\_\_  
Office of \_\_\_\_\_  
On the State Bank of Pakistan, National Bank of Pakistan  
Pay to District Public Prosecutor KOKHISTAN LOWER  
Rs. THIRTY-FOUR THOUSAND FOUR HUNDRED SEVENTY-SEVEN ONLY

*[Signature]*  
Assistant Accounts Officer  
Kohistan Lower

and charge the same against the account of the Government of Khyber Pakhtunkhwa  
N.B. This cheque is current for three months only after the month of issue.  
DO NOT WRITE BELOW THIS LINE

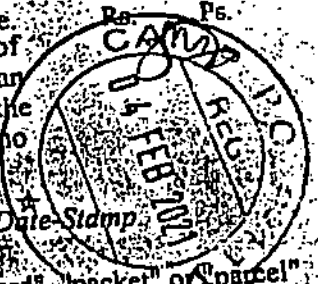
17

42

also bring in to your send  
due to transfer to For Home  
normment

No. 1350

For Insurance Notices see reverse.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Post Office Guide or on which no  
acknowledgement is due.



Received and  
addressed to

RGL53848460

Initials of Re-  
insured

Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.  
Rs. (in figures) Rs. (in words)

Insurance fee Rs.

Weight in Grams or Kilograms  
(in words)

Name and  
address  
of sender

Signature

Insured

No.1358

For Insurance Notices see reverse. Rs. Ps.  
Stamps affixed except in case of  
uninsured letters of not more than  
the initial weight prescribed in the  
Office Guide or on which no  
acknowledgement is due!

Received a registered\*  
addressed to \_\_\_\_\_

\_\_\_\_\_ DG \_\_\_\_\_

Date-Stamp

Initials of Receiver \_\_\_\_\_

Officer \_\_\_\_\_

\*Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for \_\_\_\_\_

Rs. (in figures) \_\_\_\_\_

(in words) \_\_\_\_\_

If insured.

Insurance fee Rs. \_\_\_\_\_

Ps. (in words) \_\_\_\_\_

Grams \_\_\_\_\_

Name and  
address  
of sender

\_\_\_\_\_ 24/2 \_\_\_\_\_

RGL53848458



Sub - Request appu - in order  
 Relevant provision of Civil Service  
 Rules for providing supporting  
 material/Document documents  
 for reply to defense to be  
 shown to the court  
 Also - great revenue having lower to  
 address you, regarding proposed matter  
 that against the under signed inquiry  
 proceedings was initiated which was  
 reported to us and put before  
 I was tentatively directed kept away  
 from the department legal department  
 and essential for inquiry process  
 and use of witnesses and documents  
 in my absence and compliance of  
 which in inquiry and compliance of  
 which in inquiry and compliance of



The Secretary, Director General  
 Production, Hyderabad  
 Hyderabad

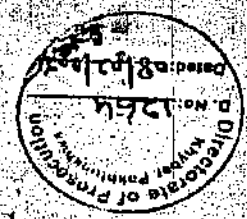
(44)

that the patient to mention that  
 Apparent facing ailment of severe  
 Back Pain i.e. spinal cord problem  
 which is confirmed by the specialist

Preventive Government  
 also considered Hard Area by the  
 Hanga District of the same work  
 signed and transfer on  
 kg. oldy more than year ago under  
 pattern of under signed has performed  
 Hard area i.e. Kohistan lower at  
 you for request of transfer from  
 with great results, having to others

Request appo. for transfer  
 to any nearest station on basis  
 of period of maternity and medical  
 ground with the following reason

The worthy Director General  
 Pakistan Railway Peshawar  
 Peshawar



1/9/54

Subj-

(45)

46

To

DPP/KL/16/02/2021

The Worthy Director General Prosecution

Khyber pakhtoonkhwa

Sub:- Dire Need Of Three Prosecutors For District Kohistan Lower

Respected sir

With the great reverence and havening honor to address you regarding shortage of prosecutors in district kohistan lower where two courts are functioning with sufficient court and prosecution works but single APP has been deputed for district which badly affected the other serious prosecution official affairs as courts prosecution work consumed sufficient time and scrutiny of files and other prosecution related official affairs often remain incomplete due to insufficient numbers of prosecutors in district

Therefore in existing circumstances your goodself are requested for arrangement of prosecutors for district kohistan lower in best interest of public

  
Atta Ur Rehman 16/02/21

District Public Prosecutor

Kohistan lower At Pattan

47

70  
D.P.P./K.L/19/20/02/201

Chiefly Director General  
Research in Hyderabad Police Department

Subj: Human Rights Defenders Lawyers  
and Journalists.

R/Sir with Great Reverence at 18

Submitted that in the month

of January 2001 no single case

has been reported at the District

of Kodur Taluk.

Therefore report may be treated  
as Nil.

*(Signature)*  
Atta-ur-Rahman


District Public  
Prosecutor

Kodur Taluk  
of Poltham

Dated 22/02



48

	DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER
	KOHISTAN PATTAN
	NO. <u>4029</u> DPP/LK
	Dated. <u>24/07/21</u>

To

The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: PROVISION OF INFORMATION REGARDING SUBMISSION OF CHALLAN W.E.F 01-01-2020 TO 24-7-21

R/Sir,


Provision of information regarding submission of challan from 01-01-2020 to 24-7-2021 at District Kohistan Lower.

For the year 2020(1<sup>st</sup> January to 31<sup>st</sup> December)

Total cases registered	Total cases put in court	Cases returned to PS for deficiencies but not yet received	Pending in DPP office
456	456	Nil	Nil

For the year 2021(1<sup>st</sup> January to 24<sup>th</sup> July)

Total cases registered	Total cases put in court	Cases returned to PS for deficiencies but not yet received	Pending in DPP office
467	467	Nil	Nil

  
District Public Prosecutor

Lower Kohistan

Attn - Mr. Keenan  
District Public Prosecutor  
Karnal in Lower  
of Paton

Dated: 20/8

*[Signature]*

above captioned letter is hereby  
forwarded to your good office for  
further proceeding and for comment  
view submitted by Mr. D. K. Choudhary  
Chief of Choudhary

With great reverence, Sir,  
Yours faithfully,  
R/Sr.

Request application for cancellation  
of transfer order of Mr. D. K. Choudhary  
Chief of Choudhary vide order No. D.P. 111/1035-17  
14-2

The Deputy Director General  
Prosecution, Karnal, District

NO-111/1035-17

(50)

The  
**District Prosecution**  
Lower Kohistan

No:60  
Dated 22/09, 2021  
Lower Kohistan

To  
**Mr Tasneem Zeb APP**  
**& Mr Naseem APP**  
**Kohistan Lower at Pattan**

**Subject: Acquittal at large scale in the month of May and June in narcotics cases**

During scrutiny of relevant register/document kept by Noor Samad (Reader/representative of the police for prosecution for forwarding of challan etc.) pertained to acquittal/conviction record of the Session judge/Senior civil judge it's been disclosed upon undersigned that in the month of May and June 2021 sufficient acquittal have been awarded by the court in criminal cases of narcotics but surprisingly no single appeal has been drafted/filed against acquittal. You both were verbally and in black and white were informed time and again regarding submitting of acquittal report, if made any in criminal case by the court have to inform the undersigned for onward submission. But till date the same has not been brought in to the notice of undersigned.

Therefore, you both are required to submit your detail reply for not filing of appeal against acquittal within three days positively.

Received by:

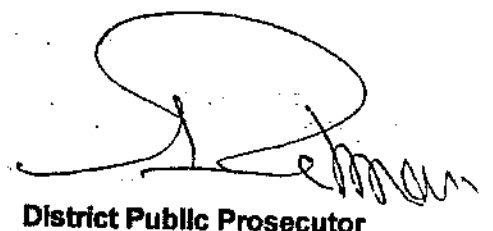
1) *Naseem APP*

2) *Tasneem Zeb APP*

*MR. Faqeer Zada Naib Court*

*Kindly Serve upon Both APPs..*

*MR. AZIZ AHMED - Circulate the Same upon the APPs*

  
District Public Prosecutor

Lower Kohistan

*22/9/21*



*22.9.21*



9

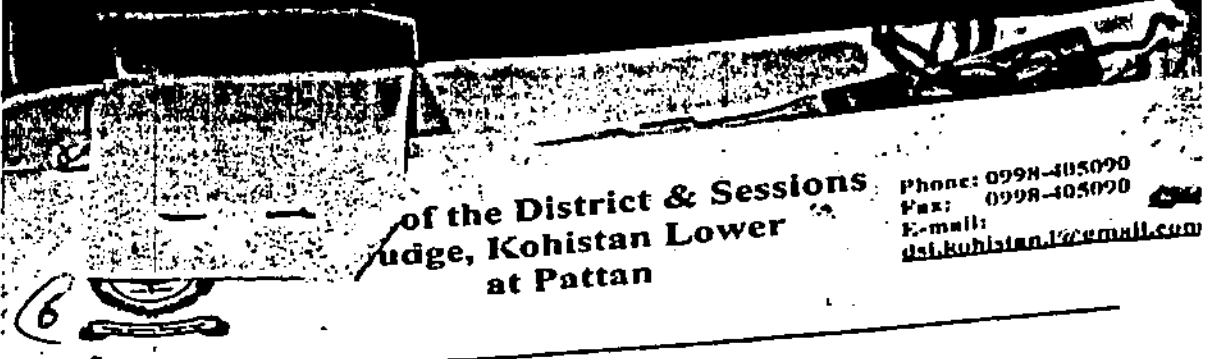
DISTRICT ASSESSMENT COMMITTEE REPORT OF DISTRICT LOWER KOHISTAN FOR THE MONTH OF FEBRUARY, 2022

Case FIR No Dated	U/S	P/S	District	Reason of Acquittal/bails	Recommendation of Committee	Remarks of DIG/Crime
108 18-08-2010	324/34	Dubair	Lower Kohistan	The accused was acquitted being having similar role in the instant case, as his co-accused was acquitted.	I/O should be learning from this to improve their investigation skill.	
02 10-01-2020	302-324- 148-149- 34	Dubair	Lower Kohistan	Contradiction in pvt, s statements benefit of doubt given to the accused.	I/O should be learning from this to improve their investigation skill.	
03 10-01-2020	324/34	Dubair	Lower Kohistan	Contradiction in pvt, s statements benefit of doubt given to the accused.	I/O should be learning from this to improve their investigation skill.	
53 18-10-1988	302	Dubair	Lower Kohistan	Acquitted on the basis of compromise.	I/O should be learning from this to improve their investigation skill.	

  
Signature of DPP

  
Signature of DSP/Circle Paltan

53



of the District & Sessions  
Judge, Kohistan Lower  
at Pattan

Phone: 0998-405090  
Fax: 0998-405090  
E-mail: dsl.kohistan1@gmail.com

**Schedule Certificate**

It is certified that, Mr. Atta-ur-Rehman, DPP, is Public Prosecutor in the case, whereas accused is represented by Mr. Muhammad Iqbal Khan Battagrami Advocate in the case detailed below:

FIR No.75 dated 04.06.2010 w/s 302/109/148/149 PPC, titled "the State Vs Muhammad Nabi etc" of Police Station Dubair.

It is further certified that case has been scheduled by this court for trial as follows:

Sr.No.	Date	Stage	Remarks (if any)
1	09.10.2019	For attendance fixed for compromise	

(Mr. Atta-ur-Rehman)  
DPP for State

(Mr. Muhammad Iqbal)  
Advocate for Accused


NB-1. Attendance of parties procured, judgment written, announced, file Consigned to RR.

(Syed Anees Badshah Bukhari)  
Sessions Judge/MCTC,  
Kohistan Lower at Pattan,  
Khyber Pakhtunkhwa  
Pakistan

Copy forwarded to:  
Worthy Registrar, Peshawar High Court, Peshawar  
Monitoring and Evaluation Cell (MCTC) Islamabad  
State Counsel  
Advocate for accused

(Syed Anees Badshah Bukhari)  
MCTC  
Kohistan Lower at Pattan

54

	DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER KOHISTAN PATTAN
	NO. 4029 OPP/LK
	Dated, 24/07/21

To

The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: PROVISION OF INFORMATION REGARDING SUBMISSION OF CHALLAN W.E.F 01-01-2020 TO 24-7-21

R/Sir,

Provision of information regarding submission of challan from 01-01-2020 to 24-7-2021 at District Kohistan Lower.

For the year 2020 (1<sup>st</sup> January to 31<sup>st</sup> December)

Total cases registered	Total cases put in court	Cases returned to PS for deficiencies but not yet received	Pending in DPP office
456	456	Nil	Nil

For the year 2021 (1<sup>st</sup> January to 24<sup>th</sup> July)

Total cases registered	Total cases put in court	Cases returned to PS for deficiencies but not yet received	Pending in DPP office
467	467	Nil	Nil

  
District Public Prosecutor

Lower Kohistan

55



Office of Regional District Prosecutors  
Regional District, Multan

No. 35744 / 13.07.2021  
Date: 13.07.2021  
Phone & Fax: 0992-908542  
Email: rdprosecutor@punjab.gov.pk

AN District Public Prosecutors  
District District

Subject: PROVISION OF INFORMATION REGARDING SUBMISSION OF INTERIM CHALLAN W.F.R 91-97-1018 TO 34-06-2021

Reference to subject captioned above and to state that competent authority has desired to furnish requisite information today positively on the following pattern. The information should reach this office today till 1:00 PM positively without fail, otherwise strict action shall be initiated against the concerned.

S.No	FTD Date (FTD No. Date)	Date of submission of FIR (Date of Police Station)	Date of submission of Interim challan by police	Date of submission of complete challan by police	Date of receiving of challan by DPP office	Date of PFI in court	Date of actual remission in court	Reason of delay (if any)

Muhammad Haroon  
RD District District

No. P.D/1474

Copy forwarded to the

1. Director General Prosecution Punjab, Lahore & Tribal Affairs Department, Faisalabad.
2. Office record.

Regional District, Multan  
District District, Multan



**REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN UP TO 15.9.2021.**

No. of cases registered	532		No. of cases referred to the court	08		No. of cases pending for disposal by DTP (excluding pending for disposal)	10		No. of cases pending with officers (including pending)	5	
	Completed	Challan		Completed	Challan						

**Report of Pending Investigation**

Cases	Less than one month	Less than two months	Less than three months	Less than four months	More than four months and above
	1 case	1 case	1 case	1 case	1 case

**Report of Pending Investigation**

Cases	18 days not received	18 days not received	18 days not received	18 days not received	18 days not received	18 days not received	18 days not received	18 days not received	18 days not received
	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police	Handing over to Police

Checked and found correct  
 Signature of District Head of Investigation  
 Signature of District Public Prosecutor

57

No. 41-57 /DPP/LK  
 Dated 12/09 2021  
 Lower Kohistan

The  
 District Prosecution  
 Lower Kohistan



The Director General Prosecution,  
 Kyber Pakhtunkhwa,  
 Peshawar.

Subject: DATED REPORT REGARDING SUBMISSION OF CHALLANS

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District Lower Kohistan

No of cases required from 01-01-2021 to 31-12-2021	No of cases put in court		No of cases return to PS for removing deficiencies but not returned yet	No of cases where accused is in custody but neither interim nor complete challan submitted	No of pending cases in DPP office	No of pending challan with police	Reasons for delay
	Complete	Challan					
Year 2020 (456)	NIL	456	NIL	NIL	NIL	NIL	NIL
01-01-2021 to 31-12-2021	NIL	556	NIL	NIL	NIL	13	Pending with police for investigation

*[Handwritten signature]*  
 District Public Prosecution  
 Lower Kohistan

SP Investigation  
 Lower Kohistan

58



The  
District Prosecution  
Lower Kohistan

Not 81-57 /DPP/LK  
Dated 22/09 2021  
Lower Kohistan

To

The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: UPDATED REPORT REGARDING SUBMISSION OF CHALLANS

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District lower Kohistan.


No of cases registered from 01-01-2020 till 22-09-2021 separately year wise	No of cases put in court		No of cases return to PS for removing deficiencies but not returned yet	No of cases where accused is in custody but neither interim nor complete challan submitted	No of cases pending scrutiny in DPP office	No of pending challan with police	Reasons for delay
	Interim Challan	Complete Challan					
Year 2020 (456)	NIL	456	NIL	NIL	NIL	NIL	NIL
01-01-2021 to 22-09-2021 (569)	NIL	556	NIL	NIL	NIL	13	Pending with police for investigation

SP Investigation

Lower Kohistan

District Public Prosecutor  
Lower Kohistan

59

	DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER
	KHISTAN PATTAN
	NO: 4029 _____ DPP/LK
	Dated: 5/8/2021 _____

To  
The Director General Prosecutor,  
Khyber Pakhtunkhwa,  
Peshawar

**Subject: PROVISION OF DATA REGARDING TRANSGENDER FOR MONTH OF JULY 2021**

Dear Sir,

I have the honor to provide data on the subject cited above and to state that the requisite information is as under:-

**Transgender Community**

Sl#	Offences	Total Cases Registered	Cases Pending for Investigation	Cases Pending For Trial	Convicted	Acquitted
i	Murder	Nil	Nil	Nil	Nil	Nil
ii	Attempt to Murder	Nil	Nil	Nil	Nil	Nil
iii	Rape/Sodomy	Nil	Nil	Nil	Nil	Nil
iv	Physical Torture	Nil	Nil	Nil	Nil	Nil

  
District Public Prosecutor

Lower Kohistan

60

**E REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN UPTO 15.9.2021.**

No. of cases registered	No. of cases put-in to the court		No. of cases returned to PS for removing delinquencies but not returned back	No. of cases where accused are in custody but neither complete nor Interim challan are submitted	No. of cases pending for scrutiny in DPP office	No. of cases pending challan with participating investigating
	Interim Challan	Complete Challan				
562		562				

**Breakup of Pending Investigation**

District	Under Investigation						More than five months and above
	Less than 14 days	Less than one month	Less than two months	Less than three months	Less than four months	Less than five months	
Lower Kohistan							

**Reasons of pending Investigation**

District	14 days not completed	Missing Person Cases	Untraced	Sealed Cases	Abduction not recovered	Quarrel	Proceedings stopped	Returned to Police by Prosecution	Other (Please specify)	Total

Checked and found correct

*[Signature]*

Signature of District Head of Investigation

Checked and found correct

*[Signature]*

Signature of District Public Prosecutor



The  
**District Prosecution**  
Lower Kohistan

No: 61-62 /DPP/LK

Dated 22/09, 2021  
Lower Kohistan

(61)

To

**The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.**

**Subject: UPDATED REPORT REGARDING SUBMISSION OF CHALLANS**

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District lower Kohistan.

No of cases registered from 01-01-2020 Till 22-09-2021 separately year wise	No of cases put in court		No of cases return to PS for removing deficiencies but not returned yet	No of cases where accused is in custody but neither interim nor complete challan submitted	No of cases pending scrutiny in DPP office	No of pending challan with police	Reasons for delay
	Interim Challan	Complete Challan					
Year 2020 (456)	NIL	456	NIL	NIL	NIL	NIL	NIL
01-01-2021 to 22-09-2021 (569)	NIL	556	NIL	NIL	NIL	13	Pending with police for investigation

SP Investigation

Lower Kohistan

  
District Public Prosecutor  
Lower Kohistan

**UPDATE REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN UPTO 15.9.2021.**

62

No. of cases registered	No. of cases put-in to the court		No. of cases returned to PS for removing deficiencies but not returned back	No. of cases where accused are in custody but neither complete nor interim challan are submitted	No. of cases pending for scrutiny in DPP office	No. of cases pending challans with police(pending investigation)
	Interim Challan	Complete Challan				
562	09	531 +	-	-	10	13

**Breakup of Pending Investigation**

District	Under Investigation						
	Less than 14 days	Less than one month	Less than two months	Less than three months	Less than four months	less than five months	more than five month and above
Lower Kohistan	06	03	04	-	-	-	-

**Reasons of pending Investigation**

District	14 days not completed	Missing Person Cases	BBA	Untraced	Sealed Cases	Abductee not recovered	Quashment	Proceedings Stopped	Returned to Police by Prosecution	Other (please specify)	Total
Lower Kohistan	03	-	09	01	01	01	-	-	-	-	15

**Checked and found correct**

Signature of District Head of Investigation

**Checked and found correct**

Signature of District Public Prosecutor

**DISPOSAL OF CASES FOR THE PERIOD FROM 01.01.2021 TO 15.09.2021**

63

District	Previous pending inv: upto 31.12.2020	Registered during the period	Total	*Under Inv:	Total Challed	Break-up of Challed					Prosecution	
						Cancel	Un-Trace	512 CrPC	Interim Challan	Final Challan	Submitted to Court for Trail	Not Submitted to Court
Lower kohistan	01	562	563	13	550	-	-	9	-	541	531	10

\* Reason pending Investigation

District	Total Under Investigation	Number of Cases in which stipulated period (14 days) not completed	Pending investigation exceeding 14 days	Reason for pendency
Lower kohistan	13	05	08	[1] Peshawar High Court Bench Abbottabad has stayed proceedings against the petitioner till further Order [2] In 06 cases accused are on interim bail [3] while one case is unknown

Number of cases in which accused in jail and complete/interim challan not submitted to court.

District	Number Of Accused in jail	Cases Under Investigation so far		
		Number of Cases in which stipulated period (14 days) not completed	Pending investigation exceeding 14 days	Reason for pendency
Lower kohistan	-	-	-	

SD

Signature of District Head of Investigation

SD  
Signature of PP





The  
**District Prosecution**  
Lower Kohistan

(64)  
No: 61-62 /DPP/LK  
Dated 22/09, 2021  
Lower Kohistan

To

**The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.**

**Subject: UPDATED REPORT REGARDING SUBMISSION OF CHALLANS**

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District lower Kohistan.

No of cases registered from 01-01-2020 Till 22-09-2021 separately year wise	No of cases put in court		No of cases return to PS for removing deficiencies but not returned yet	No of cases where accused is in custody but neither interim nor complete challan submitted	No of cases pending scrutiny in DPP office	No of pending challan with police	Reasons for delay
	Interim Challan	Complete Challan					
Year 2020 (456)	NIL	456	NIL	NIL	NIL	NIL	NIL
01-01-2021 to 22-09-2021 (569)	NIL	556	NIL	NIL	NIL	13	Pending with police for investigation

SP Investigation

Lower Kohistan

  
District Public Prosecutor  
Lower Kohistan

**REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN UPTO 15.11.2021**

No. of cases registered	Interim Challan	660	No. of cases returned to PS for removing in custody but neither complete nor interim challan are submitted	No. of cases pending for pending for issuing in DPP court	No. of cases pending with challans with police(pending investigation)
	Complete Challan	651			
08					

**Breakup of Pending Investigation**

Under Investigation	Less than one month	Less than two months	Less than three months	Less than four months	1 to 5 months	more than five months and above
	05	05	05	05	05	05

**Reasons of pending investigation**

Lower Kohistan District	19 days not completed	Missing Person Cases	BBA	Untraced	Seized and not recovered	Abuse of process	Dismissed	Proceedings stopped	Returned to Police by Prosecution	Other (please specify)	Total
	06	01	01	01	01	01	01	01	01	01	01

Checked and found correct

Signature of District Head of Investigation  
Lower Kohistan

Checked and found correct

Signature of District Public Prosecutor  
Lower Kohistan

*[Handwritten Signature]*

657

**DISPOSAL OF CASES FOR THE PERIOD FROM 01.01.2021 TO 31.12.2021**

District	Cases pending during the period 01.01.2021 to 31.12.2021	Cases disposed during the period	TOTAL	Under (bvi)	Total Challenged	BREAK UP OF CHALLENGED			PROSECUTION	
						Un-Traced	SIZ CrPC	Insar/Mn Challen	Final Orders	Submitted to Court for Trial
Lower Kohistan	600	600	600	80	652	13	01	638	638	


**REASON PENDING INVESTIGATIONS**

District	Total Under Investigation	Number of Cases in which subpoenaed parties (14 days) not completed	Pending Investigations exceeding 14 days	Reason for pendency
Lower Kohistan	03	06	02	Reason for pendency 1) 01 case is on BBA 2) one case is sealed by competent Authority

District	Number of Accused in Jail	Number of Cases in which subpoenaed period (14 days) not completed	Pending Investigations exceeding 14 days	Reason for pendency
Lower Kohistan				

**NUMBER OF CASES IN WHICH ACCUSED IN JAIL AND COMPLETE/INTELLIGIBLE CHALLAN NOT SUBMITTED TO COURT**

  
 Signature of District Head of Investigation,

  
 Signature of District Public Prosecutor,



67

The  
District Prosecution Dated 12/01/2022  
Lower Kohistan Lower Kohistan

To

The Director General Prosecution,  
Khyber Pakhtunkhwa,  
Peshawar.

**Subject: UPDATED REPORT REGARDING SUBMISSION OF CHALLANS FROM 16-09-2021 TO 15-12-2021**

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District lower Kohistan.

No of cases registered from 16-09-2021 Till 15-12-2021	No of cases put in court		No of cases return to PS for removing deficiencies but not returned yet	No of cases where accused is in custody but neither interim nor complete challan submitted	No of cases pending scrutiny in DPP office	No of pending challan with police	Reasons for delay
	Interim Challan	Complete Challan					
137	03	132	NIL	NIL	NIL	02	INVESTIGATION

SP INVESTIGATION  
LOWER KOHISTAN

District Public Prosecutor  
Lower Kohistan



The  
 District Prosecution Office, Lower Kohistan  
 1201  
 Lower Kohistan  
 2022

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To

The Director General Prosecution,  
 Khyber Pakhtunkhwa,  
 Peshawar.

Subject: UPDATED REPORT REGARDING SUBMISSION OF CHALLANS FROM 16-09-2021 TO 15-12-2021

Respected Sir,

With reference to your letter on the subject noted above, the requisite information is as follows for District Lower Kohistan.

No of cases registered from 16-09-2021 to 15-12-2021	No of cases put in court	No of cases pending in court	No of cases returned to PS for removing is in custody but not returned yet	No of cases where accused is in custody but neither intern nor complete challan submitted	No of cases pending where pending in police office	No of reasons for delay
137	03	132	NIL	NIL	02	INVESTIGATION

SP INVESTIGATION LOWER KOHISTAN  
 District Public Prosecutor Lower Kohistan





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**UPDATE REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN 16-12-2021 TO 15-02-2022**

Districts	No. of cases registered	No. of cases pending in the court		No. of cases returned to PS for removing deficiencies but not returned back	No. of cases where accused are in custody but neither complete nor interim challan are submitted	No. of cases pending for copy in DPP office	No. of cases pending with judicial pending (registered only)
		Interim Challan	Complete Challan				
Lower Kohistan	159	1	159				

**REASONS OF PENDING INVESTIGATION**

Districts	More than 14 days	Reason
Lower Kohistan		

**Checked and found correct**

Signature of District Head of Investigation

**Checked and found correct**

Signature of District Public Prosecutor

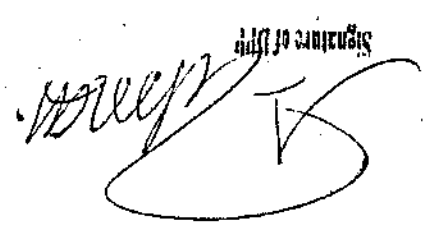


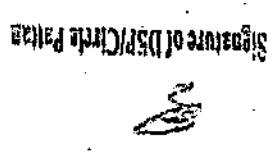


(71)

DISTRICT ASSESSMENT COMMITTEE REPORT OF DISTRICT LOWER KOHISTAN FOR THE MONTH OF MARCH, 2021.

Case FIR No Dated	ENS	PS	District	Reason of Acquittals	Recommendation of Committee	Remarks of DDC/Chie
187 06-07-2021	9D/CNSA	Patao	Lower Kohistan	Contradiction in PW's statements benefit of doubt given to the accused.	Refreshment course regarding the deposition of evidence in PW's is recommended.	
232 10-11-2021	9D/CNSA	Patao	Lower Kohistan	Contradiction in PW's statements benefit of doubt given to the accused.	Refreshment course regarding the deposition of evidence in PW's is recommended.	

Signature of DDC  


Signature of DSP/Circle Patao  


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**DISPOSAL OF CASES FOR THE PERIOD FROM 01.01.2022 TO 30.04.2022**

District	Previous pending inv: upto 31.12.2021	Registered during the period	TOTAL	Under Inv:	Total Challenged	BREAK-UP OF CHALLENGE				PROSECUTION	
						Cancel	Un-Traced	S12 CrPC	Interim Challan	Final Challan	Submitted to Court for Trial
Lower Kohistan		217	217	03	214					214	214

**REASON PENDING INVESTIGATION**

District	Total Under Investigation	Number of Cases in which stipulated period (14 days) not completed	Pending investigation exceeding 14 days	Reason for pendency
Lower Kohistan	03	03		

**NUMBER OF CASES IN WHICH ACCUSED IN JAIL AND COMPLETE/INTERIM CHALLAN NOT SUBMITTED TO COURT**

**CASES UNDER INVESTIGATION SO FAR**

District	Number of Accused in Jail	Number of Cases in which stipulated period (14 days) not completed	Pending investigation exceeding 14 days	Reason for pendency
Lower Kohistan				

Signature of District Head of Investigation,

*[Signature]*  
Signature of District Public Prosecutor,

**REPORT REGARDING SUBMISSION OF COMPLETE INTERIM CHALLAN UPTO 15.05.2022**

No. of cases registered in the year		No. of cases pending in the year		No. of cases closed in the year		No. of cases referred to the court		No. of cases referred to the police		No. of cases referred to the magistrate		No. of cases referred to the sessions judge		No. of cases referred to the High Court	
2021	100	50	50	20	30	10	10	5	5	5	5	5	5	5	5
2022	150	75	75	30	45	15	15	7	7	7	7	7	7	7	7

**REPORT REGARDING SUBMISSION OF COMPLETE INTERIM CHALLAN UPTO 15.05.2022**

No. of cases registered in the year		No. of cases pending in the year		No. of cases closed in the year		No. of cases referred to the court		No. of cases referred to the police		No. of cases referred to the magistrate		No. of cases referred to the sessions judge		No. of cases referred to the High Court	
2021	100	50	50	20	30	10	10	5	5	5	5	5	5	5	5
2022	150	75	75	30	45	15	15	7	7	7	7	7	7	7	7

**REPORT REGARDING SUBMISSION OF COMPLETE INTERIM CHALLAN UPTO 15.05.2022**

No. of cases registered in the year		No. of cases pending in the year		No. of cases closed in the year		No. of cases referred to the court		No. of cases referred to the police		No. of cases referred to the magistrate		No. of cases referred to the sessions judge		No. of cases referred to the High Court	
2021	100	50	50	20	30	10	10	5	5	5	5	5	5	5	5
2022	150	75	75	30	45	15	15	7	7	7	7	7	7	7	7

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The  
District Prosecution  
Lower Kohistan

No: 170-171

Dated 02/08, 2022

Lower Kohistan

75

To

The Director General Prosecution  
Home and Tribal Affairs Department  
Khyber Pakhtunkhwa, Peshawar.

Subject: PROVISION OF DATA RELATED TO TRAFFICKING IN PERSONS  
FROM 01-01-2021 TO 31-07-2022

Dear Sir,

I have the honor to refer letter No. SO (Jud-1)/HD/P-276/2022/Vol-II dated 01-08-2022 on the subject captioned above and to submit requisite data for the year 2021 till 31<sup>st</sup> July 2022 as follows in compliance with direction contained under reference please.

Priority Areas	Action Taken/Initiatives		
	Cases Registered	Challan Submitted	Convictions
1. Total cases registered, prosecuted and convictions made under trafficking in Persons Act 2018	Nil	Nil	Nil
2. Identification and prosecution of Government Officials involved in aiding and abetting in Human Trafficking	Cases Registered	Arrests	Punishments
	Nil	Nil	Nil

  
District Public Prosecutor  
Lower Kohistan

No 170-171 /DPP/LK

Dated 02/08 2022

Copy Forwarded to:

1. The Respected Regional Director Prosecution, Hazara Division, Abbottabad.
2. Office Record.

District Public Prosecutor  
Lower Kohistan

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E REPORT REGARDING SUBMISSION OF COMPLETE/INTERIM CHALLAN UPTO : 9-2021.

No. of cases registered	569		No. of cases returned to PS for removing deficiencies but not returned back	No. of cases where accused are in custody but neither complete nor interim challan are submitted	No. of cases pending for scrutiny in DPP office	No. of cases pending with challans in police investigation
	Interim Challan	Complete Challan				
No. of cases put-in to the court	08	553				
15						

Breakup of Pending Investigation

District	Less than 14 days	Less than one month. <i>DD</i>	Less than two months <i>DD</i>	Less than three months	Less than four months	Less than five months	more than five months and above
	Lower Kohistan	05	04				
Under Investigation							

Reasons of Pending Investigation

District	14 days not completed	Missing Person Cases	RAA	Untraced	Sealed Cases	Abductee not recovered	Quashment	Stopped Proceedings	Returned to Police by (please specify)	Total
Lower Kohistan	05		00	01	01	01				16

Checked and found correct

Signature of District Head of Investigation

Checked and found correct

Signature of District Public Prosecutor



The  
Office of Regional Director Prosecution  
Hazara Division, Abbottabad

No: 130 /2022/RD/PP/AD/ATD  
Dated Abbottabad 15/03/2022  
Phone & Fax # 0992-405736  
Email: rdhazara.prosecution@pk.gov.pk

To

All District Public Prosecutors  
of Hazara division.

Subject:- REPORT REGARDING ATTACHED "NAIB COURT.S"/ COURT ORDERLIES.

Dear Sir,

I am directed by the learned Regional Director Prosecution, Hazara Division Abbottabad that, submit your report/comments regarding the Naib Courts/ Court orderlies attached with the Criminal Courts of your respective Districts on following points.

1. Whether the Naib Court/Court orderlies are appointed as per Police Rules chapter 27.14(2) by leaving the Police officials at the disposal of District Public Prosecutor, concerned who shall arrange their duties to criminal courts to carry out the Prosecution works?
2. Whether the Naib Court/ Court orderlies are co-operating with the Prosecutor concerned to carry out prosecution work?
3. In case of their non co-operative attitude, what is its impact on the Prosecution cases?

You are therefore, directed to submit your comments/reports within 07 days positively with the consultation of Prosecutors of the Districts.

Dated. 15/03/2022.


  
(SYED MOHSIN MUSTAFA)  
Deputy Director/Dy PP Prosecution  
Hazara Division.

Endst: No & Date Even:  
Copy forwarded to the:-

1. PA to Worthy Director General Prosecution, Home & TA Dept. KP Peshawar.
2. For Office record.

(SYED MOHSIN MUSTAFA)  
Deputy Director/Dy PP Prosecution  
Hazara Division.

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	DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER KOHISIAN PATTAN
	NO. <u>43</u> DPP/LK Dated. <u>06/04/2022</u>

To

The Director General Prosecution,

Khyber Pakhtunkhwa,

Peshawar.

Subject: GOVERNMENT LAND/BUILDINGS

R/Sir,

It is submitted for your kind information for captioned matter, requisite information obtained from quarter concerned for captioned matter found no building or land exists report submitted for your kind perusal.



District Public Prosecutor

Lower Kohistan



The  
**District Prosecution**  
Lower Kohistan

No: 59

Dated 21/09, 2021

Lower Kohistan

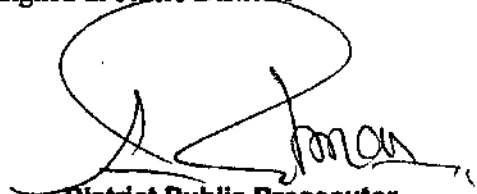
E  
79

**Office Order**

In order to streamline the prosecution official affairs it is become mandatory to distribute the district prosecution office work. And keeping in view the acute shortage of ministerial staff and prosecutors in district district the following prosecution works should be distributed in the best interest of public for smooth/swift /soft district prosecution affairs.

- 1) Mr Naseem Assistant Public prosecutor shall work in the court of worthy district and session judge kohistan lower at pattan.
- 2) Mr Tasneem Zaib Assistant public prosecutor shall work in the court of senior civil judge bestowed with the power of JMIC besides court work, scrutiny of challans/cases.
- 3) Mr Aziz Ahmed Junior Clerck shall obtain different Data required by District prosecution office, preparing necessary required registers for keeping records of office and shall make continue liaison with concerned representative of police deputed for forwarding police challans to prosecution office etc, besides assigned official work maintaining Accounts, pertains to District account office, preparing bills and all other works having nexus/relevancy with account matters.
- 4) Mr Azeb Nazeer KPO KOHISTAN lower  
As his job much important in existing scenario shall make entries of all the registered cases as required in CMMS system and will make close liaison with Mr Aziz junior Clerck for maintaining record Of all prosecution Data /proformas issued by the directorate of prosecution and it's preparing within the stapulated period scalled by the directorate of prosecution.
- 5) Mr ghafoor and Saif Ur Rehman  
As having no permanent office/suitable space for sitting and required office equipments so there is no physical activities required yet to both Mr ghafoor and Saif Ur Rehman besides office work with under singed both shall perform all those duties which assigned in others Districts

copies received by following staff by today.

  
District Public Prosecutor  
Lower Kohistan

21/9/21  
21-9-21  
Copy noted and received by today  
Copy received and seen

22-4-21



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F

Show Cause Notice

428 47

I, -Mahmood Khan, Chief Minister Khyber Pakhtunkhwa as Competent Authority hereby serve you, Mr. Atta-Ur-Rehman, District Public Prosecutor (BS-19), Kohistan Lower, as follows: -

That you, while posted as District Public Prosecutor (BS-19) in the office of District Public Prosecutor, Kohistan Lower committed the following irregularities: -

- i. That you were found absent from your official duty station without any prior intimation & approval of the Competent Authority from the date of your posting as District Public Prosecutor Kohistan Lower i.e. dated 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.
- ii. That prior to the instant report/allegations, you were previously charge sheeted and proceeded against with similar allegations which further strengthens the allegations contained in the charge sheet and shows that you are not a willing worker.

By reasons of the above, you appear to be guilty of habitually absenting yourself without prior approval of leave under Rule-3(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, and has rendered yourself liable to all or any of the penalties specified in Rule-4 of the Rule Book.

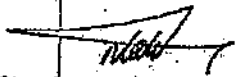
As sufficient evidence exists that proves the above commission of habitually absenting yourself from duty, therefore, in exercise of powers, conferred under Rules 5 and 6 of Rule (I)(a) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline), Rules 2011, dispense with the inquiry as I am satisfied that sufficient documentary evidence exists regarding your absence from official duties / duty station and to issue this show cause notice.

As a result, thereof, I, as Competent Authority, have tentatively decided to impose upon you the major penalty of Removal from Service as given in Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011.

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

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.

Intimate whether you desire to be heard in person.

  
(Mahmood Khan)  
Chief Minister  
Khyber Pakhtunkhwa  
Competent Authority

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Better copy

Show Cause Notice

1, Mahmood Khan, Chief Minister Khyber Pakhtunkhwa as Competent ty hereby serve you, Mr. Atta-Ur-Rehman, District Public Prosecutor (BS-19),en Lower, as follows:-

That you, while posted as District Public Prosecutor (BS-19) in the office Public Prosecutor, Kohistan Lower committed the following irregularities:-

That you were found absent from your official duty station without any prior Intimation & approval of the Competent Authority from the date of your posting as District Public Prosecutor Kohistan Lower le dated 05.09.2019 till the Inspection date i.e. 10.02.2022 except 5-days on different occasions as per report L.e. dated 20.05.2022, of Syed Mohsin Mustafa, Deputy Public Prosecutor posted at Regional Director office Hazara Division at Abbottabad. That prior to the Instant report/allegations, you were previously charge sheeted and proceeded against with similar allegations which further strengthens the allegations contained in the charge sheet and shows that you are not a willing worker.

By reasons of the above, you appear to be guilty of habitually absenting our self without prior approval of leave under Rule-3(d) of the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules, 2011, and has rendered yourself lace to all or any of the penalties specified in Rule-4 of the Rule ibid.

4

As sufficient evidence exists that proves the above commission of habitually accenting yourself from duty, therefore, in exercise of powers, conferred under Rules 5 Suc Rule (1)(a) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discoline), Rules 2011, dispense with the inquiry as I am satisfied that sufficient documentary evidence exists regarding your absence from official duties / duty station and to issue this show cause notice.

As a result, thereof, I, as Competent Authority, have tentatively decided to moose upon you the major penalty of Removal from Service as given in rule of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule,

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

Your written defence, if any, should reach the Inquiry Officer/Inquiry. Committee within the specified period, falling which it shall be presumed that you have "defence to put in and in that case an ex-parte action shall be taken against you.

Intimate whether you desire to be heard in person.

(Mahmood Khan)  
Chief Minister Khyber  
Pakhtunkhwa Competent Authority

Submitted to De office Diary NO 7578  
Dated = 01-08-2023.

To

THE WORTHY SECRETARY

HOME & TRIBAL AFFAIRS DEPARTMENT  
PROSECUTION KHYBER PAKHTOONKHWA

Sub: - REPLY TO SHOW CAUSE NOTICE

Respected sir

With the great reverence having honor to submits my reply to show cause notice with following fact. That accused/ respondent posted/ transferred third time to hard area i.e district kohistan lower as district public prosecutor on 5/9/19 after assuming charge undersigned/accused faced very bewildering situation, neither any infrastructure nor found single supporting staff and prosecutor as well. As kohistan lower is the newly merged district where no official buildings facility were exist which are the basic and primary requirement to run official prosecution affairs no residential accommodation facility was available for spending night in such worst circumstances and extreme climate of weather accused/ respondent performed prosecution court work and other ministerial staff duty by alone and performed all the required official work and court duty with zeal, diligence and devotion That the unfavorable/non congenial environment /situation in connection of official prosecution affairs has been brought in to the notice of D.G. Through letter diary NO- 8445 Date 14/10/19 wherein all sort of unfavorable, non-congenial and uncontrollable official environment/ situation in detail were mentioned for redressal at war footing and the same has been brought in to the notice of RD HAZARA as well in black and white vide letter no DPP/KL/1420 on his visit on 14/3/2021 who physically paid inspection and noted all the exist hindrance but on the both forum no heed paid to the matter in question. After lapse of sufficient period limited ministerial staff was provided who were un aware un trained to official affairs major factor which became hurdle/ hindrance in the way of official communication with quarter concerned. lack/absence of basic amenities which were granted across the province but unfortunately not bestowed upon the district kohistan lower and in Absence of required communication equipment's/and devices etc become major hindrance to submits/convey the required data to the directorate and other quarter concerned in time. In existence of hurdles and major hindrance supra. In order to streamline the official prosecution affairs office order No DPP/KL/1472 dated 17/2/2022 circulated among the staff for

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ailment/serious health issues along with medical prescriptions and its reports but surprisingly no serious and legally required heed paid to the sensitive health issue which become more severe and complicated due to carelessness of responsables despite the fact that I have been advised medical and orthopedic specialists for complete bed rest and to avoid long journey /travelling and to prolong sitting due to spinal stenosis(spinal cord problems) and its CT scan reports of government hospital dully submitted for sympathetic consideration along with other reports pertain to heath issues. For which doctors advised for strict observation and carelessness may create more complication to health issues these facts have been brought in to notice of directorate time and again through different letters but in vain and till date no serious heed paid to the sensitive health issues. And this major fact and realty has not been brought on the record neither by the RD office HZAZRA nor even by the author of the inspection report who completely kept hide/concealed the fact about ailment and it correspondence made during preceding months/years mentioned in show cause notice. And undersigned even in ailment condition had performed his official duty with zeal, devotion and diligence. And never availed leave without application. Copies of medicals reports/ prescriptions of government hospitals are attached with different dates/months under questioned of show cause notice i.e 2019/2020/2021/2022. Copies of medical leave applications with different dates/periods under questioned of show cause notice supra attached years of 2019/2020/2021/2022. Contain 91 pages Annexure M/1

That the allegation mentioned in the show cause notice are equivocal baseless, against the facts and ground realities wherein major facts and realities have purposely, intentionally ,deliberately, advertently, and malafidly been concealed from the directorate of prosecution.

That author of inspection report prepared a fake, fabricated report in hasty manner based on malafide and for gaining ulterior motive as in his detail inspection report mentioned that undersigned remained absent from the date of posting but surprisingly neither he had paid visit up to December 2021 but except RD HAZARA who physically paid visit on 10/03/2021 to the district kohistan lower along with waqas DyPP and undersigned discussed all the hindrance and hurdles existed in the way of official prosecution works and particularly mentioned the non-availability of infrastructure and non-availability of prosecutors and supporting staff and to this effect report was prepared and some snap shots were also taken as record for onward submission and proceeding in future.

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compliance of required monthly different form of data to directorate of prosecution.

As for as the allegation leveled against the accused/undersigned in show cause notice on the basis of inspection report is concerned are baseless, false, frivolous, and against the facts and ground realities as the same allegation has been falsely been imposed mentioned period under question undersigned was put to lengthy process of inquiry proceedings wherein I have been exonerated from the allegations and waxing twice for the same allegation are the clear violation of article 13 of the constitution of Pakistan 1973 as undersigned has been exonerated through notification mentioned below.

vide notification no so(prosecution/1-31/HD/NO-Atta ur Rehman DPP Kohistan/2021/ from the charges.

Notification attached for your kind perusal please annexure A

But despite the fact that again I have been charged for the same allegation which is against the article 13 of constitution of Pakistan 1973. During the preceding year I have made several correspondence and sent monthly DATA regularly etc as required by directorate of prosecution and its record kept safe with monitoring cell and to other-stake-holders which required to be provided by responsible as its production are quite necessary to disprove the baseless allegations to this effect application has been submitted. vide diary DPP/Buner/no 476 dated 17/06/2023 prior to instant application similar nature of application already submitted to the directorate for positive response and for adequate reply which still awaiting.

As it has been mentioned above that late reply communicate to official letters etc due to non-availability of basic amenities and required infrastructure and it was quite difficult to kept official record in custody for further official communication to directorate and other quarter concerned therefore most of correspondence and data either misplaced or had not been received due to absence of infrastructure and basic amenities etc. in such like non congenial environment undersigned tried to his best to deliver official services etc therefore I also submitted reply to explanation letter issued from the office of worthy director general vide reference to letter no DP/E&A/complaint/ 11925 dated 27/07/2022 reply to this effect submitted vide diary no 1676/DPP/KL/D 04/08/2022 .

Similarly during preceding years/period in question several medical leave applications have been submitted regarding

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**Copy of report and some snap shots are attached for your kind perusal please. Annexure RP**

That period mentioned in show cause notice under questioned undersigned regularly submitted all sort of official data regularly required by directorate of prosecution and information besides other correspondence made with RD office HAZARA and directorate. But surprisingly RD HAZARA did not pay any attention to signing the inspection report to its contents and got shut his eyes and signed the report and purposely concealed the major facts, ground realities. During year 2022 undersigned made multiple correspondence besides monthly DATA on regular basis with directorate i.e letter no 5476 dated 14/06/2022 ,no 64 dated 10/06/2022 and letter no 65 dated 10/06/2022 and received to directorate vide diary no 5477 and 5478 dated 14/06/2022 and to this effect letter has been submitted vide diary no 11972 dated 28/12/2022 wherein request for granting extension of time for proper reply to show cause notice due to scattered record as no infrastructure was provided nor space was available to kept record safe/secure and the same has expressly been mentioned in to the letter which still under process and verbal and written request applications made to directorate and other quarter concerned but still awaited for response.

**Traced and recovered Monthly Data record/ and other correspondence which were traced after hectic efforts are attached for your kind perusal please contain 32 pages annexure.MD1 to MD 32.**

That on the day of inspection/surprise visit DyPP Mohsin Mustafa to district kohistan he warned/pressurized the official not to inform the undersigned for purpose of marking absence as he did previously to this effect on 06/07/2022 in official hours complaint letter submitted to RD HAZARA to his personal and official Whatsapp numbers and also sent in balck in white through diary no 991/DPP/KL/Comp/dated 06/07/2022. but RD HAZARA wherein undersigned mentioned his unauthorized interference besides other negative and inhumanly propaganda for the purpose of humiliation of undersigned contents of complaint letter are below as for ready reference.

*Regional director HAZARA division Abbotabad*

*Sub. Unnecessary /unauthorised Interference in district prosecution officials affairs by your subordinate namely mohsin Mustafa prosecutor.*

*Respected sir*

*It is seriously been noticed that prosecutor namely above made unauthorized Interference with official affairs besides the power conferred upon to regional director office which created serious hindrance /hurdles into the way of smooth official affairs.*

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*His unnecessary interaction with staff and inviting them personally without informing undersigned and issuing strange directions and try to blackmailing them for disturbing District prosecution officials affairs its also come into the knowledge of undersigned that he extended abuse language and leveled baseless allegations for degrading my official status into the mind, eyes of district prosecution staff. His such type of interference with base on malafidly intention clearly indicates that his planned visit after consultation with some of my staff members for digging ditch for creating official hurdles/problems for undersigned.*

*His mysterious activities based on malafide and achieving /gaining planned conspiracies for ulterior motive shall be brought into the notice of high ups for strict legal action.*

*And particularly his strange behavior and casual attitude towards undersigned is highly condemnable.*

*It is therefore requested you may kindly refrain him not to interference in to District prosecution officials affairs but with accordance with law and parameters bestowed to RD Office.*

**But till date kept mum himself and no single disciplinary action has been taken and single heed paid to the matter neither he forwarded the complaint letter to the high ups nor he sought explanation to DyPP Mohsin Mustafa which clearly indicated their malafide , biased intention towards undersigned/accused.**

**Copy of the complaint letter no 991/DPP/LK/Comp/dated 06/07/2022 against DY PP Mohsin Mustafa is attached for your kind perusal please.annexure .comp/01**

**On day of inspection i.e 06/07/2022 Mohsin Mustafa DyPP along with Azeb Nazeer KPO against whom explanation /complaint of absence i.e on 4and 5/07/2022 was issued besides other explanations of willful absence to RD HAZARA but said KPO intentionally /deliberately did not submit his reply to explanation due to family friend relation with Mohsin Mustafa on refusal to file the explanation,complaint proceeding in retaliation Mohsin Mustafa DyPP threatened undersigned for dire consequences resultantly he prepared fake fabricated false inspection report just for saving the skin of his family friend relative i.e Azeb Nazeer KPO kohistan lower.**

**Similarly explanations were called to APP Tasneem Zeb and naseem App for acquittal in bulk in the month of April 2022 besides the other explanations regarding non cooperative attitude in connection of official affairs and court data etc but with connivance of DyPP Mustafa both PPs intentionally deliberately ignored all sort of letters on the directions and unnecessary ,unauthorized interference of DyPP mohsin Mustafa to this effect RD office promptly informed but no action has been taken yet and author of the complaint inspection report provided full scale illegal un lawful protection to the said APPs and to official. undersigned was also strictly directed in harsh manner to roll back all sort of explanation initiated against both said**

(86)

PPs on refusal he again extended threat for ruining service career and official complications in which he succeeded by preparing fake, false, fabricated, and against the facts and ground realities and misguide and misled the high ups hence instant show cause.

**Copies of the explanations letters annexed for perusal and for further necessary action please contain 21 pages annexure ETN/1**

Furthermore on day i.e 06/07/2022 of inspection when mohsin Mustafa enroute to district kohistan his car got badly accident and for its repairing/restoring he demanded huge/handsome amount on refusal he threatened undersigned for creating official/service career complications in shape of removal from service and for other official complications in which he became successes with assistance/connivance of dealing hands.

That the said DyPP was asked time and again on inspection day whether he is in possession of any written permission for inspection or just to harass the undersigned but he failed and reluctant to produce any permission letter from quarter concerned.

As for as my attendance to the courts is concerned to this effect undersigned had been issued office order no 59 dated 21/09/2021 in order to stream line the official and courts works and duties have been assigned to all the prosecutors and officials to avoid hurdles and hindrance in courts and field works therefore no complaint from any courts and source have received nor any courts remained vacant by the prosecutors therefore undersigned was required to run official affairs as carried/carry in other districts of the province.

**Copy of the office order no 59 dated 21/09/2021 attached for perusal. Annexure ETN**

That during the questioned period in show Cause notice accused/respondent attended several meetings at different occasions were attended (1) with assistant director finance department on 17/06/2021. (2) with RD HAZARA vide minutes of the meeting no 109-120 2021/RD/HD/ATD 23/02/2021(3)with PP Anti-Terrorism Court Abbottabad on 23/01/2021 in connection of FIR no 51 dated 02/10/1998 u/s 17(4) Harabah 324,353,148,149 ppc and 6/7 ATA PS Pattan lower kohistan and case FIR no 38 dated 03/09/1998 U/S 17(4) Harabah 6/7 ATA PS Pattan lower kohistan (4) with RD HAZARA 05/06/2021 in connection of official meeting to this effect attendance certificates were obtained and photo graphs of such events of different occasions were taken. (5) Meeting held with Budget officer iii Finance department on 28/01/2020 and on 28/01/2020(6) meetings held with police officers at different occasion/dates/periods in connection of police, prosecution affairs



(87)

report of the meeting with SP lower kohistan on direction of worthy RD HAZARA is here by reproduce which were sent through Whatsapp official group/personal Whatsapp numbers for information and for onward submission. And other meetings data are in safe custody of quarter concerned.

*(In compliance of directions contained in the letter issued from the office of worthy Director General prosecution regarding close liaison and meeting with the police for submission of complete/interim challans and newly introduced CMMS system reference with the directions mentioned meeting was held with SP Investigation Kohistan Lower at PATTAN in his office required /mentioned matter has been discussed in length with concerned police officer under staged specifically highlighted the directions/instruction verbally issued by the Advocate General Khyber Pakhtoonkhwa discussed in zoom meeting held in the office of CPO for submission of challans within stipulated period mentioned in crpc and particularly discussed pendency of cases with police. Worthy SP Investigation Kohistan Lower assured about the submission of challans within stipulated period and providing required data and FIRS etc along with complete /interim challans for CMMS except fresh registered cases previous Data has already been shared with directorate of prosecution which shown only single case of 2020 is pending upon the order of high court mention. Meeting ended with commitment to cooperation in matters in the light of directions /instructions issued by the directorate and Advocate General Khyber pakhtoonkhwa.*

*MINUTES of the meeting will be submitted in detail with subject of availability of electricity*

*21/09/2021*

*Atta Ur Rehman District Public prosecutor kohistan lower)*

**Copies of attendece certificates and photo graphs are attached contain 9 pages annexure AC/1**

Late reply or delay in official communication, letters ,explanations,or other correspondence if occurred neither it was intentionally , nor deliberately but due to complete absence of basic required official amenities and non-availability of infrastructure in district kohistan lower.

It is therefore humbly requested in the light of above facts and realities I may kindly be absolved/exonerated from the charges leveled against undersigned/accused as the same have been leveled on the basis of malafide, against the facts and major facts and realities have been concealed purposely from the high ups as accused/undersigned never availed leave without application and performed duty with keen interest, zeal , devotion and diligence and always extended full scale cooperation to directorate and others stake holders.

Yours sincerely

Dated 01/08/2023

Atta ur Rehman  
Senior public prosecutor

88

Buner at Daggar

Note:- remaining record of correspondence and monthly data and other informations pertain to preceeding years in gusion are in the sfae custody of directorate of prosecution and applications for obtaining of its copies al ready submitted which are still awaiting for response.

DPP/K.L./109/22

17/4/2022.

To

The Worthy Chief Minister

Khyber Pakhtoonkhwa

(89)

F H

**SUB: TRANSFER APPLICATION ON MEDICAL AND ON HUMANITARIAN GROUNDS**

RESPECTED CHIEF MINISTER,

With a great reverence and having honor to address my request with following facts.

That the applicant is prosecutor of (BPS19) in the province of Khyber Pakhtoonkhwa in directorate of prosecution attached with home and tribal affairs department. I was posted in district Hangu and district Dir lower (hard areas ) beyond the statutory period but again by the " will " of some prosecution officers of directorate transferred me third time to hard area i.e kohistan lower against the posting transfer policy which amount to clear and deliberate violation of prevailing law and policy.

That such intentional act of some prosecution officers of directorate with mala fide intention and for gaining ulterior motive which are on the record and they made me rolling stone for un known reason.

That due to long distance traveling and non-availability of basic required requirement i.e official accommodation office infrastructure etc fall me in severe spinal cord problems which make me unable to prolong travelling and sitting and different government and private medical forum advised for avoiding prolong sitting and travelling. (Medical prescription can be provide if necessary)

(90)

That due to mala fide based transfer to third time Hard Area, family of applicant fall under severe mental stress and also badly damaged the educational affairs and health of children's for which I knocked the door of all the quarter concerned for redressel of grievances but no heed paid to the matter hence approach to this forum for lawful favor.

That due to some prosecution officers of directorate having latent ill will and they still busy to drag me in to different official issues, due to which applicant get fall in different sensitive health issues and facing unavoidable family affairs problems etc which cannot covered without my presence and extremely required my special attention and existence as no other alternate is available in family to look after all the affairs as stated.

It is therefore humbly requested I may kindly be transfer to district Peshawar or any other district near to district Peshawar on medical, family issues, humanitarian grounds.

Your cooperation may save the health issues of applicant and may also solve the family affairs problems etc

Your Sincerely



Atta Ur Rehman

**District Public Prosecutor**

**Kohistan Lower**



✓  
✓  
125 ✓  
125 ✓

Exercise for 1/2  
Exercise for 1/2

(1/2)

Regional Director Prosecution  
Hazara Division, Abbottabad

Office record  
The Deputy Director, General Prosecution Khyber Pakhtunkhwa, Peshawar

Copy forwarded for information to the  
RD/HD/ATD  
No. \_\_\_\_\_

Dated Abbottabad the \_\_\_\_\_

(HAIZ MUHAMMAD HAROON)  
Regional Director Prosecution  
Hazara Division, Abbottabad

Memorandum  
With reference to the report regarding Daily Absence Sheet mentioned above, you Mr. AZEM NAZEB Computer Operator and nearby directed to clarify the said report which you have uploaded on TMS on 04/07/2022 wherein you have articulated that DPP Kohistan (Lower) Mr. Atta ul Rahman was on casual leave, while rest of the Officers were present. On the other hand the DPP Kohistan Lower has also submitted the Daily Absence Sheet wherein he mentioned that one Dy. Public Prosecutor, Assistant Public Prosecutor and Computer Operator are absent. You are therefore, directed to explain position about dubious report which you have uploaded on TMS, within three days as to why disciplinary action may not be initiated against you under the ERD Rules of Khyber Pakhtunkhwa, Civil Servant Act 2011, by the competent authority.

Subject: EXPLANATION REGARDING ABSENTEE SHEET DATED 04/07/2022

Mr. AZEM NAZEB,  
Computer Operator,  
Office of the DPP Kohistan (Lower)

297-93  
05-07-2022

(93)

*Better copy* (93)

To

Mr. AZEB NAZEER,  
Computer Operator,  
Office of the DPP Kohistan (Lower).

Subject: EXPLANATION REGARDING ABSENTEE SHEET DATED  
04/07/2022.

Memo:

With reference to the report regarding Daily Absentee Sheet mentioned above, you Mr. AZEB NAZEER Computer Operator are hereby directed to clarify the said report which you have uploaded on TMS on 04/07/2022 wherein you have articulated that DPP Kohistan (Lower) Mr. Atta ur Rehman was on casual leave, while rest of the Officers were present.

On the other hand the DPP Kohistan Lower has also submitted the Daily Absentee Sheet wherein he mentioned that one Dy Public Prosecutor, Assistant Public Prosecutor and Computer Operator are absent.

You are therefore, directed to explain position about dubious report which you have uploaded on TMS, within three days as to why disciplinary action may not be initiated against you under the E&D Rules of Khyber Pakhtunkhwa, Civil Servant Act 2011, by the competent authority.

No: \_\_\_\_\_ RD/HD/ATD

(HAFIZ MUHAMMAD HAROON)  
Regional Director Prosecution  
Hazara Division, Abbottabad

Dated Abbottabad the \_\_\_\_\_

Copy forwarded for information to the:

1. Worthy Director General Prosecution Khyber Pakhtunkhwa, Peshawar.
2. Office record.

Regional Director  
Prosecution Hazara  
Division, Abbottabad





46

95

To

Regional director Hazara division Abbotabad NO 991/DPP/KL/COMP/DATED 06/07/2022

Sub. Unnecessary /unauthorised interference in district prosecution officials affairs by your subordinate namely mohsin Mustafa prosecutor.

Respected sir

It is seriously been noticed that prosecutor namely above made unauthorised interference with official affairs besides the power conferred upon to regional director office which created serious hindrance /hardles into the way of smooth official affairs.

His unnecessary interaction with staff and inviting them personally without informing undersigned and issuing strange directions and try to blackmailing them for disturbing District prosecution officials affairs its also came into the knowledge of undersigned that he extended abuse language and leveled baseless allegations for degrading my official status into the mind, eyes of district prosecution staff. His such type of interference with base on malafidly intention clearly indicates that his planned visit after consultation with some of my staff members for digging ditch for creating official hardles/problems for undersigned.

His such mysterious activities based on malafide and achieving /gaining planned conspiracies for ulterior motive shall be brought into the notice of high ups for strict legal action.

And particularly his strange behaviour and casual attitude towards undersigned is highly condemnable.

It is therefore requested you may kindly refrain him not to interference in to District prosecution officials affairs but with accordance with law and parameters bestowed to RD Office.

Your sincerely

Atta-ur-Rehman

District Public prosecutor Kohistan lower

At pattan

06/07/2022

95

To

Regional director Hazara division Abbotabad

NO 991/DPP/KL/COMP/DATED  
06/07/2022

Sub. Unnecessary/unauthorised interference in district prosecution officials affairs by your subordinate namely mohsin Mustafa prosecutor.

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And particularly his strange behaviour and casual attitude towards undersigned is highly condemnable.

It is therefore requested you may kindly refrain him not to interference In to District prosecution

officials affairs but with accordance with law and parameters bestowed to RD Office.

Your sincerely

Atta Ur Reman District  
Public prosecutor  
kohistan lower

At pattan

06/07/2022


196

To  
District Public Prosecutor  
Lower Kohistan, Pattan.

Subject: Explanation on Absence

Respected Sir,

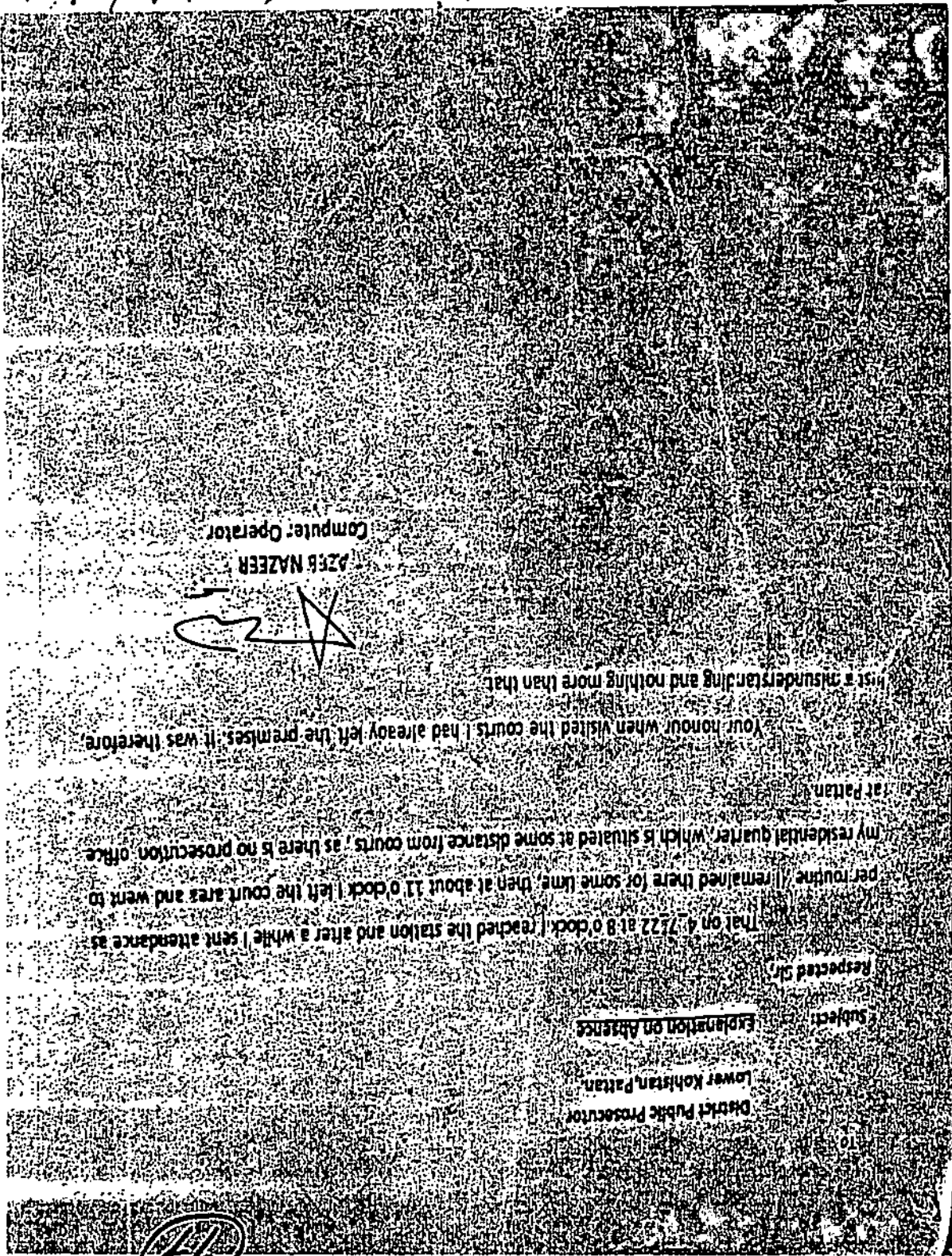
That on 5\_7\_2022 I was called by the office of worthy Regional Director Hazara for explanation and making the confusion clear regarding attendance. Therefore, on that day I attended the office of R.D Hazara at Abbotabad and after attending the same, I again came to Kohistan lower at pattan and reached the court premises on 6/7/2022.



AZEB NAZEER  
Computer Operator

7/7/22

Reply to explanation Submitted by AZEB NAZEER KPO Kill on 7/7/22



AZEB NAZEER  
Computer Operator

That on 4.7.22 at 8 o'clock I reached the station and after a while I sent attendance as per routine. I remained there for some time, then at about 11 o'clock I left the court area and went to my residential quarter, which is situated at some distance from courts, as there is no prosecution office at Pattan.

Your honour when visited the courts I had already left the premises. It was therefore, just a misunderstanding and nothing more than that.

Respected Sir,  
Subject: Explanation on Absence  
Lower Kohistan, Pattan.  
District Public Prosecutor

97

98

To

The District Public Prosecutor,  
Kohistan Lower at Pattan.

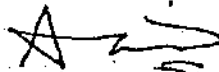
Subject: APPLICATION FOR THREE DAYS CASUAL LEAVE  
W.E.F 14/07/2022 TO 16/07/2022.

Dear Sir,

It is humbly submitted that due to some urgent domestic engagements, I will not be able to perform my duties w.e.f 14/07/2022 to 16/07/2022.

It is, therefore, requested that three days casual leave may kindly be granted to me for the above mentioned dates & obliged.

Faithfully Yours,



AZEB NAZEER  
(Computer Operator)  
DPP Office, Kohistan Lower  
at Pattan.

Dated: 13/07/2022

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کتابخانه  
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کتابخانه  
کتابخانه عمومی

(۱۱۷)

No: 250-261/2022/DPPLK  
Dated Lower Kohistan 26/11/2022

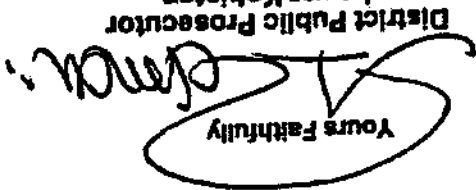
The  
District Prosecution  
Lower Kohistan



### Charge Relinquish Report

In pursuance of the notification of honourable secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department, Peshawar bearing No. SO (Prosecution)/H/D/1-2/Post & Trans/2022 Dated 15-09-2022.  
I Altaf-Rahman (BS-19) do here by relinquish the charge of post of District Public Prosecutor Lower Kohistan at pattan today. A.M

Yours Faithfully

  
District Public Prosecutor  
Lower Kohistan


Dated Lower Kohistan 26/11/2022

No 250-261  
DPPLK

Copy Forwarded to:

1. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Establishment Department, Khyber Pakhtunkhwa.
4. The Director General Prosecution Government of Khyber Pakhtunkhwa, Home and Tribal Affairs Department Peshawar.
5. The PSO to the Chief Secretary, Khyber Pakhtunkhwa.
6. The Accountant General, Khyber Pakhtunkhwa.
7. The Regional Director Prosecution, Hazara Division at Abbottabad.
8. The Section Officer (Prosecution), Home and Tribal Affairs Department Peshawar.
9. The District Account Officer, Buner.
10. The District Account Officer, Kohistan Lower.
11. Officer Concerned.
12. Office Record.

District Public Prosecutor  
Lower Kohistan



(100)



Senior Public Prosecutor  
Atta Ur Rehman  
Buner, District Dargai

Therefore requested time to reply to show cause notice may kindly be extended for proper defense and for production of documents pertains to allegations in show cause notice.

With the great reverence it is submitted that after taking of charge as senior public prosecutor at district Buner I was served with show cause notice on 09-12-2022 as the allegations were pertain to district Kohistan Lower, as it is into the knowledge of high-ups due to lack/non availability of infrastructure and other amenities required for official communication in district Kohistan Lower therefore all the requisite data/relevant documentary/evidence and record pertains to allegation imposed into show cause notice and production of such documents are quite necessary for reply to show cause notice and for defense in proceedings are in scattered condition and lying in different places which needs to be collected. As the imposed allegation are baseless, frivolous, false, against the facts and reality and intentionally, deliberately concealed the ground reality, facts from the high ups and through so called / false inspection report mixed, mingled the quarter concerned.

RESPECTED SIR

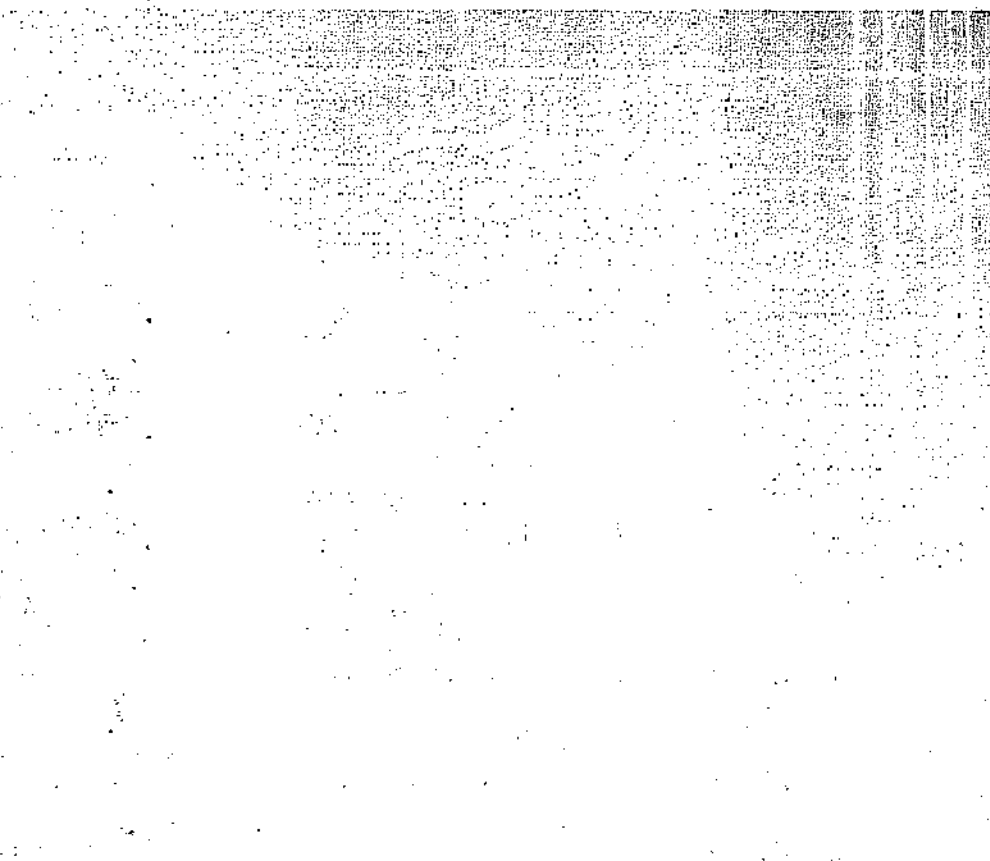
SUBJECT: Request application for granting extension of time for proper reply to show cause notice vide dated: 09-12-2022

WORTHY DIRECTOR GENERAL PROSECUTION  
KHAYBER PAKHTOONKHWA PESHAWAR

101

Diary No. = 11972  
28/10/22

To



AZEB NAZEER  
Computer Operator

*[Handwritten signature]*

That on 5.7.2022 I was called by the office of worthy Regional Director Hazara for explanation and making the confusion clear regarding attendance. Therefore, on that day I attended the office of R.D Hazara at Abbad and after attending the same, I again came to my workstation and reached the court premises on 6/7/2022.

Respected Sir,

Subject: Explanation on Absence  
Lower Kohistan, Pattan,  
District Public Prosecutor

To

102


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To  
District Public Prosecutor  
Lower Kohistan, Pattan.

Subject: Explanation on Absence

Respected Sir,

That on 5\_7\_2022 I was called by the office of worthy Regional Director Hazara for explanation and making the confusion clear regarding attendance. Therefore, on that day I attended the office of R.D Hazara at Abbotabad and after attending the same, I again came to Kohistan lower at pattan and reached the court premises on 6/7/2022.



AZEB NAJEER  
Computer Operator

عربی زبان کے قواعد اور قواعد  
کتابت و تفسیر کے قواعد

☆

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عربی زبان کے قواعد اور قواعد

کتابت و تفسیر کے قواعد اور قواعد

عربی زبان کے قواعد اور قواعد

کتابت و تفسیر کے قواعد اور قواعد

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عربی زبان کے قواعد اور قواعد

کتابت و تفسیر کے قواعد اور قواعد

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106

	<p>DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER KOHISTAN PATTAN</p> <p>NO. 4019 DPP/LK</p> <p>Dated. 12-08-2021</p>
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To

Mr. Aziz Ahmed

Junior Clerk Kohistan Lower

Sub: will full absence

It has been seriously noticed that soon after taking charge as Junior Clerk you show less interest in your official duty and most of you were found absence from your duty you were repeatedly warned to mend your mind towards duty but you deliberately and intentionally turn your ears deaf. Due to your casual attitude official work assigned to you badly suffered and damaged the official reputation towards high ups of prosecution.

You are therefore directed to ensure your presence at office immediately otherwise disciplinary action shall be taken against you.

Besides attendance in office you are required to submit explanation to undersigned regarding your absence within three days.

Atta Ur Rehman

District Public prosecutor

Kohistan Lower

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Kohistan lower

District Public Prosecutor

Atta Ur Rehman

You are required to submit explanation to undersigned regarding your absence within three days. You shall be taken against you. You are therefore directed to ensure your presence at office immediately otherwise disciplinary action and damaged the official reputation towards him/ups if prosecution. Intentionally turn your ears deaf. Due to your casual attitude official work assigned to you badly suffered official duty and you were repeatedly warned to round your mind towards duty but you deliberately and it has been seriously noticed that soon after taking charge as Junior Clerk you show less interest in your Sub: will full absence


Junior Clerk, Kohistan lower

Mr Ash Ahmed

	DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER KOHISTAN PATTAN (K.O. 21) DPP/LK Date: 02-09-2023
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107

108

	<p>DISTRICT PUBLIC PROSECUTOR OFFICE, LOWER KOHISTAN PATTAN</p> <p>NO. 53 DPP/LK</p> <p>Dated. 17-09-2021</p>
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Rumilader

To Mr Aziz Junior Clerck

Kohistan lower at pattan

**Sub: preparing registers for keeping different prosecution officials records**

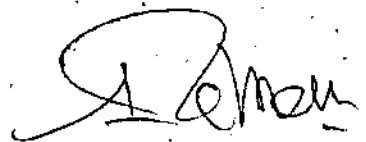
In order to avoid further complications/ hindrance/ obstacles in the way of prosecution official affairs in district you are again directed to prepare monthly Data report and others data required by directorate of prosecution you were directed Time and again for keeping records of different official documents and records i. e registers /books for dispatch /retaining records of FIRS received from different police stations and other relevant registers to the office

But till date you didn't pay heed to the matter and you intentionally and deliberately avoided all the verbal and written directions which clearly indicating your lack of interest in district prosecution officials affairs.

Therefore you are directed to prepare all the relevant registers at war footing for keeping different official records.

In case of failure and non- COMPLIANCE, matter shall be laid down before the competent authority for further action.

You are further directed to provide all sorts of data pertains to prosecution officials affairs of district to KPO Mr Azeb Nazeer for making entry in the CMMS as competent authority has taken serious notice in delay of entries of challans in CMMS. and make continue liaison with concerned representative of police deputed for forwarding police challans etc to the prosecution.



Atta Ur Rehman

District Public prosecutor

Kohistan lower







The  
District Prosecution  
Lower Kohistan

No: 125/2022/DPP/LK  
Dated Lower Kohistan 12/05/2022

AOA Sir,

Yesterday matter pertain to internal posting /transfer made under your kind direction was discussed whereas I have expressed my concern about your current internal posting /transfer order wherein one of your subordinate deputed to District prosecution for police and prosecution liaison affairs namely NOOR SAMAD ASI has been transferred.

In the present scenario, this office has no any other competent 'trained' skilled 'efficient person and his removing /transfer may create serious hurdles' hindrance in police, prosecution liaison and official affairs.

As our junior Clerk is quite untrained and unaware in district prosecution officials affairs particularly collection of required data for quarter concerned. Therefore requested the police official named above may kindly be dropped his name from the internal posting /transfer order for smooth prosecution official affairs and in the best interest of public as well.

Sincerely yours

Atta Ur Rehman

District Public Prosecutor  
Lower Kohistan



76  
District Prosecution  
Lower Kohistan

Dated: 11/06/2012  
Lower Kohistan



To:

The General Manager, NDF  
Upper Kohistan, Daska

SUBJECT: Specimen Signature

Respected Sir,

It is stated that my specimen signature for comparison and verification were not available to your good office. It is submitted that my specimen signature were never required before. Now, it is brought into my knowledge that specimen signatures are necessary for comparison and verification in order to withdraw any amount under my signature. My specimen are as under:

1. 
2. 
3. 

District Public Prosecutor

Kohistan Lower

District Public Prosecutor  
Kohistan Lower

1. [Signature]  
2. [Signature]  
3. [Signature]

It is stated that my specimen signature for comparison and verification were not available in your good office. It is submitted that my specimen signature were never required before. Now, it is brought into my knowledge that specimen signatures are necessary for comparison and verification in order to withdraw any amount under my signature. My specimen

Respected Sir,  
SUBJECT: Specimen Signature  
Upper Kohistan, Deras  
The General Manager NBP



District Prosecution  
Lower Kohistan

Date: 17/06/2002  
Lower Kohistan

(11)



The  
District Prosecution  
Lower Kohistan

No: 132/2022/DPP/LK  
Dated Lower Kohistan: 02/07/2022

112

To

The Director General Prosecution,  
Home & Tribal Affairs Department  
Khyber Pakhtunkhwa, Peshawar.

Subject: ATTENDANCE OF THE OFFICERS/OFFICIALS

Respected Sir,

Kindly refer to your good-office telephonic direction regarding attendance of the officers/officials, below is the requisite information as desired.

S. No.	Name Of Officer/Official	Designation	Status
1.	Atta Ur Rehman	DPP	ON C/L
2.	Zeeshan Taj	DYP PP	ON C/L
3.	Tasneem Zeb	APP	P
4.	Azeb Nazeer	COMPUTER OPERATOR	P
5.	Aziz Ullah	JUNIOR CLERK	P
6.	Abdul Ghafoor	SWEEPER	P
7.	Saif Ur Rehman	CHOKIDAR	P

Copy for information:

Regional Director, Prosecution, Hazara Division.  
Office Copy.



DIRECTORATE OF PROSECUTION  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME & TRIBAL AFFAIRS DEPARTMENT

No. DP/ (E) DA/ Inquiry / 14681  
Dated Peshawar the 06/12/2023

Office Landline#091-9212559

[dir.prosecution@kp.gov.pk](mailto:dir.prosecution@kp.gov.pk)



<https://prosecution.kp.gov.pk/>



/kpprosecution



/kpprosecution



/kpprosecution

113

To

The Section Officer (Prosecution),  
Home & Tribal Affairs Department,  
Khyber Pakhtunkhwa, Peshawar.

Subject:

DISCIPLINARY PROCEEDINGS AGAINST HAFIZ MUHAMMAD  
HAROON THE THEN REGIONAL DIRECTOR PROSECUTION  
HAZARA DIVISION ABBOTTABAD PRESENTLY DISTRICT PUBLIC  
PROSECUTOR, UPPER KOHISTAN (BS-19)

With reference to your good office notification No. So (Prosecution)/HD/1-  
21/Inq/Hafiz M. Haroon dated 15-11-2023, the Inquiry Report is enclosed herewith for  
further necessary action, please.

(Malik Tariq Bakhsh)

Director Administration/ Inquiry Officer  
Directorate of Prosecution,  
Khyber Pakhtunkhwa.

Copy forwarded for information to:-

1. PS to Additional Chief Secretary Home & TAs Department.

(Malik Tariq Bakhsh)

Director Administration/ Inquiry Officer  
Directorate of Prosecution,  
Khyber Pakhtunkhwa.

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## INQUIRY REPORT

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Subject: DISCIPLINARY PROCEEDINGS AGAINST HAFIZ MUHAMMAD HAROON THE THEN REGIONAL DIRECTOR PROSECUTION HAZARA DIVISION ABBOTTABAD PRESENTLY DISTRICT PUBLIC PROSECUTOR, UPPER KOHISTAN (BS-19)

An inquiry committee was constituted by the Competent Authority vide Notification (Annexure "I") for holding a denovo inquiry against accused officer Hafiz Muhammad Haroon, the then Regional Director, Prosecution presently District Public Prosecutor Upper Kohistan. The background of the case is that the accused officer was charge-sheeted on the following statement of allegations/charges: -

1. *That you failed to visit/inspect the office of the District Public Prosecutor, Kohistan Lower, and have not informed the office of worthy Director General Prosecution, Khyber Pakhtunkhwa regarding willful absence in respect of Mr. Atta-ur-Rehman, DPP Lower Kohistan and his staff from 05-09-2019 till the inspection date i.e. 10-07-2022 except 05 days on different occasions as per report dated 20-05-2022 of Syed Mohsin Mustafa, Deputy Public Prosecutor posted at Regional Director Office, Hazara Division at Abbottabad.*
2. *That as per the mandate given to you under the Prosecution Act, 2005, you are required to inform the office of Worthy Director General Prosecution Khyber Pakhtunkhwa.*

### PROCEEDINGS:

Charge sheet and statement of allegations duly signed by the Competent Authority was served upon the accused officer (Annexures "II", "III"). In response to the said charge sheet and statement of allegations the accused officer relied on the earlier defense Annexure "IV", submitted previously to the inquiry committee along with some additional documents. The accused officer was then called by the instant inquiry committee in the office of Capt @ Kamran Ahmad Afridi (PAS-20) Special Secretary P & DD (Inquiry officer) through a letter annexed as Annexure "V". The accused officer appeared before the Inquiry Committee on 20-11-2023 and 22/11/2023, and he was put to various questions regarding the inquiry. Mr. Naeem Ullah, Deputy Director of Complaints (Departmental Representative) was also present during the inquiry proceedings.

### BACKGROUND

The accused officer joined the Prosecution Service on 28-11-1998 as an Additional Public Prosecutor/Additional Government Pleader in BPS-17, having a service record of almost 25 years and is reflected at Serial-4 of the final seniority list of BPS-19 officers as it stood on 12-01-2022.

Ever since his appointment, he remained posted at different stations including the hard area Districts as and when directed/posted and on each occasion, as reflected in his profile card. As per

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4. No red ink entry in his dossiers or disciplinary proceedings against the officers had been initiated against him during the entire length of his service which implies that he has a colorful service record and to the satisfaction of his superiors.
5. The accused officer was posted as Regional Director Prosecution Hazara Division at Abbottabad on 07-12-2020 while was posted out on 15-09-2022, whereas allegations contained in the charge sheet regarding wilful absence in respect of Mr. Atta-ur-Rehman the then DPP Lower Kohistan is w.e.f 15-09-2019 i.e. 01 year & 03 months prior to his posting as Regional Director, therefore the answering accused cannot be held liable for the period of absence of said officer prior to the posting of answering accused as Regional Director Prosecution, as it would be against the spirit of Natural Justice.
6. It is further noted that the answering accused officer, soon after his assumption of duty as Regional Director Hazara Division visited various District field offices, and detail of such visits was furnished by the answering accused, which was further confirmed by Liaquat Ali, presently posted as Assistant Director IT in the office of Regional Director Hazara Division Annexure "VII".
7. It is noteworthy that allegations contained in para # 1 of the charge/statement of allegations against the accused officer for not informing the office of DG Prosecution regarding the absence of Mr. Atta-ur-Rehman the then DPP Lower Kohistan w.e.f 07-12-2020 i.e. date of assumption of charge of the accused officer cannot be substantiated as well as the accused officer deputed his subordinate officer Mr. Waqas Ashraf Dy.PP to inspect the office of DPP Lower Kohistan on 10-03-2021 (statement recorded as Annexure "IX"). wherein the said officer confirmed the presence of DPP Lower Kohistan at Pattan. Furthermore, the accused officer himself inspected various field offices as per the list annexed herewith, including the office of DPP Lower Kohistan, and had communicated/transmitted inspection reports thereof to the competent authority from time to time.
8. As per the list Annexure "VII" the accused officer either himself or through his subordinate officers, had conducted 27 (twenty-seven) inspection visits to various field formation offices in the 08 Districts of Hazara Division during his tenure of 01 year & 09 months which reflects that the accused officer had performed his duties painstakingly by prioritizing cumbersome Districts where there was abundant workload as compared to newly created/smaller Districts like Upper Kohistan, Lower Kohistan & Kolai Palas Kohistan.
9. A comparative study of the number of cases registered in the year 2021 & 2022 reveals that a total number of 27344 FIRs were registered in 08 Districts of Hazara Division in the year 2021, wherein 743 FIRs were registered in Lower Kohistan, while in the year 2022 total number of 26685 FIRs were registered in Hazara Division wherein 503 FIRs were registered in Lower Kohistan, which implies that the accused officer had rightly prioritized his visits on need basis.
10. It is apt to mention that the report regarding the wilful absence from duty of Mr. Atta-ur-Rehman DPP Lower Kohistan was also communicated to the competent authority (Director General Prosecution) vide various letters and inspection reports issued in the year 2022.

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The inspection report of Mr. Mohsin Mustafa, Deputy Public Prosecutor, RD Office Hazara Division who is a subordinate officer to the answering accused, on the direction of RD (under the spirit of delegation of power and distribution of work) visited the DPP office Lower Kohistan and the same was duly forwarded to the Director General Prosecution for further necessary action being a competent forum, therefore, the question that accused officer had not informed the then DG Prosecution regarding the absence of Mr. Atta-ur-Rehman, DPP Lower Kohistan from duty is not fortified by facts on record.

12. The absence of Mr. Atta-ur-Rehman, the then DPP Lower Kohistan, was also reported by the predecessor of the answering accused officer. The DPP Lower Kohistan was proceeded against departmentally at that time, but was exonerated from the charges vide Notification No. SO(Prosecution)/1-31/HD/NQ-Atta-ur-Rehman DPP Kohistan Lower/2021 dated 16-09-2021.

while DPP lower Kohistan should have been posted out at that time for reasons best known to the concerned officials at the Directorate of Prosecution later on in the same case inquiry proceedings were initiated against the accused officer, which presumably was not the just approach and sheer wastage of time & expense of the Provincial Government, thus, concerned officers at Directorate of Prosecution failed to act prudently and judiciously.

13. It is also noteworthy that the answering accused officer had also convened Divisional based meetings of District Public Prosecutors (copies submitted by the department as Annexure "X") at regular intervals, wherein Mr. Atta-ur-Rehman, the then DPP Lower Kohistan personally attended only 02 of the said meetings held on 13-02-2021 and 05-06-2021 while in rest of the meetings, he deputed his sub-ordinate officers to attend such meetings and same were also communicated to the Directorate. The answering accused also issued explanation letters to the DPP Lower Kohistan (copies submitted by the answering accused and same have been verified by a Departmental representative) but no action was taken by the competent forum i.e DG Prosecution, Directorate of Prosecution.

14. The answering accused verified the absence of Mr Atta-ur-Rehman, DPP Lower Kohistan by not only deputing his sub-ordinate officers for inspection but he personally visited Lower Kohistan to confirm this factum. The same had been brought to the notice of then Director General Prosecution, Khyber Pakhtunkhwa, Peshawar being the competent authority for doing the needful as per law in terms of E&D rules 2011, but he didn't initiate until that time for reasons best known to him.

15. Be that as it may, the answering accused is a senior officer in BPS-19, who has been humiliated and disgraced by indulging him under useless departmental proceedings for no apparent fault on his part. However, if there was any lapse on the part of the accused officer for not informing the competent authority regarding the wilful absence of Mr. Atta-ur-Rehman, the then DPP Lower Kohistan, then he (answering accused) has already been penalized by transferring him from a senior post of Regional Director to a subordinate post of DPP, that too, in upper Kohistan where he had already served for 03 years in the recent past.

action shawar

Personally met with DPP. Taken pictures of well.

① whether any explanation or complaint has been issued against his act. Any proof.

①

(17) (4)

Itah, Deputy Director Complaints/departmental representative, during the entire course of the service of the accused officer, there had been no red ink entry in his dossiers or no disciplinary inquiry had been initiated against him during the entire length of his service. The only exception is the foregoing inquiry when he was posted as Regional Director Hazara Division (BPS-20) vide Notification dated 24.11.2020, in his own pay scale.

① It is to be noted here with grave concern that when the departmental representative was asked about the issuance of any rules/notification explaining the Job description of the Regional Director, it was revealed that no notification of any Job Description, whatsoever was formulated or issued. It was further informed by the departmental representative that a total number of 07 posts of the Regional Directors were created on 23-06-2014, whereas the first Regional Director Hazara was posted on 22-03-2018 vide Notification No. SO(Prosecution)HD/1-2/2018/VOL-I (Annexure "VI"). However, no job description whatsoever was notified till the year 2023.

The accused officer upon posting as Regional Director Prosecution inspected, various field offices of Hazara Division located in 08 Districts either himself or through his subordinates on various dates and transmitted such inspection reports to the office of DG Prosecution as per directions of the competent authority. The detail of such inspection reports was furnished by the answering accused in his written defense which was further ratified by Mr. Liaquat Ali, Assistant Director IT, RD office Hazara which is annexed as Annexure "VII". The answering accused was posted out on the grounds of inefficiency that he failed to inform the office of DG Prosecution regarding the willful absence from duty of DPP Lower Kohistan Mr. Atta-ur-Rehman.

#### REPLY OF THE ACCUSED OFFICER IN RESPONSE TO CHARGE # 1

The accused officer in reply to the charge sheet/statement of allegation stated that he took charge of the post of Regional Director Prosecution Hazara Division on 07-12-2020, whereas allegations contained in the charge sheet regarding willful absence in respect of Mr. Atta-ur-Rehman DPP Lower Kohistan is w.e.f 15-09-2019, therefore, the answering accused cannot be held liable for the period of absence of said officer prior to his posting as Regional Director Prosecution.

Upon assuming charge on 07/12/2020 the answering accused started visiting District field formation offices of Hazara Division including the office of DPP Lower Kohistan himself as well as through his subordinate officer, who at that time was found present and inspection report in this respect was communicated to the office of the then DG Prosecution Annexure "VIII". He further stated that the said officer was also seen in a divisional-based meeting of District Public Prosecutors held under the chairmanship of the answering accused in his office at Abbottabad and in this respect minutes of the meeting were accordingly communicated to the office of DG Prosecution.

However, when the answering accused received complaints regarding the absence from duty of said an officer from different quarters i.e. D&SI Lower Kohistan, DPO Lower Kohistan, SP Investigation Lower Kohistan, etc., and specially when said the officer failed to submit a reply to various correspondences sent to him by the answering accused vide letter No. 292-03/2021/RD/HD/ATD dated 06-08-2021, letter No.330-32/2021/RD/HD/ATD dated 22-09-2021, letter No. 94-97/2022/RD/HD/ATD dated 17-02-2022 (copies whereof were also sent to DG Prosecution as well as PS to Secretary Home KP), answering accused deputed Mr. Mohsin Mustafa

Public Prosecutor of his office vide letter No. 75/2022/RD/HD/ATD dated 09-02-2022 to pay a surprise visit to the office of DPP Lower Kohistan who found Mr. Atta-ur-Rehman DPP Lower Kohistan absent from his duty. The then Director General Prosecution was duly informed via inspection reports sent vide letter No. 90-91/2022/RD/HD/ATD dated 14-02-2022, 147-28/2022/RD/HD/ATD dated 22-03-2022, 280-81/2022/RD/HD/ATD dated 29-06-2022 & 320-21/2022/RD/HD/ATD dated 25-07-2022.

The answering accused further stated that the then DG Prosecution was already in the knowledge of the absence from duty of the said officer namely Mr. Atta-ur-Rehman DPP Lower Kohistan prior to the posting of the answering accused as Regional Director Prosecution Hazara Division as his Predecessor & DPO Lower Kohistan had also informed the then DG Prosecution regarding his absence from duty, which record can be requisitioned from the Directorate of Prosecution if so required.

**REPLY OF THE ACCUSED OFFICER IN RESPONSE TO CHARGE # 2**

Similarly, the answering accused in response to charge # 2 of the statement of allegations stated the same to be baseless and arbitrary. He further submitted that charge # 2 could not be substantiated for the reason that the answering accused officer had timely informed the office of Director General Prosecution vide various letters referred to above.

The answering accused additionally submitted that allegations leveled in the charge sheet against him are not only fanciful but based on mala fide grounds as no job description, whatsoever, was notified by the competent authority till issuance of transfer/posting Notification dated 15-09-2022. He further submitted that the ongoing inquiry was initiated after the submission of departmental representation filed on 19-09-2022 against his illegal transfer to Upper Kohistan issued vide Notification dated 15-09-2022 but instead of giving a reply to the same, the department initiated punitive proceedings in the shape of ongoing departmental proceedings. He also mentioned that answering accused is made subordinate to his junior which is the worst example of discrimination and victimization.

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**FINDINGS:**

By taking into consideration all the relevant facts and records of ongoing inquiry it reveals that:-

1. Total number of 07 posts of Regional Director Prosecution was created vide Notification No. BO-111/PD/2-4/2013-201 dated 23-06-2014, whereas the first Regional Director Hazara was posted on 22-03-2018 vide Notification No. SO(Prosecution)HD/1-2/2018/VOL-I (Annexure "VI").
2. No job description, whatsoever, was notified till the year 2022-23.
3. The accused officer joined the Prosecution Service on 28-11-1998 and has a service record of almost 25 years which is reflected in Serial-4 of the final seniority list of BPS-19 officers as it stood on 12-01-2022.

When no job description has been issued then under what authority Mohsin Mustafa was made surprise visit without any written permission.

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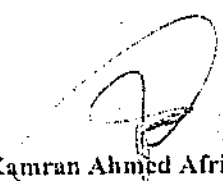
**COMMENDATIONS**


Keeping in view the aforementioned analysis, both the charges against the answering accused **STAND DISPROVED** i.e.

**Charge # 1:-** Failure to visit/inspect the office of the District Public Prosecutor, Lower Kohistan and to reveal wilful absence from duty in respect of Mr. Atta-ur-Rehman the then DPP Lower Kohistan: *and*

**Charge # 2:** Failure to inform the office of Director General Prosecution, Khyber Pakhtunkhwa as per the mandate of the Prosecution Act, 2005

The committee unanimously recommends the competent Authority to exonerate the accused officer from the charges levelled in charge sheet/statement of allegations in terms of Rule-14(3) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

  
Capt@ Kamran Ahmed Afridi (PAS-20)  
Special Secretary, P & D department  
Govt. of Khyber Pakhtunkhwa

  
Mr. Tariq Baksh (BPS-19)  
Director Administration, Prosecution  
Khyber Pakhtunkhwa, Peshawar

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WRITTEN DEFENCE IN REPLY TO SHOW CAUSE NOTICE IN  
FURTHERANCE OF CHARGE SHEET DATED 13-01-2023 NOTIFIED VIDE  
NOTIFICATION # SO(Prosecution)/HD/1-31/Inq./Hafiz M.Haroon DATED  
13-01-2023 OF THE HOME & TRIBAL AFFAIRS DEPARTMENT KHYBER  
PAKHTUNKHWA AND RECEIVED BY THE ANSWERING ACCUSED ON  
04.02.2023.

Dear Sir,

The answering accused humbly submits reply to charge sheet/statement of allegation as follows:-

- 1/ That in reply to para # 1 of statement of allegations it is submitted that the answering accused took charge of the post of Regional Director Prosecution Hazara Division on 07-12-2020, whereas allegations contained in charge sheet regarding wilful absence in respect of Mr. Atta-ur-Rehman DPP Lower Kohistan is w.e.f 15-09-2019, therefore, the answering accused cannot be held liable for the period of absence of said officer prior to his posting as Regional Director Prosecution. As soon as the answering accused took charge of the post, he started visiting District based field formation offices of Hazara Division and also inspected office of DPP Lower Kohistan, who at that time was found present, may be for the reason that he got prior information regarding visit to Kohistan and in this respect inspection report was communicated to the office of the then DG Prosecution which is annexed herewith. It may also be noted here that the said officer was also seen in divisional based meeting of District Public Prosecutors held under the chairmanship of the answering accused in his office at Abbottabad and in this respect minutes of meeting were accordingly communicated to the office of DG Prosecution. However, (when the answering accused received complaints regarding absence from duty of said officer from different quarters i.e. D&SJ Lower Kohistan, DPO Lower Kohistan, SP Investigation Lower Kohistan etc and when said officer failed to submit reply of various letters sent to him by the answering accused vide letter No. 292-94/2021/RD/HD/ATD dated 06-06-2021, letter No.330-32/2021/RD/HD/ATD dated 22-09-2021, letter No 94-97/2022/RD/HD/ATD dated 17-02-2022 (copies whereof were also sent to DG Prosecution as well as PS to Secretary Home KP), answering accused paid surprise visit of the office of DPP Lower Kohistan and found Mr. Atta-ur-Rehman DPP Lower Kohistan absent from his duty and in this respect the then Director General Prosecution was duly informed via inspection report sent vide letter No. 90-91/2022/RD/HD/ATD dated 14-02-2022, 147-48/2022/RD/HD/ATD dated 22-03-2022, 280-81/2022/RD/HD/ATD dated 29-06-2022 & 320-21/2022/RD/HD/ATD dated 25-07-2022.) It is pertinent to mention that the then DG Prosecution was already in knowledge of absence from duty of the said officer

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namely Mr. Atta-ur-Rehman DPP Lower Kohistan prior to the posting of answering accused as Regional Director Prosecution Hazara Division as my Predecessor as well as DPO Lower Kohistan had also informed regarding his absence from duty, which record can be requisitioned from the office of DG Prosecution, if so required. Thus, charge contained in para # 1 of the statement of allegation cannot be substantiated for the reason that the then Director General Prosecution was well informed regarding absence of said officer. **Annexures are as follows:-**

DESCRIPTION	ANNEXURE
Copy of charge assumption report	A
Inspection report conducted on 10-03-2021	B
letter No. 292-94/2021/RD/HD/ATD dated 06-08-2021	C
letter No. 330-32/2021/RD/HD/ATD dated 22-09-2021	D
letter No. 94-97/2022/RD/HD/ATD dated 17-02-2022	E
Inspection report dated 14-02-2022	F
Inspection report dated 22-03-2022	G
Inspection report dated 29-06-2022	H
Inspection report dated 25-07-2022	I

2. That the charge contained in para # 2 of the statement of allegations is baseless, arbitrary and could not be substantiated as well for the reason that the accused officer had timely informed the office of Director General Prosecution vide various letters referred to above.
3. That allegations levelled in charge sheet against answering accused are not only fanciful but based on malafide grounds as the ongoing inquiry coupled with another inquiry were initiated after submission of departmental representation filed on 19-09-2022 against his illegal transfer to Upper Kohistan issued vide Notification dated 15-09-2022 but instead of giving reply to the same, the department initiated punitive proceedings in the shape of ongoing departmental proceedings etc. **Copy of departmental representation is annexed as Annexure J.**
4. That fact of the matter is that all these proceedings were carried out by the Ex-Director General Prosecution in consequence to letter No.402-406/2022/RD/HD/ATD dated: 13-09-22 addressed to the then Director General Prosecution by the answering accused during his posting as Regional Director Prosecution Hazara Division, wherein he referred letter No. SQ(Budget)/HD/3-1/Pros/2021 dated 04-10-2021 of the Finance Division and requested the then DG Prosecution to handover duly approved new vehicle for the office of Regional Director Prosecution Hazara Division as provided to

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other Regional Directors and even newly posted junior DPPs in the Province, but an old vehicle was provided to the office of answering accused, whose engine was even seized during its transmission to RD office Hazara Division. Moreover the answering accused had incurred an amount of approximately 150000/- (One lac and fifty thousand) over the said old vehicle from his own pocket after taking permission from the then Director Administration, Directorate of Prosecution and that payment is also pending till date. It may emphatically be mentioned here that answering accused was appointed/transferred to the post of Regional Director Prosecution on the basis of seniority, cum fitness as per section 9 of Civil Servants (Appointment, Promotion & Transfer) Rules 1989, being reflected at serial No. 04 of the seniority list and it is astonishing enough that answering accused being senior most officer has been replaced with a junior officer reflected at serial No. 24 of the list whose Performance Evaluation Report (PER) is yet to be recorded by the answering accused. Moreover against the said junior officer the answering accused has submitted inspection report dated 13-09-2022, which was overlooked & filed by the then DG Prosecution without taking any action. However, the answering accused is posted in an inferior rank as compared to his previous designation i.e. Regional Director, that too in a hard area i.e. Upper Kohistan where he has already served for 03 years recently w.e.f 20-03-2017 till 10-02-2020, so by way of the transfer order, accused officer is made subordinate to his junior which is the worst example of discrimination and victimization. *Copy of written defence taken in inquiry proceedings dated 10-01-2023 is annexed as Annexure K.*

5. That it will not be out of place to mention here that answering accused is in last few years of his service and is going to be superannuated soon coupled with the fact that he is in promotion zone to BPS-20, but despite this fact just to humiliate and frustrate the answering accused, he has been relegated, side-lined, replaced by a junior officer, posted in a far flung hard area where he has already served and being victimized by initiation of departmental proceedings without any equitable reason. When the competent authority itself starts cherry picking by deliberately ignoring and overlooking senior officers within the same cadre/department, in appointment, promotion and transfers, exercising powers in sheer violation of the Prosecution Service Rules 2018 and Civil Servants (Appointment, Promotion & Transfer) rules 1989, without any justifiable reason, then the image of the institution will be tainted beyond repair.
6. That accused officer has always discharged his official duty with dedication, integrity and believes that his past service of about 25 years is not tainted with inefficiency. Moreover motive behind the foregoing inquiry is nothing but to tarnish his sound reputation earned with perseverance and honesty. In consequence of foregoing

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inquiry, professional status of accused officer went under enormous pressure which is stressful and even soul destroying.

In view of foregoing submissions, it is humbly prayed that:-

- a. Charge sheet/statement of allegations may graciously be withdrawn and accused officer be exonerated of the charges/allegations leveled against him.
- b. Punitive proceedings may also be recommended against officers involved in preparation of transfer/posting summary (which resulted in Transfer/posting Notification dated 15-09-2022) based on concealments of facts and thereby lead astray the competent authority.
- c. Departmental proceedings may also be recommended against officers involved in preparation of ongoing fake inquiry proceedings against answering accused.
- d. Accused officer may also be afforded an opportunity to be heard in person to meet the ends of justice.

Yours Faithfully,

Hafiz Muhammad Haroon  
Presently District Public Prosecutor  
Mob # 0314-5080212



TO

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Diary NO 3509  
2/11/23-

The worthy Secretary home and tribal affairs  
Khyber Pakhtoonkhwa Peshawar

Sub:- Gross Violation And Grave Illegalties Of Civil Servants Act/Rules  
Representation against the Order NO.SO(Pro)HD/1-2/2923  
(Postings/transfers)Dated -02/10/2023

Respected sir

With the great reverence having honor to submits facts to the captioned matter

that undersigned has submitted transfer applications along with ground of violations inter alia of civil servants rules of posting /transfer vide diary no1178 dated 21/09/2022 and application vide diary no 7988 dated 15/08/2023 wherein undersigned made humble request for transfer to peshawar on basis of maturity of period to the hard/unattractive area and prior to the instant application several request applications have been placed of the same nature on humanitarian and medical ground but in vain and till date no single heed paid to the matter in question.

That undersigned on 15/08/2023 has submitted request application for transfer vide diary no 7988 But the same has been filed with unjustified reasons by mentioning that undersigned has availed leave In different phase/period mentioned in reply to the application therefore undersigned is not entitled for the transfer and no other reason has been mentioned besides the leave which has not been availed except medical treatment. that neither civil servants act 1973 khyber pakhtoonkhwa has been followed nor posting transfer policy has been adopted by the authority which is amount to violation of section 24a of general clauses act wherein it has been described that reasons will be given for all paras requested made in application or request made to authority. Section 24a is hereby reproduce for your kind perusal..

**24a. exercise of power under enactments.-(1) where, by or under any enactment, a power to make any order or give any direction is conferred on any authority, office or person such power shall be exercised reasonably, fairly, justly and for the advancement of the purposes of the enactment.**

that it is pertinent to mention here that undersigned has particularly emphasized in transfer application regarding matter of placement under the junior rank officer by the department without plausible legal justification and against the prevailing laws and rules came into force for implementation for civil servants but surprisingly no single reasonable satisfactory reply has been recorded/ extended to the undersigned by the department which is legally required u/s 24 (a) of general clauses Act 1897.

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that besides the other violation of law and rules undersigned has been deprived from his salary with single stroke of pen by issuing office order dp/E&A/PF/10537-40 dated-17/08/2023 by the directorate of prosecution Khyber pakhtoonkhwa and no opportunity has been granted as enshrined in constitution of Pakistan 1973 and procedure provided in civil servants act 1973 of Khyber pakhtoonkhwa which is amount to imposing major penalty without conducting required procedure/proceedings under relevant provisions of civil servants act 1973 of Khyber pakhtoonkhwa and also clear violation of article 4 and 10 a of constitution of Pakistan 1973 besides other relevant provision of law.

it is therefore requested adequate order may kindly be issued for removing of gross violation for facts mentioned above and relief may kindly be granted accordance with law.

Dated 02/11/2023

your sincerely



Atta ur rehman

Senior public prosecutor buner at  
daggar

DC-Office 9902

13/10/23

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To

The Director General Prosecution

Khyber Pakhtoonkhwa Peshawar

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Sub:-

Releasing of salary

Respected sir

With the great reverence and having honor to submits my request for captioned matter.

Refrence to the office order no DP/E&A/PF/10537-40 dated 17/08/2023 issued from your office wherein rhe salary of undersigned has been stoppèd vide ibid order and deprived him to his constitutional/lawful right quite illegal unlawful against the constitution and violation of rule 9 and other relevant provisions of **Efficiency And Discipline Rules 2011** the concerned operative rule 9 read as follow

*. Procedure in case of wilful absence.—Notwithstanding anything to the contrary contained in these rules, in case of wilful absence from duty by a Government servant for seven or more days, a notice shall be issued by the competent authority through registered acknowledgement on his home address directing him to resume duty within fifteen days of issuance of the notice. If the same is received back as undelivered or no response is received from the absentee within stipulated time, a notice shall be published in at least two leading newspapers directing him to resume duty within fifteen days of the publication of that notice, failing which an ex-parte decision shall be taken against the absentee. On expiry of the stipulated period given in the notice, major penalty of removal from service may be imposed upon such Government servant.*

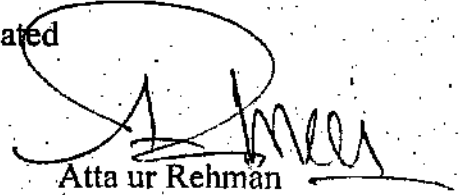
But surprisingly prior to stoppage of the salary neither mandatory rule/provision has been complied nor single opportunity has been provided which also amount of

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direct major penalty without adopting the procedure and straightly deprived the undersigned from his legal right/salary for which protection enshrined under articles 2A,3,9,14 of the constitution of Pakistan 1973.

It is therefore requested in the light of mentioned facts salary may kindly be released forthwith and required lawful opportunity may kindly be extended of explanation prior to retention/stoppage of salary

Your cooperation shall highly be appreciated



Atta ur Rehman

Senior public prosecutor Buner at Daggar

Date. 11/10/2023



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME AND TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar the 6<sup>th</sup> November, 2023

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**NOTIFICATION**

NO.SO(Pros)/HD/1-31/Inq:/Atta ur Rehman DPP: WHEREAS, Mr. Atta-ur-Rahman, District Public Prosecutor (BS-19), Kohistan Lower, was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for the charges mentioned in the Show Cause Notice, served upon him.

2. AND WHEREAS, the competent authority (Chief Minister, Khyber Pakhtunkhwa) in terms of Rule-7 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 has decided to dispense with the inquiry as sufficient documentary proofs are available to proceed against the accused officer.

3. AND WHEREAS, the competent authority in terms of sub-Rule-1(a) of Rule-5 read with Rule-4 of the ibid rules has tentatively decided to impose upon him the major penalty of "Removal from Service".

4. AND WHEREAS, the competent authority in terms of Rule-2(f)(i) read with Rule-15 of the ibid rules has authorized Mr. Manzoor Ahmad, Secretary to Government of Khyber Pakhtunkhwa, Administration Department to hear the accused officer in person on his behalf.

5. AND WHEREAS, Mr. Manzoor Ahmad has provided the opportunity of personal hearing as well as the opportunity to bring documentary proof in his defence to the accused officer but even after a lapse of two months the accused officer has failed to do so, therefore, the Hearing Officer recommended that the tentative penalty of "removal from service" be imposed upon him.

6. NOW THEREFORE, the Competent Authority (Chief Minister, Khyber Pakhtunkhwa), after having considered the charges, evidence on record, explanation and personal hearing of the accused officer, in exercise of the powers conferred upon him under Rule 14(5)(2) read with Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 has been pleased to impose major penalty of "Removal from Service" against Mr. Atta-ur-Rahman, District Public Prosecutor (BS-19), Kohistan Lower.

Additional Chief Secretary Home  
Khyber Pakhtunkhwa

Endst: No. & date as above.

Copy forwarded to:

1. The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
2. The Director General Prosecution, Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. The District Accounts Officer Kohistan Lower.
5. Officer concerned through Directorate of Prosecution, Khyber Pakhtunkhwa.
6. PS to Additional Chief Secretary Home, Khyber Pakhtunkhwa.

  
Section Officer (Prosecution)

To

The worthy Chief Minister  
Khyber Pakhtoonkhwa

Diary Num = 983  
Secretary to C-M  
24/11/23

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**SUB: DEPARTMENTAL APPEAL/REVIEW AGAINST THE IMPUGNED NOTIFICATION NO. SO (PROS)/HD/1-31/INO:/ATTA UR REMAND DPP 06/11/2023 WHEREAS APPELLANT HAS BEEN REMOVED FROM SERVICE WITHOUT CONDUCTING FORMAL/REGULAR INQUIRY AND AGAINST THE RELEVANT ARTICLES OF CONSTITUTION OF PAKISTAN 1973 BESIDES OTHER ILLEGALITIES INTER ALIA MENTIONED BELOW**

Respected sir

With great reverence having honor to address and place my appeal/review at your desk for captioned subject with following reasons/facts.

That the appellant was the senior public prosecutor of BPS 19 in district BUNER and posted transferred fourth time to hard/un attractive area vide notification no, SO(PROS)/HD/1-2/Post&trans/2022 dated 15/09/2022 to district buner and during inquiry proceeding has been transferred from district kohistan to district BUNER and placed under the subordination of junior rank officer without any legal plausible justification and also deprived the appellant from the salary prior to above notification and without conducting regular/formal inquiry.

As for as the allegation leveled against the appellant in show cause notice on the basis of inspection report is concerned are baseless, false, frivolous, and against the facts and ground realities as the same allegation has been falsely been imposed mentioned period under

question appellant was put to lengthy process of inquiry proceedings wherein I have been exonerated from the allegations and waxing twice for the same allegation are the clear violation of article 13 of the constitution of Pakistan 1973 as undersigned has been exonerated through vide notification no so(prosecution/1-31/HD/NO-Atta ur Rehman DPP Kohistan/2021/ from the charges.

But despite the fact that again I have been charged for the same allegation which is against the article 13 of constitution of Pakistan 1973. During the preceding years I have placed/post several correspondence and sent monthly DATA regularly etc as required by directorate of prosecution and record kept safe with monitoring cell and to other stake holders which required to be produced/provided by responsible as its production are quite necessary to disprove the baseless allegations to this effect applications have been submitted.

vide diary DPP/Buner/no 476 dated 17/06/2023 and application regarding production of copies pertains to inquiry for proper defense vide diary no 6916 dated 18/07/2023 to the worthy DG prosecution office prior to instant applications similar nature of applications have already been submitted to the directorate of prosecution in different phases and period for positive response and for adequate reply which still awaiting. Neither any single relevant document has been delivered nor opportunity of cross examination to the witnesses has been provided and without formal/regular inquiry major penalty of removal from service has been imposed which against the article 10 A of the Constitution Of Pakistan 1973 and efficiency and disciplinary rules 2011 of Khyber pakhtoonkhwa.

That proper opportunity of hearing was not afforded to the appellant under law before taking the impugned action against appellant the appellant was condemned unheard in violation of Article 10-A of the Constitution of the Islamic Republic of Pakistan, 1973; and, the entire

exercise undertaken by the department was arbitrary, malafide,  
discriminatory

That no documents were supplied to the appellant on the basis of which the charge sheet and show cause were issued. The formal/regular inquiry was not conducted which are violation of Rule 5 and 11 of the E&D Rules 2011 of Khyber pakhtoonkhwa and not providing the ample opportunity of defence and depriving the appellant from the right of cross examination to the departmental representative who lead evidence and produced documents against the appellant is also grave violation of article 10 A of the Constitution Of Pakistan 1973 and enabling rules of E&D 2011 of Khyber pakhtoonkhwa.

That the right of proper defense and cross examination of witnesses by the appellant is vested right whether the evidence is trustworthy or inspiring confidence could only be determined with tool and measure of cross examination.

That reply to the show cause notice submitted with sufficient detail along with sufficient documentary proof but neither single reply in rebuttal extended to the appellant by the departmental representative nor opportunity of cross examination upon the departmental representative nor upon the author who prepared false, fake, frivolous concocted report as all the story of the allegations moving around both the employees besides the others witnesses which clearly indicated the violation of article 10 A of Constitution Of Pakistan 1973 and against the natural justice and amount to discrimination and violation of article 4 of the Constitution Of Pakistan 1973 and the impugned order/notification passed in hasty and slipshod manner and never bothered to provided hearing and cross examination opportunity which is the vested right of appellant under the land laws.



(132)

It is therefore humbly requested the impugned notification/order mentioned above may kindly be cancelled/set aside in the light of above facts and circumstances and appellant may kindly be exonerate from the charges leveled against appellant. Any other relief which may deem proper may also be extended in favour of appellant in the best interest of justice.

It is also humbly requested in the best interest of justice reply to the show cause notice may also be considered as integral part of this appeal/review.

Appellant



Atta ur Remand

Dated 23/11/2023

Former senior public prosecutor

Directorate of prosecution

Home and tribal affairs Khyber pakhtoonkhwa

Cell no 0300-094-2527



**CHIEF MINISTER'S SECRETARIAT  
KHYBER PAKHTUNKHWA**

E-mail: [cmsec@kpk.gov.pk](mailto:cmsec@kpk.gov.pk)

Fax: # 091-9210707

Phone: # 091-9213638

No. SO (Lit/Estt) CMS/KP/4-1/Appeal/2023/2432  
Dated Peshawar, 01<sup>st</sup> December, 2023

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Home and Tribal Affairs Department.

Subject: **DEPARTMENTAL APPEAL/REVIEW AGAINST THE IMPUGNED  
NOTIFICATION NO. SO(PROG)/HD/1-3/INO/ATTA UR REHMAN DPP  
WHEREAS APPELLANT HAS BEEN REMOVED FROM SERVICE  
WITHOUT CONDUCTING FORMAL/REGULAR INQUIRY AND AGAINST  
THE RELEVANT ARTICLES OF CONSTITUTION OF PAKISTAN 1973  
BESIDES OTHER ILLEGALITIES INTER ALIA MENTIONED BELOW**

Dear sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of departmental appeal received from Mr. Atta ur Rehman, District Public Prosecutor (BS-19) Kohistan Lower alongwith its enclosures which is self-explanatory.

It is, therefore, requested to take necessary action in the matter as per rules/policy, please.

**Encl: as above.**

Yours faithfully,

  
(Shagufta Sarwar)  
Section Officer (Lit/Estt)

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

**Copy forwarded to:**

PS to Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.

  
Section Officer (Lit/Estt)



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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME AND TRIBAL AFFAIRS DEPARTMENT

SUMMARY FOR CHIEF MINISTER, KHYBER PAKHTUNKHWA

Subject: DISCIPLINARY PROCEEDINGS AGAINST ACCUSED OFFICER  
MR. AJTA UR REHMAN, DISTRICT PUBLIC PROSECUTOR (BS-19)  
KOHISTAN LOWER

41. Mr. Manzoor Ahmad, Secretary Administration has been appointed as inquiry officer vide Para 39-40 of the Summary to conduct de-novo inquiry in the instant case. It is pertinent to mention here that Mr. Manzoor Ahmad, Secretary (Administration) was previously authorized to hear the officer in person on behalf of the Hon'ble Chief Minister, Khyber Pakhtunkhwa and report in this regard submitted vide Paras-20-24/S, wherein he confirmed the penalty of removal from service upon the accused and notification in this regard already issued (Annex-X).

42. In view of the above, the penalty of removal from service already imposed upon the officer needs to be set aside and he may be reinstated in service to face de-novo inquiry. Besides, in the interest of justice, another inquiry officer/committee may be appointed to conduct de-novo inquiry as Mr. Manzoor Ahmad has already given his verdict against the accused officer.

43. Proposal contained in Para-42/S is submitted for approval, please.

  
( Muhammad Abid Majeed )  
Additional Chief Secretary Home

SECRETARY ESTABLISHMENT

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HOME AND TRIBAL AFFAIRS DEPARTMENT

SUMMARY FOR CHIEF MINISTER, KHYBER PAKHTUNKHWA

SUB:- DISCIPLINARY PROCEEDINGS AGAINST ACCUSED  
OFFICER MR. ATTA UR REHMAN, DISTRICT PUBLIC  
PROSECUTOR (BS-19) KOHISTAN LOWER

41

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please.

(Muhammad Abid Majeed)

Additional Chief Secretary Home

SECRETARY ESTABLISHMENT

