

**REPORT OF THE SPECIAL COMMITTEE ON THE
INCIDENT OCCURRED IN THE KHYBER
PAKHTUNKHWA HOUSE, ISLAMABAD.**



**PROVINCIAL ASSEMBLY SECRETARIAT OF
KHYBER PAKHTUNKHWA.**

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EXECUTIVE SUMMARY

The Special Committee, chaired by Mr. Munir Hussain Lughmani, was tasked with investigating the unlawful incident at Khyber Pakhtunkhwa House, Islamabad, on 5th October 2024, when a forcible entry by Islamabad Police and Rangers was made followed by the Capital Development Authority (CDA) sealing of the premises. This led to significant damage and theft of property, including electronic equipment, records, and approximately Rs. 6 million in cash. The Committee deemed these actions criminal and recommended legal action against the Police and Rangers.

Key findings and actions included:

1. **Criminal Accountability:** Legal action against Police and Rangers for their unlawful conduct.
2. **Damage and Missing Items:** A fact-finding report was initiated to assess the extent of the damages and missing property, including high-value assets amounting to rupees 31.88 million.
3. **Financial Oversight:** Concerns were raised over rupees 6 million in room rent charges not being deposited into the government treasury, prompting action by the Comptroller.
4. **KP House-II Investigation:** The Estate Officer's investigation into KP House-II was deemed insufficient. The Committee mandated a comprehensive investigation and proposed a dedicated team for the task.
5. **Lease Renewal:** The expired lease agreement with CDA was highlighted as a priority for renewal to avoid operational disruptions and penalties.
6. **Governor's Annex:** The Committee proposed forming a Jirga to address the Governor's annex issue at KP House and bring it before the Chief Minister.

The Committee also called for revising Standard Operating Procedures (SOPs) for property management and emphasized timely submission of records and financial transactions. Non-compliance would result in legal consequences.

The final meeting, held on 14th November 2024, concluded with the following recommendations:

1. Refer the issue of the retained Rs. 6 million to the Standing Committee on Administration.
2. Urge the Provincial Government to recover KP House-II from its current occupants.
3. Support the Advocate General in pursuing the ongoing legal case, with a backup plan to file an FIR as per the Provincial Cabinet's decision.
4. Direct the Secretary Administration to take up the issue of renewing of the lease agreement with the Capital Development Authority (CDA), Islamabad to avoid any untoward incidents in future, including the sealing of the Khyber Pakhtunkhwa House.

The Committee remains committed to full accountability and timely resolutions to safeguard public property and prevent future incidents.


MUNIR HUSSAIN LUGHMANI,
MPA/CHAIRMAN.



**PROVINCIAL ASSEMBLY SECRETARIAT OF KHYBER
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ISLAMABAD.**

I, the Chairman of the Special Committee on the incident occurred in the Khyber Pakhtunkhwa House, Islamabad, have the honor to present this report on “the incident occurred in the Khyber Pakhtunkhwa House, Islamabad” which was referred by the House on 7th October, 2024 to the Special Committee constituted of the following:-

i.	Mr. Munir Hussain Lughmani, MPA	Chairman
ii.	Dr. Ibad Ullah Khan, Leader of Opposition, Provincial Assembly of Khyber Pakhtunkhwa	Member
iii.	Mr. Akhtar Khan, MPA	Member
iv.	Mr. Iftikhar Ali Mashwani, MPA	Member
v.	Mr. Muhammad Arif, MPA	Member
vi.	Mr. Shafi Ullah Jan, MPA	Member
vii.	Mr. Johar Muhammad, MPA	Member
viii.	Mr. Asif Khan, MPA	Member
ix.	Mr. Ahmad Kundi, MPA	Member
x.	Mr. Adnan Khan, MPA	Member
xi.	Mr. Muhammad Nisar, MPA	Member

PROCEEDINGS:-

2. The Special Committee held its preliminary meeting on Wednesday, the 9th October, 2024 in the Rehman Baba Conference Room of the Assembly Secretariat, Khyber Pakhtunkhwa, Peshawar to pursue and discuss its terms of reference as annexed at “A”.

3. In its first meeting the Committee deliberated the incident at length and decided to widen the scope of the Committee also to the issue of dislodging of Governor’s annexe in the Khyber Pakhtunkhwa House, Islamabad and the status of FATA House, Islamabad.

4. Thereafter, the Committee held five meetings on 15th, 17th, 23rd, and 30th October and 14th November, 2024. The following Members of the Committee attended meetings of the Committee mentioned against each:-

<u>MEMBER</u>	<u>MEETINGS ATTENDED</u>
i. Mr. Munir Hussain Lughmani, MPA	9 th , 15 th , 17 th , 23 rd , and 30 th Oct & 14 th Nov, 2024
ii. Dr. Ibad Ullah Khan, Leader of Opposition, Provincial Assembly of Khyber Pakhtunkhwa	23 rd Oct, 2024
iii. Mr. Akhtar Khan, MPA	15 th , 17 th , 23 rd & 30 th Oct & 14 th Nov, 2024
iv. Mr. Iftikhar Ali Mashwani, MPA	9 th , 15 th , 17 th , 23 rd & 30 th Oct, 2024
v. Mr. Muhammad Arif, MPA	9 th , 15 th , 17 th , 23 rd & 30 th Oct, 2024
vi. Mr. Shafi Ullah Jan, MPA	9 th & 15 th Oct, 2024
vii. Mr. Johar Muhammad, MPA	17 th Oct & 14 th Nov, 2024
viii. Mr. Asif Khan, MPA	9 th , 15 th , 17 th , 23 rd & 30 th Oct & 14 th Nov, 2024
ix. Mr. Ahmad Kundi, MPA	9 th , 15 th , 17 th , 23 rd & 30 th Oct & 14 th Nov, 2024
x. Mr. Adnan Khan, MPA	15 th , 17 th , 23 rd & 30 th Oct, 2024
xi. Mr. Muhammad Nisar, MPA	15 th & 30 th Oct, 2024

5. Apart from the above, the following also attended the meetings:-

ADMINISTRATION DEPARTMENT.

- i. Mr. Zulfiqar Shah, Secretary to Government of Khyber Pakhtunkhwa, Administration Department.
- ii. Miss Tillet Fahad, Additional Secretary, Administration Department.
- iii. Syed Habib-ul-Hassan Gillani, Additional Secretary, Administration Department.
- iv. Mr. Shakeel Ahmad, Deputy Secretary, Administration Department.
- v. Mr. Saif-ur-Rehman, Estate Officer, Administration Department.
- vi. Mr. Muhammad Naveed, Assistant Estate Officer, Administration Department.
- vii. Tufail Shah, Comptroller KP House, Administration Department.
- viii. Mr. Zaheen Ullah, Assistant Comptroller (KP House), Administration Department.

HOME DEPARTMENT.

- ix. Ms. Shaghufra Naveed, Special Secretary, Home Department.
- x. Mr. Saif ul Islam, Additional Secretary, Home Department.

COMMUNICATION & WORKS DEPARTMENT.

- xi. Mr. Umair Ahmad, XEN, Communication & Works Department.
- xii. Engineer Aman Ullah, SDO, Communication & Works Department.

POLICE DEPARTMENT.

- xiii. Mr. Hukum Khan, SP (Training), Police.
- xiv. Mr. Shahzaib, DSP (KP House), Police.

LAW DEPARTMENT.

- xv. Mr. Shakeel Asghar, Solicitor, Law Department.
- xvi. Mr. Tahir Iqbal Khattak, Law Officer, Law Department.

ADVOCATE GENERAL OFFICE.

- xvii. Mr. Shah Faisal, Advocate-General, Khyber Pakhtunkhwa.

PLANNING & DEVELOPMENT DEPARTMENT.

- xviii. Mr. Taimoor Arbab, Research Officer, Planning & Development Department.

ASSEMBLY SECRETARIAT.

- xix. Syed Wiqar Shah, Special Secretary, Provincial Assembly of Khyber Pakhtunkhwa.
- xx. Mr. Ibrahim Khan, Deputy Secretary Provincial Assembly of Khyber Pakhtunkhwa.
- xxi. Mr. Abdul Wahab, Assistant Secretary, Provincial Assembly of Khyber Pakhtunkhwa.

6. In the second meeting of the Committee held on 15th October, 2024, the Committee reviewed the progress of actions taken in its previous meeting and to devise future strategies for an effective investigation into the attack on the Khyber Pakhtunkhwa House Islamabad. It was emphasized on the importance of collaborative efforts for the effective implementation of tasks assigned to each. The Committee expressed resentment over the absence of the Comptroller of the Khyber Pakhtunkhwa House, Islamabad and issued stringent instructions to the Administration Department to ensure his attendance in the next meeting. The Committee sought about the ownership status of Khyber Pakhtunkhwa House, Islamabad, and the associated immunities.

7. The Advocate General of Khyber Pakhtunkhwa informed the Committee about the status of ownership of Khyber Pakhtunkhwa House, stating that according to Article-1 of the Constitution of the Islamic Republic of Pakistan, 1973, the Islamabad Capital Territory is the only Federal territory of Pakistan that is centered around Islamabad, where the specified areas are allocated to the federating units. He explained that the Khyber Pakhtunkhwa House, situated in F-5/2, Islamabad was allotted to the Government of Khyber Pakhtunkhwa under the provision supra. Harking back to its history, he explained that the K.P House was initially leased to Khyber Pakhtunkhwa by the Capital Development Authority (CDA) in 1973 for a period of 33 years, extendable for two additional terms of the same duration. The property map was approved by the Communication & Works Department in 1975, and this document is currently held by the Khyber Pakhtunkhwa Administration Department, which serves as ironclad proof of ownership.

8. He further outlined that the lease for K.P House was expired in 2006; however, the House remained under administrative control of Khyber Pakhtunkhwa. He noted that since the House is designated; therefore, it is subject to section 106 and 116 of Transfer of Property Act, meaning thereby that the non-renewal of lease will not rule out its status. Furthermore, the Khyber Pakhtunkhwa is not the only province with expired lease but a couple of other provinces are also in a similar situation. He particularized that following the incident, the House was suddenly sealed by the CDA without prior notice and later on, a notice was issued by the CDA regarding the construction of two unauthorized buildings. In response, writ

petition was filed in Islamabad High Court, which resulted in de-sealing of the House and directives to settle the issue with CDA within 15-days. Upon de-sealing, the House was inspected and found to be in dilapidated condition.

9. With regard to immunity, the learned Advocate General expressed his views that while the Constitution of Pakistan, 1973, does not explicitly outline it; however, the immunity can be implicitly interpreted based on its status and allocated share in Federal territory. He clarified that even if by any stretch of imagination, no immunity whatsoever is associated with the K.P House, the actions of the I.G and Rangers would out rightly constitute criminal offence.

10. Thereafter, the Additional Secretary Administration (Ms. Tillat Fahad) briefed the Committee about the historical background of the Khyber Pakhtunkhwa House Islamabad. She informed that the Khyber Pakhtunkhwa House is owned by the Capital Development Authority and was initially allotted to the Communication and Works Department on 25th June, 1973 for a period of 33 years, extendable for two additional terms of the same duration. Since, its establishment, the building has been under the management of the C&W Department. She stated that on 30th June, 1995, the Khyber Pakhtunkhwa House, Islamabad was handed over to the Administration Department, (erstwhile known as Services and General Administration Department (S&GAD), however, no official record of handing/taking over is available with the Estate Office. Additionally, upon expiry of lease in 2006, a letter was communicated to the Chairman of the Capital Development Authority, Islamabad requesting for the renewal of the lease agreement. On 01.02.2024, a notice was received from the CDA, advising the submission of lease renewal application within 15 days. In response, the Estate Office issued letters to the Communication and Works Department, the Section Officer (Administration) and the Comptroller of Khyber Pakhtunkhwa House, Islamabad, for provision of the necessary documents. In response to Estate Officer's letter and subsequent reminders, the Communication and Works Department's response is still pending. However, the Section Officer (Administration) has confirmed that all dues related to utility bills and associated charges have been cleared, and there is nothing outstanding on their part. In response to a question regarding the immunities associated with Khyber Pakhtunkhwa House, Islamabad, she clarified that the Law, Parliamentary Affairs, and Human Rights Department will be in a better position to explain and provide the necessary information.

11. The Additional Secretary, Administration briefed the forum that all Houses of the Khyber Pakhtunkhwa including K.P House-II are looked after by the Estate Office of the Administration Department. She submitted a report which was prepared from the available record of the Estate Office about the Khyber Pakhtunkhwa House-II before the August forum outlining that following the merger of FATA with Khyber Pakhtunkhwa Province, the state properties, offices, residential accommodations, and the Khyber Pakhtunkhwa House-II, Islamabad (measuring 2,000 square yards) located in Sector G-1, Islamabad were also transferred to the administrative control of Administration Department of Khyber Pakhtunkhwa. After integration, the subject House was renamed as "Khyber Pakhtunkhwa House-II, Islamabad" following approval from the Hon'ble Chief Minister Khyber Pakhtunkhwa through a summary. The House was designated exclusively for Provincial Ministers, Special Assistants, Advisors to Chief Minister of Khyber Pakhtunkhwa and officers in BSP-20 and above. She also informed that on the direction of the Federal Cabinet, a Committee was constituted by the Ministry of Interior, Islamabad, to oversee the proper utilization of the House. The Secretary Administration of Khyber Pakhtunkhwa was also nominated as a member of this Committee; however, the decision of the Committee is still

pending. In this regard, the Administration Department has recurrently requested the Ministry of Interior, Government of Pakistan, to finalize the matter and transfer the House back to the Government of Khyber Pakhtunkhwa. However, the matter is still on the back burner.

12. The Committee also invited Mr. Zaheen Ullah, representative of the Khyber Pakhtunkhwa House, Islamabad to brief the Committee on the actions taken by the Comptroller following the incident that had befallen the Khyber Pakhtunkhwa House, Islamabad. Mr. Zaheen Ullah, Assistant Comptroller at Khyber Pakhtunkhwa House Islamabad, informed the Committee that on 05.10.2024, at approx. 04:00 PM, an untoward incident occurred at the Khyber Pakhtunkhwa House, resulting in damage to the moveable and immovable properties in the Chief Minister's Block, the former Governor's Block, the Old Block, S-1 Block, S-II Block, and the dormitory block. Following the incident, several items, including laptops, DVRs, and computers, are missing. Additionally, a significant amount of Rs.6 million, collected as room rent along with related records, which were kept in the office of the Comptroller for safekeeping, are also missing. This was because the House staff and security personnel stationed at Khyber Pakhtunkhwa House, Islamabad were not allowed to enter the premises.

13. The S.S.P deputed at Khyber Pakhtunkhwa House, Islamabad, while outlining the ins and outs of the incident, told to the Committee that the CDA's officials along with Islamabad Police entered the Khyber Pakhtunkhwa House, Islamabad on 07.10.2024, at around 2:30 PM and sealed the House. The staff at reception in the Old Block informed about the sealing and the instructions for civil staff to vacate the premises within half an hour, while police personnel stationed at Khyber Pakhtunkhwa House were directed to leave immediately. In the meantime, we made every effort to secure the official vehicles from the Chief Minister's Block and the House. We promptly reported the matter to the PSO to the Chief Secretary of Khyber Pakhtunkhwa and the Deputy Secretary (Administration).

14. During its second meeting, the Communication & Works Department asked to update the Committee on the assessment of the damages incurred at the Khyber Pakhtunkhwa House. The XEN PBMC(Mr. Umair Ahmad Jan), displayed photos of the damaged items on the video wall screen and informed the Committee that on October 12, 2024, the Sub-Divisional Officer-III, accompanied by a Sub-Engineer and the Comptroller of the House, visited Khyber Pakhtunkhwa House, Islamabad and identified the following damages related to various items:

- i. Brazilian Wooden Doors
- ii. Mahogany wooden Doors
- iii. Deodar Wooden Doors
- iv. Aluminum doors & Windows
- v. Fabric Curtains
- vi. Vanity
- vii. Wooden Wall Paneling
- viii. Garden lights
- ix. Sport Lights
- x. Louvers
- xi. Horizontal blind (zebra blind/roller blind)curtains
- xii. Kitchen cabinets
- xiii. Door lock

15. The Committee sought briefing on the incident from the DSP Khyber Pakhtunkhwa House, Islamabad. The DSP (Mr. Shah Zeb), responded that on 05.10.2024, he was on duty at Khyber Pakhtunkhwa House, Islamabad. He was informed that the Chief Minister will be arriving and entering the House through Gate No.3 at approximately 03:26 PM. At exactly 03:38 PM, the Rangers and ICT Police under the supervision of I.G Police Islamabad arrived at Gate No.1. Since Mr. Shah Zeb was deputed at Gate No.3, Rahat Khan, the Sub-Inspector of the Special Branch was monitoring Gate No.1. The Police personnel and Rangers demanded the Sub-Inspector to open the gate. As a first resort, he requested to wait for confirmation from D.S.P concerned but the police personnel and Rangers responded with excessive force, assaulted S.I and entered the House. The Rangers demanded the security personnel stationed at K.P House, comprising 70 members from the Khyber Pakhtunkhwa Police, the Frontier Constabulary (FC) Special Branch, and a platoon of Frontier Reserve Police (FRP) to surrender their weapons. Upon assessing the precarious situation, he rushed to Gate No.1 and observed that a multitude of about 600 to 700 police and ranger personnel were advancing toward the House. Since, the main gate had been broken, they entered the Khyber Pakhtunkhwa House and initiated a search operation without serving any notice or search warrant. They forcibly confiscated the weapons of the security personnel on duty and seized the CCTV camera that documented the unlawful incident.

16. Mr. Ahmad Kundi, MPA, drew the attention of the Committee that as to why the Secretary Administration of Khyber Pakhtunkhwa did not issue clear directions to the Comptroller of Khyber Pakhtunkhwa House to prepare a comprehensive report on the unfortunate incident. He also highlighted the Comptroller's failure to follow Standard Operating Procedures (SOPs) during this emergency situation. Similarly, Mr. Iftikhar Ali Mashwani, MPA questioned the DSP, K.P House and SP Training about their failure to lodge an FIR at the Police Station concerned despite the fact that a similar nature of incident had already befallen the Bannu Police Station, and there the FIR was lodged, accordingly. Mr. Adnan Khan, MPA also raised a question about the dislodging of the Governor residence from the KP House and requested the Committee to take necessary action in accordance with law.

17. The Special Secretary Home Department, stated that owing to lack of proper evidence of incident occurred at KP House, the matter primarily falls under the jurisdiction of the Administration Department. She stressed that the Comptroller should address any administrative issues directly with the Administration Department. Additionally, she questioned the rationale behind sealing the KP House without prior intimation and in such an aggressive manner. She further pointed out the absence of official record indicating that K.P House-II, Islamabad has been formally handed over to the Khyber Pakhtunkhwa Government.

18. After detailed deliberation, the Committee reached a consensus that the actions of Police personnel and Rangers constituted a criminal offence. The Committee voted with one accord that direction be issued to the Secretary Administration to initiate legal proceedings against those involved in this nefarious activity. The Law Department and Advocate General, Khyber Pakhtunkhwa corroborated the decision of Committee.

19. At the conclusion of the second meeting of the Committee, the following decisions were taken, unanimously, by the Committee:-

- i. The DSP Khyber Pakhtunkhwa House, Islamabad was directed to furnish Roznamcha report related to the KP House incident before the Committee.
- ii. The Comptroller KP House was summoned to appear personally before the Committee alongwith all relevant documents related to KP House and explain the reason of his absence in the next meeting with documentary proof.
- iii. The representative of the Communication & Works Department, Administration Department and Comptroller KP House were directed jointly prepare a fact-finding report detailing the damaged items and assessing the extent of damages incurred during the incident at KP House.
- iv. Since, there was a consensus between the Members of the Committee that the act of Police and Rangers constitute a criminal offence, therefore, the Secretary Administration Khyber Pakhtunkhwa was directed to initiate criminal proceedings in consultation with the Advocate General, Khyber Pakhtunkhwa, as per law against the persons involved and submit comprehensive report on or before the Committee in its next meeting.
- v. The Additional Secretary Administration was directed to produce a copy of the minutes of the Provincial Cabinet meeting regarding dislodging of the Governor residence from the KP House.

20. After the second meeting of the Committee, it was decided to present a preliminary report of the Committee to the House. Accordingly, the preliminary report of the Committee as annexed at "B" was presented to the House on 16th October, 2024 which was adopted, unanimously, by the House. *The Committee in its report determined that the attack on Khyber Pakhtunkhwa House out rightly constituted a criminal offense and in this regard the Secretary Administration directed to proceed with the matter, immediately, in consultation with the Advocate-General to initiate criminal proceedings as per law against the persons involved.*

21. In the third meeting of the Committee held on 17th October, 2024, the Committee focused on the outcomes of the previous discussions, review of the progress of tasks assigned in the last meeting, and evaluate the implementation of strategies devised in previous meetings.

22. In reference to previous meeting, the SP Training (Mr. Hukum Khan), while presenting Roznamcha Report (daily diary) related to the incident that occurred at Khyber Pakhtunkhwa House, Islamabad before the Committee, he said that Roznamacha Report was registered in the police station concerned in a timely manner, which was further elucidated by the Advocate General, Khyber Pakhtunkhwa during the meeting.

23. The Comptroller KP House (Mr. Tufail Shah), provided the details of the incident that befell the K.P House, Islamabad. He informed the Committee that on 05-10-2024, at 3:30 PM, the Chief Minister of Khyber Pakhtunkhwa, accompanied by security staff and other PTI

workers, entered the premises of KP House, Islamabad. Shortly thereafter, at 3:38 PM, the Inspector General, Islamabad, along with his police force and Rangers, forcibly entered through Gate No.1. They suddenly, started firing and shelling, and physically assaulted the K.P House staff. They searched the rooms in the S-I and S-II blocks, and insulted the guests. Significant damage was inflicted on properties, including the Chief Minister's Block, the former Governor's Block, the Old Block, and S-I and S-II Blocks. During the incident, several items were reported missing, including a laptop, DVR, and computer. Additionally, approximately Rs.6 million, previously collected on account of room rent, along with related records that were kept in the office of the Comptroller for safe keeping, were also missing following the incident.

24. The Comptroller further reported that a second raid was conducted that night. The forces again interrogated the staff and searched the rooms of the House in pursuit of Chief Minister and other Members of the Khyber Pakhtunkhwa Assembly. He clarified that he made every effort to inform the officials at higher echelon about the incident but his liaison was cut off with them.

25. Mr. Asif Khan, MPA inquired about the Standard Operating Procedures (SOPs) for handling cash at the KP House. He also sought information regarding the rental payments and other financial transactions, specifically how these funds are deposited into the treasury of the Government of Khyber Pakhtunkhwa. In response, the Comptroller of KP House stated that rental payments are collected in cash, recorded in the manual register and usually deposited at the end of each month, though occasional delay in the process may occur.

26. Mr. Asif Khan, MPA expressed dissatisfaction with the Comptroller's response regarding the Standard Operating Procedures (SOPs) for handling cash and raised serious concerns over the SOPs framed for such purposes. In response to Mr. Asif Khan, MPA's concerns about the cash handling procedures, the Comptroller of KP House stated that these practices have been in place for decades. The Comptroller explained that the KP House does not have a bank account in Islamabad, and that financial transactions are often settled within a month or so.

27. Dissatisfaction was expressed with the current method of depositing cash at the KP House and emphasized the necessity of a bank account within the territory of Islamabad to enable swift and secure transactions.

28. An eye witness, Mr. Hamayun Khan, MPA, was also invited by the Committee to brief his account of the incident that took place at the Khyber Pakhtunkhwa House, Islamabad. Upon which he informed that on the day of occurrence, he along with Chief Minister and other MPAs entered the premises of the KP House through Gate No.1. No sooner did the security forces enter the premises than they started firing, shelling, and vandalizing. He further stated that the three windows of his personal vehicle were broken and the original documents along with cash amounting to rupees three lac, a mobile phone and perfumes, lying therein, were found missing.

29. The Committee expressed their concern on the fact finding report of the representatives of C&W, Administration and KP House Islamabad that it was not prepared as per the spirit of the decision of the Committee. Therefore, the Committee reiterated to compile a joint report to be submitted to the Committee in the upcoming meeting.

30. Thereafter, the Committee asked the Secretary Administration to explain about the actions taken by the Department in response to the preliminary report as adopted by the House on 16th October, 2024.

31. Upon which the Secretary Administration (Mr. Zulfiqar Shah) described the incident as an unfortunate and condemnable act by the forces and apologized for his absence from the previous two meetings of the Special Committee. The Secretary Administration proposed that the Assembly might consider passing a resolution to strengthen the case at hand, noting that no other provincial government, except for the Government of Sindh, has extended the lease of their House. He referred Rule-12 of the Khyber Pakhtunkhwa Government Rules of Business, 1985, which stipulates that the Law Department should be involved in pursuing criminal cases related to the incident. The Secretary Administration while responding to Mr. Ahmad Kundi, MPA's query, informed the Committee that there were no obstacles in filing a case, however, due to unprecedented nature of the incident, there was a confusion regarding the complainant and the accused. The Secretary emphasized that there was no clear precedent to guide their actions.

32. Mr. Ahmad Kundi, MPA, raised a point before the Committee as to whether the case should be filed against the Government or the Inspector General of Police, Islamabad. He stressed the need for clarity regarding the parties involved in the case and suggested that an FIR should be filed against the Rangers and the IG Police, Islamabad. He requested for the input from the Advocate General and the Law Department on this matter.

33. At this point, the Advocate General, stated that since the Federal Government has denied any involvement in the attack on the KP House, therefore, the case should be filed against the Inspector General of Police, Islamabad. He further stated that the Frontier Corps/Special Branch stationed at the KP House, has documented the incident in their respective register, implicating the Rangers and ICT police. The Advocate General added that he has discussed the situation with the Chief Minister of Khyber Pakhtunkhwa, who has instructed him to lodge an FIR against the intruders and those responsible. The FIR will be filed under sections 457/382/427/ 324/347/ 353/148/149 PPC, 1860, read with Section 7-Anti Terrorism Act, 1997. Copies of the FIR will be sent to the President, Prime Minister, Chairman Senate, Speaker National Assembly, Chief Justice of Islamabad High Court and Chief Justice of the Supreme Court of Pakistan to ensure that key entities are informed of the incident.

34. Mr. Tahir Iqbal Khattak, from the Law Department, supported the stance of the Advocate General, stating that, in criminology, it is not feasible to file an FIR against an Institution. He recommended that the Advocate General consult with the Law Department under Section-12 of the Government of Khyber Pakhtunkhwa Rules of Business 1985 for technical advice on the matter. Additionally, he inquired about the specific evidence available in the case. In response, the Advocate General stated that there are clear guidelines established by the Apex Court regarding the collection of evidence in such cases. The AG further explained that the responsibility for evidence collection rests with the investigating officer (I.O), who will be assisted by the staff of the KP House after filing of the FIR.

35. The Additional Secretary, Administration presented minutes of the Cabinet meeting pertaining to the Governor's annexe, which are reproduced below:-

“Discussion

- i. The Chief Minister brought this agenda before the Cabinet for consideration as table agenda. He emphasized that he has the highest regard for the office of the Governor but due to the prevailing enmity between his family and that of the incumbent Governor this matter needs urgent consideration. He added that the Chief Minister and Governor blocks are adjacent to each other and simultaneous stay of both office holders in the Khyber Pakhtunkhwa House, Islamabad has serious security implications. The Cabinet was informed that the booking o Governor Block is managed by the Governor House Administration and the booking o the Chief Minister Block is managed by the Chief Minister House Administration. Though extreme care is taken before allowing guests in these two respective blocks yet prevailing enmity between the families of two office holders has the potential to ignite a security situation which may endanger the security and safety o the two august office holders. The Cabinet therefore opined that the possession of Governor Block, Khyber Pakhtunkhwa House, Islamabad may be taken over and alternate arrangements be made for the stay of the Governor in Islamabad.
- ii. Chief Secretary informed that in terms of Article-129 of the constitution, the executive authority of the Provincial Government is exercised in the name of Governor and as such, he may be consulted in this matter before taking any decision. The Chief Minister proposed that an independent Governor Block may be constructed though next year’s ADP on a different location within the compound of Khyber Pakhtunkhwa House, Islamabad. He directed Secretary Administration to explore possibilities for providing appropriate arrangements for stay of the Governor and his staff in Islamabad. The Cabinet agreed to this arrangement.

Decision:-

- iii. The Cabinet approved the taking over of the possession of the Governor Block, Khyber Pakhtunkhwa House, Islamabad, construction of independent Governor Block in the Khyber Pakhtunkhwa House, Islamabad on a different location and exploration of alternate arrangements for the stay of Governor and his staff at Islamabad till such time the new Governor Block is constructed.”

36. At this point, Mr. Adnan Khan, MPA stated that after reviewing the Cabinet minutes, the matter regarding the Governor's annexe appears to be a personal issue between the Chief Minister of KP and the Governor. He emphasized that these are designated residences by virtue of their position. He stressed that the issue should be resolved in the best interests of the public. In this regard, Mr. Iftikhar Ali Mashwani, MPA, added that he, along with Mr. Arif and Mr. Asif, MPAs, are working collaboratively to address the issues related to the Governor's annexe and will approach the appropriate forum.

37. After detailed deliberations on the subject matter, the Committee reached a unanimous consensus with Mr. Adnan, MPA regarding the formation of a Jirga. This Jirga will include the Speaker of the Khyber Pakhtunkhwa Assembly with the aim to facilitate a constructive dialogue and to formally present the issues related to the Governor's annexe to the Chief Minister of Khyber Pakhtunkhwa for resolution.

38. Upon the query of the Committee, the Estate Officer of the Administration Department-II (Mr. Saif-ur-Rehman), while clarifying the status of Khyber Pakhtunkhwa House-II, stated that KP House-II was taken over without any formal handing over procedures. He explained that the department has reviewed its record to check for documentation regarding the handover of KP House-II, but no such record has been found to date.

39. The AG, Khyber Pakhtunkhwa, in response to Mr. Ahmad Kundi, MPA, stated that the decision adopted by the Assembly should direct the Estate Office to formally initiate the process for the handover of K.P House-II, Islamabad to K.P Government.

40. The Administration Department was directed to gather comprehensive data regarding KP House-II. It was emphasized that while evidence of the occupants is not necessary, but it is crucial to determine if any departmental officers were involved in the illegal handover of the property.

41. The Advocate General informed the Committee that prior to 2019, the right to information was not considered a fundamental right. However, under Article 19(A) of the Constitution of the Islamic Republic of Pakistan, "every citizen shall have the right to access information in all matters of public importance, subject to regulations and reasonable restrictions imposed by law." He emphasized that, based on this Article, Interior Ministry can be requested to clarify under what provision of law it is holding Khyber Pakhtunkhwa House-II. The Secretary Administration endorsed the version of Advocate General.

42. Mr. Adnan, MPA suggested to the Committee that the Secretary Administration may be tasked to direct responsible officer to visit KP House-II and compile a list of all the illegal occupants residing there.

43. After detailed deliberation on the subject issues and voting amongst the Committee members, the following decisions were unanimously taken:-

- i. The representatives of the C&W Department, Administration, and KP House Islamabad will collaborate to prepare a comprehensive fact-finding report detailing the damaged items and their total value. The report, based on thorough inquiries including recorded statements of guests who stayed at the KP House on the specified date, should be duly signed by all three representatives and be submitted to the Committee in the upcoming meeting.
- ii. The Advocate General in consultation with Law and Administration Department will finalize the draft and file an application against the intruders/responsible and submit his report in the upcoming meeting.

- iii. The Estate Officer of the Administration Department is directed to submit a comprehensive report identifying the authority currently occupying the KP House-II, Islamabad.

44. In the fourth meeting of the Committee held on 23rd October, 2024, the Committee examined follow-up of the actions taken in view of its previous decisions of the Committee.

45. In the light of previous decision of the Committee, the XEN C&W (Mr. Umair Ahmad Jan) presented a joint report relating to the damaged items and its total cost on the incident occurred in the Khyber Pakhtunkhwa House Islamabad on 05-10-2024. He read out the list of damaged and missing items which were provided by the MPAs, guests and Police personals. He further explained a detail of damages of Civil nature amounting to Rs 9.6 (million) and other related to the furniture, fixture & curtain, machinery and equipment, DVR/CCTV Cameras, laptop, cash amount of rent room charges as well as missing cash from the Police personal, MPAs and guests total amounting to Rs. 10.1 million.

46. Mr. Ahmad Kundi, MPA, noted that the Committee had received a joint report detailing total losses of approximately 19.7 million rupees, it was essential for the Department to provide more specific estimates for individual items such as weapons, cell phones, and others. This would enable a more accurate and detailed assessment of the damages incurred. He also raised a question that it was the responsibility of the Departments to make a tentatively cost of each items, but unfortunately, the report which was prepared jointly by the representative by the Department is not based on fact. The Committee toonoted that the list of damaged and missing items presented by the Department was incomplete because a detail the worth cost of the Chief Minister Secretariat was not mentioned in the list.

47. The SP Training (Mr. Hukam Khan) expressed his readiness to provide a detail damage assessment report for weapons, ammution, and other items listed in the report submitted by the Administration Department. This offer would contribute to the comprehensive evaluation of the damages incurred.

48. After thorough discussion on the report presented by the Department and question raised by the Hon'ble Members during the meeting, the representative of the C&W, Administration, Comptroller KP House and SP training police Departments were directed to sit together and make a comprehensive fact-finding report alongwith tentatively cost of each item about the damaged and missing items and total cost of the items.

49. The representative of the Estate Office presented SOPs framed for rent rooms before the Committee which are reproduced as below:-

- i. Administration Department shall from to time for the purpose of sustainability of the rest houses through revenue generation. Fix room rent for all its rest houses in accordance with their location, capacity and nature of the rooms in the rest house.
- ii. No room shall be reserved free of cost except designated rooms which shall be rent free as per provisions of Khyber Pakhtunkhwa

PROVINCIAL Buildings (Management Control & allotment).Act,
2018

- iii. Rooms reserved by Provincial Ministers of the Government of Khyber Pakhtunkhwa as well as, Members Provincial Assembly of Khyber Pakhtunkhwa shall not be charged room rent up to maximum of three consecutive days.
- iv. Provided that if a room reserved by a Provincial Minister of the Government of Khyber Pakhtunkhwa or a Member Provincial Assembly of Khyber Pakhtunkhwa as the case may be, is utilized by a person (s) other than the Provincial Ministers of the Government of Khyber Pakhtunkhwa or the Member Provincial Assembly of Khyber Pakhtunkhwa or his parents, then full room rent shall be charged from the person, who would utilize the room.
- v. Provided further that drivers and security guard of the Ministers, MPAs and other dignitaries shall not be allowed stay in guest rooms as separate arrangements are in place for such functionaries in the rest house.
- vi. Room rent shall be charged from a Provincial Minister of the Government of Khyber Pakhtunkhwa or a Member of the Provincial Assembly of Khyber Pakhtunkhwa for the stay in the rest house beyond three consecutive days.
- vii. One third amount of the total room rent shall be collected by the Estate Officer in advance at the time of reservation before handing over reservation slip while the remaining two third amount of room rent shall be collected by the management of the concerned rest house from the concerned person during check out.
- viii. In case reservation is made to a person on telephone after office timing or to a person who is out of city and it is not possible for him to deposit one third amount of room rent in Estate Officer, then total amount of room rent shall be collected by the local management of the concerned house during check out.
- ix. The incharge of the rest house for the room rent collected at rest house and the authorized person of the Estate Office for the room rent collected at the Estate Office, shall be responsible for the custody for the amount and its deposition in the government treasury on monthly basis.
- x. The amount which was collected on account of room rent shall be deposited in the government treasury at the end of each month but not later than seventh day of the calendar month and its record shall be reconciled with the treasury on monthly basis and reconciliation

certificate so obtained from the treasury shall be placed on record for audit purpose.

50. Mr. Ibad Ullah and Mr. Asif Khan, MPAs stated that after reviewing the SOPs framed for room rent charges of Khyber Pakhtunkhwa House, the Comptroller violated the SOPs by collecting the room rent charges from the guests along with relevant records which were kept in his office (from March 2024 to the date of incident) for safekeeping which were missing during the incident occurred.

51. Mr. Iftikhar Ali Mashwani, MPA inquired from the Administration Department that it is the responsibilities of the Department to keep a watchful eyes on such irregularities. In response, Additional Secretary Administration Department, stated that matters related to KP House is being handled by the Estate Officer of the Administration Department. She suggested that the Estate Officer would be better to assist the Committee regarding the relevant processes and procedures.

52. After detailed discussion, the Comptroller of the KP House was directed to explain reason/grounds why he kept the room rent charges amounting to Rs 06.00 million in his own custody for such long period of (8months instead depositing into the Government treasury as per SOPs framed for room rent charges).

53. A suggestion was also discussed in the meeting that there was a specific/proper Standing Committee on Administration Department as pointed out by the Mrs. Shagufta Naveed, Home Department and such like issues be examined in the said Committee. All Committee Members agreed with the proposal.

54. Thereafter, the Advocate General was asked to update the Committee about the progress of the application/FIR filing against the intruders/responsible. The A.G informed the Committee that on the directives of the Special Committee and its preliminary report adopted by the House on 16th October, 2024, he approached to SHO police station Secretariat Islamabad for registering of FIR U/S 457/382/427/324/347/353/148/149/PPC/ATS, against the respondents but the concerned SHO denied to register FIR against the respondents and returned back the documents. He also sent the copies of the said documents to President, Prime Minister, Chairman Senate, Speaker National Assembly, Chief Justice of Islamabad High Court and Chief Justice of the Supreme Court of Pakistan which were received to them via TCS and its record was available. He also apprised the Committee that after denial of lodging FIR against the respondents subsequently the Writ Petition prepared under Section 22-A & 22-B of criminal procedure code, 1898 for registration of FIR against the respondents before the Court of Session Judges Islamabad from petitioners i.e. Provincial Assembly of Khyber Pakhtunkhwa, Members of the Special Committee and Administration Department against Inspector General of Police Islamabad, SSP (Operations) and Station House Officer (SHO) Police Station Secretariat. In the Writ Petition it prayed that the Hon'ble Court may kindly direct the Respondent (SHO concerned) to perform their duty in accordance with law and register criminal case/FIR against the accused persons i.e. Respondents under the relevant provisions of law in the best interest of justice and supremacy of law.

55. The Special Secretary, Home Department after reviewing the Writ Petition apprised the Committee that there is some logical errors in Para- 2 of the Writ Petition. The Advocate General apprised the Committee that this Writ Petition prepared by Additional Advocate

General and he will refine and remove logical errors before submitting the case in the Court of law.

56. Upon the queries of Honorable Members about getting signatures on the Write Petition instead of Secretary and Comptroller being custodian of the Department, the Advocate General apprised the Committee that the House constituted Special committee for the incident occurred in the KP House. After affixing signatures of the Members of the Special Committee on the Writ Petition as well as Report adopted by the House just to strength the case instead of single petitioner i.e. Comptroller/the Secretary. All Members of the Committee agreed with the suggestions of the Advocate General and put their signatures on the Writ Petition.

57. The Committee once again asked about the status of the KP House-II but the Additional Secretary Administration failed to present a comprehensive report to identify the authority currently occupying the KP House-II Islamabad as well as occupants residing there. She apprised the Committee that the Estate Office had been tasked with addressing the issue of KP House-II directed to approach the Interior Ministry regarding the matter and Secretary Administration was involved in the process. She apologized on the behalf of the Secretary Administration for his absence from the meeting due to illness. She further informed the Committee that the Ministry of Interior Islamabad constituted a Committed to oversee the proper utilization of the KP House-II. The Secretary Administration of Khyber Pakhtunkhwa was also nominated as a Member of this Committee, however, the decision of the Committee is still pending. In this regard, the Administration Department has requested the Ministry of Interior Government of Pakistan through Estate Office to finalize the matter and transfer the House back to the Government of Khyber Pakhtunkhwa with all relevant record. However, no response received from the Ministry of Interior as yet. She also requested the Committee that sometime be granted to the Department to dig out the record of KP House-II.

58. Mr. Ahmad Kundi, MPA inquired that is there some reason behind the writing to the Interior Minister, if the Administration Department did not have a proper plan for handling the situation? He urged the Secretary Administration to personally visit KP House-2 and investigate the ground realities. Miss Tillat Fahad, Additional Secretary, Administration in response to the question apprised the Committee that the data related to KP House-II was in the possession of the previous Comptroller, when inquired about the records, the previous Comptroller had indicated that there is no proper record available. Miss Tillat Fahad assured the Committee that the Administration Department was actively working to locate the relevant record.

59. Dr. Ibad Ullah, Leader of the Opposition suggested that the issue of KP House-II may be referred to the Provincial Cabinet alongwith the recommendation of the Special Committee with the request to take up it with the Federal Government. But Mr. Ahmad Kundi, MPA disagreed with the suggestion and apprised the Committee that in previous meeting of the Committee held on 9th October, 2024, the status of the KP House-II was included in the Terms of Reference (ToRs) in this Committee for discussion and analysis of its current status. He was endorsed by Mr. Adnan Khan, MPA adding that after merging FATA into the Khyber Pakhtunkhwa Province, the property of KP House-II was the property of the Government of Khyber Pakhtunkhwa and suggested once again that the Secretary Administration or any other officer nominated by him shall visit KP House-II and compile a list of illegal occupants. After thorough discussions on the issue of KP House-II, the Committee, unanimously, decided and directed the Secretary Administration being the custodian of the Department to

dig out and search all the relevant record pertaining to the KP House-II and present it before the Committee.

60. After detailed deliberation and getting vote from the Member of the Committee, the following decisions were, unanimously, taken by the Committee in its fourth meeting:-

- i. The representatives of the C&W Department, Administration, SP Training and KP House Islamabad sit together and prepare a comprehensive fact-finding report including tentatively cost of each item along with total cost of the damaged and missing items.
- ii. The Comptroller of the KP House directed to apprise the Committee with record/reasons/grounds that why he kept the room rent charges amounting to Rs 06.00 million in his own custody for such long period of eight 08 months (from March 2024 to the date of incident date) instead depositing into the Government treasury as per SOPs framed for room rent charges.
- iii. The Advocate General will brief the Committee about the progress of Writ Petition in the Court of Session Judge Islamabad.
- iv. The Estate Officer of the Administration Department who is the Incharge of all Houses of the Khyber Pakhtunkhwa including KP House-II directed to submit a comprehensive report identifying the Authority currently occupying the KP House-II, Islamabad.

61. The fifth meeting of the Committee was held on 30th October, 2024 to discuss the progress of the actions taken in view of the Committee's decisions, specifically, regarding the collaboration among the representatives of the C&W Department, Administration, SP Training, and KP House, Islamabad and to consider updates on the status of joint fact-finding report detailing each damaged and missing items, their total value and the recorded statements from the guests, who stayed at the K.P House, Islamabad.

62. In response, a joint report was submitted, however, the same was presented without corroborating documents. The Committee expressed their concerns over the sluggish and loath demeanor of the Members tasked with preparing joint report as they only provided a one-page summary of the damaged and missing items, without attaching the relevant records. This summary was identical to the one that had already been rejected by the Committee in its previous meetings. The Committee also noticed the absence of the Secretary Administration and inquired about his absence from the Additional Secretary Administration. In response, the Additional Secretary (Syed Habib-ul-Hassan Gillani) informed the Committee that the file was entrusted to him with the directions to attend the meeting personally and stated that he had no information regarding the absence of the Secretary Administration.

63. At this point, Mr. Iftikhar Ali Mashwani, MPA, highlighted that without the presence of Secretary Administration, the Committee would be unable to achieve its required objectives and make any meaningful progress toward fruitful results. Mr. Muhammad Arif, MPA, observed that most of the agenda items related to the Administration Department and he

questioned how the Committee could proceed effectively in the absence of the representative of the Administration Department.

64. Due to concerns of the Committee, the Secretary Committee was directed to immediately intimate the Secretary Administration to appear before the Committee. On the directions of the Committee, the Secretary Administration appeared before the Committee and apologized. He stated that in addition to his own duties he has also been assigned the charge of Secretary Establishment. He elucidated that this additional charge has placed significant pressure on him to manage the official business of both the Departments.

65. The Committee also questioned the absence of the Estate Officer from the meeting. In response, the Secretary Administration informed the Committee that the Estate Officer was not feeling well and is hospitalized; therefore, he was unable to attend the scheduled meeting. The Committee observed that it was the responsibility of every officer to submit a written application to the Chairman of the Committee regarding his absence, supported by valid reasons. However, the Estate Officer has failed to do so, which constitutes a violation of the Rules.

66. Mr. Adnan Khan, MPA, drew the attention towards the Committee's ability to achieve its objectives within the specified timeframe is being hindered by the Department's consistent failure in providing the necessary record. He pointed out that, as the House had set a 15-days deadline for completing the report, the purpose of the Committee was unlikely to be fulfilled without the required cooperation by the concerned Departments. He further highlighted that if the Department continues to show such reluctance and indifferent attitude towards the Committee, then, it would be considered a violation of the Privileges Act. In such a case, the Committee would be compelled to take legal action against the responsible officers under the Khyber Pakhtunkhwa Provincial Assembly Powers, Immunities and Privileges Act, 1988, which may result both imprisonment/fine.

67. Thereafter, the Committee asked the Comptroller of Khyber Pakhtunkhwa House, Islamabad, to provide record explaining the reasons for retaining the room rent charges of Rs.6 million in his custody for eight months (from March 2024 to the date of the incident) instead of depositing it to the Government treasury, as mandated by the SOPs. But the Comptroller of KP House yet again failed to produce the requisite records called-for by the Committee in the previous three consecutive meetings. The Committee expressed serious concerns over the Comptroller's unresponsive attitude and directed the Secretary to take personal interest in the matter to prevent further delays. The Secretary Administration assured the Committee that the necessary records would be provided in the upcoming meeting.

68. In addition, the Secretary Administration informed the Committee that the lease agreement with the Capital Development Authority (CDA), Islamabad has been expired since 2006 and requested the Committee to issue necessary directions to the quarter concerned for the renewal of lease agreement to ensure operational continuity.

69. Mr. Ahmad Kundi, MPA, emphasized that the Committee should issue directions to the Secretary Administration to renew the lease agreement with the CDA, Islamabad without further delay. He pointed out that any further delay in the process of lease agreement with the CDA would result in increasing fines.

70. The Committee directed the Secretary Administration to promptly address the issue of renewing the lease agreement with the Capital Development Authority (CDA), Islamabad to avoid any untoward incidents in future, including the sealing of the Khyber Pakhtunkhwa House.

71. The Committee asked the Secretary Administration to submit a written explanation of the Department's repeated failure to produce the requisite record pertaining to KP House-II, including solid justifications for these short comings. In response, the Secretary Administration instructed the Comptroller to update the Committee on the status of KP House-II. The Comptroller apprised the Committee that the Estate Officer had visited the KP House-II and taken photographs in front of the closed gate.

72. The Committee showed its dissatisfaction over the action taken by the Estate Officer by merely taking photographs in front of the closed gate instead of complying with the directions of the Committee given in the previous meetings.

73. Mr. Ahmad Kundi, MPA, asserted via video link that in previous four consecutive meetings, the Committee had directed the Administration Department to produce the requisite record for KP House-II, but the Department has failed to comply with the directions of the Committee time and again. He suggested that the Administration Department may be directed to nominate a responsible officer not below the rank of BPS-18 to visit Khyber Pakhtunkhwa House-II, Islamabad alongwith the Police force to prepare a comprehensive report with complete relevant documents and submit the same to the Committee, enabling the Committee to take the matter forward in the right direction.

74. The Secretary Administration requested the Committee to issue written directions to the Administration Department to visit to the Khyber Pakhtunkhwa House-II and collect the requisite record. The Committee strongly opposed the suggestions of Secretary Administration, stating that the recurrent directions issued in the previous four meetings regarding the provision of record related to KP House-II were more than sufficient. He was directed to implement the instructions issued in the previous meetings in letter and spirit and no need of issuance of separate letter.

75. The Secretary Administration requested the Committee, for provision of 14 days' time to furnish relevant record related to the Administration Department. The Committee agreed with the request of the Secretary Administration Department.

76. The Committee asked updates on the current status of the petition filed in the Court of Sessions Judge, Islamabad under Sections 22A and 22B of the Code of Civil Procedure, 1898. The Additional Advocate General informed the Committee that the petition has been filed in the Session Court, Islamabad. All the parties were put on notices and the next date of hearing is fixed for 04.11.2024, however, the order sheet was not available with him for ready reference.

77. The Committee directed to provide a copy of order sheet along with the updated progress about the petition filed in the Court of Session Judge, Islamabad in the next meeting.

78. After detailed deliberation, the Committee, unanimously, recommended that the earlier decisions made in previous meeting shall remain intact. The Committee further directed that these decisions be strictly followed in letter and spirit and the departmental representatives

must ensure their presence in the next meeting, fully prepared with the relevant record. Moreover, the relevant record must be produced three days prior to the meeting and submit the same in the Assembly Secretariat.

79. The sixth and final meeting of the Committee was held on 14th November, 2024 to conclude the issue under consideration and frame recommendations.

80. The Secretary Administration (Mr. Zulfiqar Shah) presented a detailed joint report duly signed by Sub-Division-III Maintenance Division-I C&W Department, Comptroller Khyber Pakhtunkhwa House Islamabad and Estate Officer Administration Department. The report estimated the damages and value of missing items including Cash of Rs. 31.88 Million. The report was accepted by the Committee.

81. The Comptroller of KP House Islamabad was asked to provide the documentary proof explaining the reason of retaining of Rooms rent charges of Rs. six (06) million in his custody.

82. The Committee thoroughly examined the instant matter and unanimously decided to refer it to the concerned Standing Committee on Administration Department for further probe.

83. The Committee sought the facts finding report about KP House-II Islamabad from the Secretary Administration. The Secretary Administration apprised the Committee that he held a meeting with the current and former Estate officers and Assistant Estate Officers of the Estate Office to investigate the matter. However no record related to KP House-II was found in their respective offices. Upon being asked about visit to KP House-II, the Estate Officer Administration Department informed the Committee that he being representative of the Special Committee visited the KP House-II in Sector 9 Islamabad on 28th October, 2024 at 11.49 AM. with the assistance of an Army officer, he gained access to the premises. Upon arrival, an officer in civilian dress escorted him to a room where two individual were present. The Estate Officer introduced himself as a representative of Special Committee of Provincial Assembly. He explained that his visit was to gather information regarding the status and record of Khyber Pakhtunkhwa House-II on behalf of Committee. Both individual claimed to have complete information but refused to comment further. Besides, the Committee also reviewed the written information provided by the Assistant Estate Officer and former Assistant & Estate Officer of the Administration Department.

84. The Committee thoroughly examined the issue of Khyber Pakhtunkhwa House-II and unanimously decided to refer the matter to the Provincial Government, urging it to take all necessary measures for taking back the Khyber Pakhtunkhwa House-II from authority currently occupying it.

85. In response to a query raised by Mr. Ahmad Kundi, MPA via video link regarding the Governor annex at Khyber Pakhtunkhwa House Islamabad, it was agreed to form a Jirga including the Speaker of Khyber Pakhtunkhwa Assembly with the aim to facilitate contractive dialogue and formally present the issue related to Governor's annex to the Chief Minister of Khyber Pakhtunkhwa for resolution.

86. A joint question was raised by the Members of the Committee regarding the application process for room rent charges, particularly the implementation of an online system with an

updated transaction process to address irregularities in cash handling and the difficulties faced by Members. The Secretary Administration seconded the motion and expressed full support from his department and assured that efforts would be made to install such a system in near future.

87. While updating the Committee on the status of petition filed in the Court, the Advocate-General presented copies of the Petition filed in the Court of Additional Session Judge Islamabad alongwith the order sheet to the Committee. He apprised the Committee that notices were issued to the respondents by the Court on 04-11-2024. He also informed the Committee that the Court has fixed next date for hearing on 19-11-2024. The Additional Advocate General also informed the Committee that the issue of criminal proceeding regarding the attack on Khyber Pakhtunkhwa House Islamabad was discussed in the Provincial Cabinet meeting held on 06-11-2024, wherein the Cabinet directed to utilize all legal forums to ensure action against all those who are involved in the act to ensure the security and sanctity of the Khyber Pakhtunkhwa House in future. Moreover, the Cabinet also directed that F.I.R may be registered in Khyber Pakhtunkhwa for criminal trespass invoking other relevant provision, against the Inspector General of Police Islamabad and other trespassers/perpetrators responsible for the violations of sanctity of the Khyber Pakhtunkhwa House, Islamabad. The Cabinet further directed to pursue Civil Litigation for damages resulted from the incident.

88. He apprised the Committee about Article 13 of the Constitution of the Islamic Republic of Pakistan, 1973 which protect against double punishment and self-incrimination. The Advocate General also referred Section 177 to 189 of the Code of Criminal Procedure 1898. After explaining Article 13 of the Constitution of Islamic Re-public of Pakistan and Section 177 to 189 of the Code of Criminal Procedure, 1898, the Advocate General sought the Committee opinion on whether pursue the Petition which has already been admitted in the Session Court Islamabad or to follow the Cabinet decision to register a fresh FIR against the accused/responsible in the Khyber Pakhtunkhwa House. He expressed his personal opinion that it would be more advantageous to continue with the ongoing case rather than registering a fresh FIR. The Law Department also endorsed the statement of the Advocate General.

89. The Committee, unanimously, agreed with the opinion of the Advocate General, Khyber Pakhtunkhwa.

RECOMMENDATIONS:-

90. After detailed deliberation and consideration of opinions from the Committee members and the departments, the Committee unanimously recommended that:-

- i. the issue of retaining Rs. Six (06) million be referred to the already constituted Standing Committee on Administration Department and the Hon'ble Members of this Special Committee should be invited on special invitation during the discussion;
- ii. the issue of KP House-II be referred to the Provincial Government urging it to take all necessary measures for getting back the KP House-II, Islamabad from the concerned Authority presently occupying it;

- iii. The Advocate General shall pursue the case vigorously in the Court of Additional Session Judge Islamabad. In case of failure, the second option as per decision of the Provincial Cabinet dated 06-11-2024, about registering FIR against the accused/responsible in the Khyber Pakhtunkhwa shall be followed as per law; and
- iv. The Secretary Administration shall take up the issue of renewing of the lease agreement with the Capital Development Authority (CDA), Islamabad to avoid any untoward incidents in future, including the sealing of the Khyber Pakhtunkhwa House.

Munir
(MUNIR HUSSAIN LUGHMANI)
CHAIRMAN,
SPECIAL COMMITTEE ON THE
INCIDENT OCCURRED IN KHYBER
PAKHTUNKHWA HOUSE, ISLAMABAD.



PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

Peshawar, the 9/10/2024

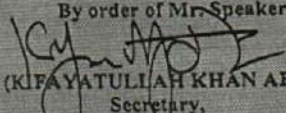
NOTIFICATION

No. PA/Khyber Pakhtunkhwa/Legis-U/Spl: Com(Administration)2024/932J In pursuance of rule 194 of the Provincial Assembly of Khyber Pakhtunkhwa, Procedure and Conduct of Business Rules, 1988, on the motion moved by Mr. Aftab Alam, Minister for Law, Parliamentary Affairs and Human Rights and decision of the House taken in its sitting held on 7th October, 2024, a Special Committee on the incident occurred in the Khyber Pakhtunkhwa House, Islamabad on 05-10-2024 was constituted comprising the following:-

1.	Mr. Munir Hussain Lughmani, MPA	Chairperson
2.	Dr. Ibadullah, MPA/Leader of Opposition	Member
3.	Mr. Akhtar Khan, MPA	Member
4.	Mr. Ifikhar Ali Mashwani, MPA	Member
5.	Mr. Muhammad Arif, MPA	Member
6.	Mr. Shafi Ullah Jan, MPA	Member
7.	Mr. Johar Muhammad, MPA	Member
8.	Mr. Asif Khan, MPA	Member
9.	Mr. Ahmad Kundi, MPA	Member
10.	Mr. Adnan Khan, MPA	Member
11.	Mr. Muhammad Nisar, MPA	Member

Terms of Reference

1. **Attack on Khyber Pakhtunkhwa House, Islamabad:**
Examination of the incident of housebreaking and criminal trespass, including identification of individuals who entered the premises and the directions issued by authorities, such as the Inspector General (IG) or the Ministry of Interior.
2. **Abuse and misuse of Authority:**
Assessment of actions taken by Police Personnel and other securities agencies that constitute an abuse of power and authority.
3. **Abduction:**
Investigation into the abduction of Ministers, Members of the Provincial Assembly (MPAs, Special Assistants, their staff, families of the Members and innocent citizens of Khyber Pakhtunkhwa including the duration of the intruders' presence.
4. **Physical Assault:**
Review of reports regarding physical assaults and the use of criminal force against inmates of KP House and Ministers, MPAs, Special Assistants, their staff, families of the Members and innocent citizens of Khyber Pakhtunkhwa.
5. **Damage to Property:**
Documentation of damage and losses incurred to Library and other moveable and immovable property and vehicles of Government during the incidents.
6. **Obstruction of Public Servants:**
Evaluation of obstructions faced by public servants while discharging their official duties.
7. The Quorum to constitute a sitting of the Special Committee will be three (03)
8. The Special Committee will submit its report within 15 days.

By order of Mr. Speaker

 (KIFA YATULLAH KHAN AFRIDI)
 Secretary,
 Provincial Assembly of Khyber Pakhtunkhwa.



PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

**Preliminary report of the Special
Committee on the incident occurred in the
Khyber Pakhtunkhwa House Islamabad**

I, Chairperson of Special Committee hereby submit preliminary report of the Special Committee held on 09-10-2024 over the recent incident/attack on Khyber Pakhtunkhwa House, Islamabad to ensure a thorough investigation. The following attended the meeting:

MEMBER OF THE SPECIAL COMMITTEE

- i. Mr. Iftikhair Ali Mashwani, MPA
- ii. Mr. Muhammad Arif, MPA
- iii. Mr. Shafi Ullah Jan, MPA
- iv. Mr. Asif Khan, MPA
- v. Mr. Ahmed Kundi, MPA

ADMINISTRATION DEPARTMENT

- i. Miss Tillet Fahad, Additional Secretary.
- ii. Mr. Shakeel Ahmad, Deputy Secretary

HOME DEPARTMENT

Mr. Saiful Islam, Additional Secretary.

LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT

Mr. Shakeel Asghar,
Solicitor

COMMUNICATION AND WORKS

- i. Mr. Umair Ahmad, XEN.
- ii. Engineer Amanullah, SDO.

POLICE DEPARTMENT

Mr. Hukum Khan, SP (Training)

PROVINCIAL ASSEMBLY SECRETARIAT

- i. Syed Wiqar Ali Shah, Special Secretary.
 - ii. Mr. Ibrahim Khan, Deputy Secretary.
 - iii. Mr. Abdul Wahab, Assistant Secretary.
- Proceeding of the Special Committee dated 09-10-2024.

2. The Chair welcomed the participants and invited all members to introduce themselves to foster a collaborative atmosphere over the incident that has befallen the Khyber Pakhtunkhwa House, Islamabad and emphasized its detrimental impact on Federal-Provincial relations.
3. The Chair outlined that the meeting was convened to discuss the Terms of Reference (TORs) and to seek their valuable opinions from the Departmental

Officers/ Members of the Committee for smoothly implementation of the investigation process and its timely conclusion.

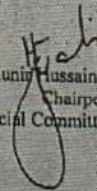
4. At the outset, a question was raised regarding the ownership status and immunities associated with the Khyber Pakhtunkhwa House Islamabad. In response, Miss Tillet Fahad, Additional Secretary Administration, informed the Committee that the relevant record is with the Estate Office of the Administration Department and assured the Committee that she will provide a comprehensive update on this matter in the next meeting.
5. Mr. Ahmad Kundi, the learned Member of the Provincial Assembly, emphasized the need to inquire about the security responsibilities of the Khyber Pakhtunkhwa House Islamabad and the associated Standard Operating Procedures (SOPs). He proposed that the Advocate General be summoned for the next meeting and suggested that a WhatsApp group should be created for all Members so as to facilitate swift dissemination of information. He recommended that relevant officers be directed to provide a preliminary loss assessment report and urged that the status of the FATA House should also be included in the Terms of Reference (ToRs) by extending the scope of the investigation.
6. He further pointed out that the governor's residence had been dislodged and requested for assessing the legal implications of this action.
7. In response, the Chair issued instructed that Advocate general be invited for next meeting with the consensus of present members, the concern regarding the status of FATA house was added in ToRs.
8. The Committee also directed the XEN C& W Department to prepare a comprehensive report regarding the assessment of damages and loss incurred to the structure and other facilities of Khyber Pakhtunkhwa House Islamabad and to correspond with the CDA for de-sealing of Khyber Pakhtunkhwa House Islamabad to allow for preparing a detailed assessment report. Likewise, all the members consented to create a whatsapp group for timely information sharing. Besides, the Home Department was also directed to produce surveillance footage record of 3-days from 4th to 06th October, 2024 for showing it to the Committee on Video Wall Screen in the next meeting.
9. The Chair was informed that the Comptroller serves as caretaker of the Khyber Pakhtunkhwa House Islamabad and it was suggested that Comptroller

be summoned for next meeting for a personal appearance and production of record related to surveillance, loss and damage caused to Khyber Pakhtunkhwa House Islamabad including damage vehicle record and security personnel deployed at the time of incident information of intruders. The Chair concurred with the suggestion and issued directions accordingly. Additionally, the Chair also issued directions to summon the Security In-charge deployed at K.P House with direction to produce security plan.

10. The following decisions were taken by the Committee.

- i. The Advocate General will be invited for a personal appearance at the next meeting to provide a detailed briefing on the immunity and ownership status of the K.P House, Islamabad.
- ii. The Security In-Charge deployed at the K.P. House will be summoned to present the security plan.
- iii. The Comptroller of K,P House will be summoned for a personal appearance on next meeting and to provide relevant records regarding surveillance, loss and damage, security personnel, and information on intruders.
- iv. The Additional Secretary for Administration will provide a comprehensive update on the ownership status and immunities related to the K.P. House at the next meeting, as the relevant record is held by the Estate Office.
- v. The status of the FATA House will be included in the Terms of Reference (ToRs) for the discussion and analysis of its current status.
- vi. The Executive Engineer (C&W) is directed to prepare a preliminary report assessing the damages and losses incurred to the K.P. House and to correspond with the CDA for the de-sealing of the K.P. House, Islamabad as well as preparation of a detailed assessment report.
- vii. The Home Department is directed to produce surveillance footage from October 4 to 6, 2024.
- viii. A WhatsApp group will be created for all members/officers related to the Committee to facilitate timely information sharing.

11. In the 2nd meeting held on 15-10-2024 after thoroughly examination of the above directions, it was unanimously decided that the attack on Khyber Pakhtunkhwa House outrightly constitutes a criminal offense and in this regard the Secretary Administration be directed to proceed with the matter immediately in consultation with the Advocate General Peshawar to initiate criminal proceedings as per law against the persons involved. Letter issued to the Secretary Administration accordingly (Copy enclosed).


Munir Hussain Lughmani
Chairperson
Special Committee on Administration



**PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA**

No. PA/Khyber Pakhtunkhwa/Admn:/2024/10359
Dated Peshawar, the 15/10/2024.

To
The Secretary Administration,
Administration Department,
Peshawar.

Subject: **INITIATION OF CRIMINAL PROCEEDINGS REGARDING THE
ATTACK ON KHYBER PAKHTUNKHWA HOUSE, ISLAMABAD.**

Dear Sir,

I am directed to refer to the subject cited above and to formally convey the outcomes of the follow-up meeting of the Special Committee, investigating the attack on the *Khyber Pakhtunkhwa* House, Islamabad, held on 15th October 2024, at 01:00PM in conference room of *Khyber Pakhtunkhwa* Provincial Assembly, Peshawar under the chairmanship of Munir Hussain Lughmani Advocate (Member of Provincial Assembly of *Khyber Pakhtunkhwa*).

During the meeting, voting was conducted by the committee and it was unanimously agreed that the attack on the *Khyber Pakhtunkhwa* House outrightly constitutes a criminal offense and in this regard, the Secretary Administration, Peshawar be directed to proceed with the matter immediately in consultation with the Advocate General, Peshawar. Following the consensus, the Honourable Chair instructed that necessary directions be issued to Secretary Administration to initiate criminal proceedings as per law against the persons involved.

You are, therefore, requested to make compliance of the directions issued by the committee in letter and spirit and submit your report to the committee in the upcoming meeting scheduled for 17.10.2024.

ABDUL WAHAB
Assistant Secretary
Khyber Pakhtunkhwa
Provincial Assembly Secretariat,
Peshawar