

**REGISTERED**



**GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT**

**ORDER**

No. SO(Estt)2-54/2011: **WHEREAS**, Deputy Director (Admn.), Directorate General of Special Education Punjab, Lahore vide letter dated 26.12.2023 forwarded a report made by District Education Officer (SE), D.G. Khan dated 09.12.2023 on a complaint lodged by Ms. Nazia Mushtaq, Senior Special Education Teacher (H.I Field / BS-17) (under suspension / awaiting positing) dated 08.12.2023 against **Mr. Kashif Waheed**, Instructor Physical Education (BS-17), Govt. Special Education Centre, District Layyah ('accused officer') regarding misuse of powers. The DEO (SE), D.G Khan stated in his report that the accused officer was neither Incharge of Govt. Special Education Centre, Layyah, nor DDO powers were entrusted to him but he misused the official seal of Headmistress / Headmaster and submitted the salary change form of Ms. Nazia Mushtaq in District Accounts Office, Layyah. The DEO (SE), D.G. Khan further pointed out in the report dated 09.12.2023 that he earlier submitted an inspection report dated 09.10.2023 whereby it was reported that the accused officer approved the leave request of two female teachers of his Centre and during visit of the Centre on 09.10.2023, it was also found that bogus leave applications were prepared with fake signatures for the absent staff. The DEO (SE), D.G Khan further added that as per the available record, the accused officer misused authority and exercised those powers for which he was not authorized by Competent Authority, hence he recommended that disciplinary proceedings may be initiated against the accused officer under the PEEDA Act, 2006 on the charges of inefficiency and misconduct.

2. **AND WHEREAS**, keeping in view the seriousness of matter and gravity of allegation leveled against the accused officer and on account of availability of sufficient evidence on record, *while dispensing with regular inquiry*, disciplinary proceedings were initiated against the accused officer vide Show Cause Notice dated 23.02.2024 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 ('Act') on the following charges of inefficiency and misconduct:

- i. **You were neither Incharge of Special Education Centre, Layyah nor DDO powers were entrusted to you but you while misusing the official seal of Headmistress/Headmaster,**

*Nazia Mushtaq*

submitted the salary change form of Ms. Nazia Mushtaq in District Accounts Office, Layyah. Hence, you exercised powers that were not vested in you and performed such acts which you were not authorized to do.

- ii. You unauthorizedly approved the causal leave request of two female teachers namely Ms. Adeela Iqbal JSET (HI Field) and Ms. Nadia Saif SSET (HI Field) of your Centre for 09.10.2023 whereas you were not officially assigned the duty of Incharge Headmaster of the Centre. Upon preliminary investigation by DEO (SE), D. G. Khan during the visit it was found that bogus leave applications were prepared with fake signatures for the absent staff.

3. **AND WHEREAS**, through the above said Show Cause Notice, the accused officer was directed to submit his written reply within 07-days. Accordingly, he filed written reply which was examined and found unsatisfactory. Therefore, in order to finalize the disciplinary proceedings, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the Act *ibid* and for said purpose vide letter dated 14.03.2024, he was directed to appear before **Deputy Secretary Special Education / Hearing Officer** appointed under Section 7(d) of the Act *ibid* on 20.03.2024.

4. **AND WHEREAS**, the Hearing Officer after affording opportunity of personal hearing to the accused officer, submitted report of hearing proceedings stating therein that the accused officer appeared on the fixed date and reiterated the stance already taken in his written reply. In the proceedings, the Hearing Officer observed that the accused officer initially denied the charge of misuse of authority, citing irregularities in a salary change form as evidence that he did not sign nor submit it to the Account Officer. However, during questioning, the accused officer identified Mr. Muhammad Yousaf, Senior Clerk, as the main individual dealing with account matters at the Centre, and Mr. Muhammad Irfan, Junior Clerk, as also involved in salary matters (*the accused officer during course of personal hearing requested that these Clerks may be contacted telephonically to confirm that he did not sign the salary change form of Ms. Nazia Mushtaq*). On the request of the accused officer, during the course of personal hearing both the Clerks were telephonically contacted in presence of the accused officer and during telephonically call, they confirmed that Mr. Irfan, Junior Clerk had submitted the salary change form of Ms. Nazia Mushtaq after obtaining the accused officer's signature. Subsequently, the accused officer acknowledged his endorsement of the salary change form, attributing it to a high workload. This acknowledgment indicated

Lawyer Saad

that he endorsed the salary change form during a period when he lacked authority as the Incharge of the Centre or as a Drawing and Disbursing Officer (DDO). Consequently, the Hearing Officer found the charge against him substantiated, as he improperly utilized the official seal and exceeded his authorized authority.

5. **AND WHEREAS**, the Hearing Officer noted that the accused officer's defense regarding charge No. 2 relied on an order dated 24.08.2023 issued by the former District Education Officer, Special Education, D.G Khan, directing him to oversee the Centre's affairs until the appointment of a regular Headmaster/DDO by the Competent Authority. The accused officer also claimed that on the day of the visit i.e., 09.10.2023, Ms. Adeela Iqbal and Ms. Nadia Saif were on casual leave, and their leave applications were submitted to him and approved while acting as Incharge Headmaster. However, the Hearing Officer observed discrepancies in the signatures on the leave applications, indicating that the accused officer likely prepared the applications himself to accommodate the absent female teachers. Despite the accused officer's assertions, no compelling evidence was presented to refute the existing evidence. Moreover, it was established from the record that the accused officer lacked official authorization to act as Incharge Headmaster on 09.10.2023, rendering his actions unauthorized. The record supported the conclusion that the accused officer improperly granted casual leaves to the two teachers and fabricated their leave applications. Consequently, the Hearing Officer determined that the accused officer's misconduct was substantiated, and the charge stood proved.

6. **AND WHEREAS**, having meticulously examined all pertinent aspects and materials associated with the case, including of the written response from the accused officer and the report submitted by the Hearing Officer, it is observed that the accused officer has been charged with two charges out of which one pertains to signing of salary change form of Ms. Nazia Mushtaq by the accused officer when he was neither Incharge of Govt. Special Education Centre, Layyah nor he was entrusted with the DDO powers and he performed said act while misusing the official seal of Headmaster/Headmistress of the Centre. The accused officer through his written reply has refuted the allegation. The fundamental position adopted by the accused officer in rebuttal to this charge is that he neither endorsed the salary change form of Ms. Nazia Mushtaq nor did he engage in any misuse of authority. The stance of the accused officer, as delineated in the report of the Hearing Officer, has been invalidated by the

Layyah

statement of Mr. Muhammad Irfan, Junior Clerk, who unequivocally affirmed that he submitted the salary change form subsequent to obtaining the accused officer's signatures. The hearing report shows that following the candid disclosure by Mr. Muhammad Irfan, the accused officer altered his previous stance, contending that the signatures may have been inadvertently affixed, citing a heavy workload as a contributing factor. The revised assertion by the accused officer indicates that he signed the salary change form of Ms. Nazia Mushtaq during a period when he neither held the designation of Center Incharge nor possessed the authority of a Drawing and Disbursing Officer (DDO). It stood established that while doing so, the accused officer improperly utilized the official seal of the Center's Headmaster/Headmistress. Consequently, the charge against him has been substantiated.

7. **AND WHEREAS**, with regards to charge No. 2, it also evinces from record that the defense articulated by the accused officer in response to this allegation is that on August 24, 2023, the former District Education Officer, Special Education, D.G. Khan issued an order tasking him with overseeing the operations of the Centre until the appointment of a regular Headmaster / Drawing and Disbursing Officer (DDO) by the Competent Authority. Furthermore, on October 9, 2023, the present District Education Officer, Special Education, D.G. Khan visited the Centre, whereupon it was observed that Ms. Adeela Iqbal, JSET, and Ms. Nadia Saif, SSET, were on casual leave. The accused officer contends that leave applications were submitted for grant of casual leave of these two lady officers and he while acting as Incharge Headmaster of the Centre accorded approval of their leave applications. He further stated that he duly informed the visiting officer i.e., DEO, D.G Khan and presented the leave applications before him. The position asserted by the accused officer has been scrutinized in light of the documentation contained within the file. Examination of the leave applications submitted by Ms. Adeela Iqbal and Ms. Nadia Saif reveals disparities between the signatures affixed on the applications and their authentic signatures. This *prima facie* indicates that the accused officer prepared the leave applications to accommodate the aforementioned absent female teachers. The accused officer has failed to present compelling, persuasive, or sufficiently credible evidence to counter the evidence already available in the record. It is also noted that the position maintained by the accused officer is devoid of merit due to the fact that the former District Education Officer, Special Education, D.G. Khan lacked the power or authority to instruct any employee to oversee the operations of the Centre without first obtaining prior permission from the

Leave record

Competent Authority / Secretary Special Education. Therefore, the reliance of the accused officer on the letter dated August 24, 2023, is also misconceived. It is evident from the record that on October 9, 2023, the accused officer had no official authorization to assume the role of Incharge Headmaster of the Centre, rendering his actions unauthorized. The record substantiates that the accused officer improperly granted casual leaves to two female teachers and prepared their leave applications by affixing their fake signatures. In conclusion, it is determined that charge No. 2 is also substantiated against the accused officer.

8. **NOW THEREFORE, I, Saima Saeed, Secretary Special Education / Competent Authority** in the instant case, *for reasons recorded herein above*, am of the considered view that the accused officer has been found guilty of inefficiency and misconduct and both charges leveled against him stood fully proved. The conduct of the accused officer in the execution of his official duties has remained detrimental to good service discipline and constitutes gross misconduct. Given the severity of the proven charges, *but still taking lenient view*, in exercise of powers vested upon me under the Section 7(f) read with Section 4 of the PEEDA Act, 2006, minor penalty of **“withholding of increments for a period of two years”** in terms of Section 4(1)(a)(ii) is hereby imposed upon the accused officer.



(SAIMA SAEED)

SECRETARY to

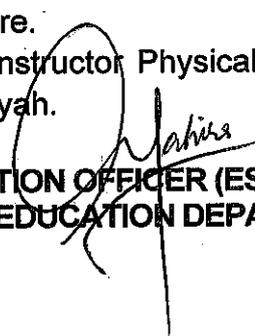
GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

Dated Lahore, the  
April 16th /2024

**No. & Date Even:**

A copy is forwarded for information and necessary action to the:-

1. Accountant General Punjab, Lahore.
2. Director General, Special Education Punjab, Lahore.
3. District Accounts Officer, Layyah.
4. District Education Officer (Special Education), D.G Khan.
5. Headmaster / Headmistress, Govt. Special Education Centre, District Layyah to ensure delivery of this order to the accused officer under intimation to this Department.
6. PS to Secretary Special Education Department, Lahore.
7. Accused officer concerned / **Mr. Kashif Waheed**, Instructor Physical Education (BS-17), Govt. Special Education Centre, District Layyah.

  
SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT