

REGISTERED



ORDER

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

No. SO(Estt)40-43/2011. WHEREAS, Ms. Aisha Muzammil, Junior Special Education Teacher (H.I Field / BS-16), Government Special Education Centre, Nishtar Town Lahore ('accused officer') was granted 173 days, ex-Pakistan Leave w.e.f 01.12.2021 to 31.05.2022 to visit UK vide order dated 20.11.2021. Meanwhile, she submitted an application with the request for extension in ex-Pakistan leave for another 730 days without pay. As per record, ex-Pakistan Extra Ordinary Leave was extended for a period of 365 days w.e.f. 01.06.2022 to 31.05.2023 vide order dated 18.01.2023. The accused officer was directed to report to Special Education Department after expiry of Extra Ordinary Leave. After the expiration of extended leave, the accused officer was bound to report back to Special Education Department on 01.06.2023, however, she absented herself from duty since that date, constituting misconduct due to her unauthorized absence from responsibilities without prior permission / approval of leave.

2. AND WHEREAS, keeping in view the wilful absence of the accused officer from duty w.e.f. 01.06.2023, other ancillary and related facts of the case and on account of availability of sufficient documentary evidence on record, while dispensing with regular inquiry, disciplinary proceedings were initiated against the accused officer vide Show Cause Notice dated 21.11.2024 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 ('Act') on the following charge of misconduct:

"You were allowed 173 days ex-Pakistan Leave w.e.f 01.12.2021 to 31.05.2022 to visit UK vide order dated 20.11.2021. Meanwhile you submitted another application with the request for extension in ex-Pakistan leave for 730 days (without pay) and the Competent Authority subsequently extended the leave for a period of 365-days (w.e.f. 01.06.2022 to 31.05.2023) (without pay) vide order dated 18.01.2023 with the direction to report to Special Education Department after expiry of extended leave. After the expiration of said leave, you were bound to report back to Special Education Department on 01.06.2023 but you failed to do so. Hence, you have been found wilfully absent from your duties w.e.f. 01.06.2023 till to date without any intimation or prior permission / approval of leave by the Competent Authority."

3. AND WHEREAS, through the above said Show Cause Notice, the accused officer was directed to submit her written / defense reply within 07-days but she did not do so. 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 19.02.2025, she was directed to appear

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before Deputy Secretary, Special Education Department / Hearing Officer appointed under Section 7(d) of the Act *ibid* on 05.03.2025.

4. **AND WHEREAS**, the Hearing Officer submitted hearing report stating therein that the accused officer failed to appear to attend the personal hearing scheduled on 05.03.2025, despite being duly served with a notice at her residential address and communication through all possible modes of communication. In the interest of justice and to ensure the completion of hearing proceedings, a second opportunity of personal hearing was granted, directing the accused officer to appear on 21.03.2025. But, despite being afforded second hearing, she did not comply with the directive and failed to attend the hearing. The Hearing Officer further indicated that all the hearing notices were duly served to the accused officer at her residential address, with copies forwarded to the concerned District Education Officer (Special Education) and Headmistress to ensure delivery. In addition to above, the hearing notices alongwith Show Cause Notice were sent to the accused officer on her official email address. Despite the fulfilment of all legal, procedural, and formal requirements, including the provision of adequate notice and opportunity, the accused officer wilfully failed to attend the personal hearing. The Hearing Officer concluded that the charge of misconduct on account of absence from duty without intimation / prior approval of leave by Competent Authority stand established against the accused officer. Her deliberate and intentional non-appearance reflects a conscious attempt to evade the disciplinary proceedings and obstruct their timely conclusion.

5. **AND WHEREAS**, after thoroughly reviewing all aspects and materials related to the case, along with the report submitted by the Hearing Officer, it has been observed that the accused officer was appointed as Junior Special Education Teacher (HI Field / BS-16) on contract basis for the period of 05 years and posted at Govt. Special Education Centre Samundri District, Faisalabad vide order dated 03.02.2012 and later on her services were regularized. The accused officer was granted **173 days** ex-Pakistan Extra Ordinary Leave w.e.f 01.12.2021 to 31.05.2022 to visit UK vide order dated 20.11.2021 and on her own request, the ex-Pakistan EOL was extended for a further period of 365 days w.e.f. 01.06.2022 to 31.05.2023 vide order dated 18.01.2023. The accused officer was directed to report to Special Education Department after expiry of Extra Ordinary Leave but after the expiration of extended leave, she absented herself from duty since 01.06.2023 to date without prior intimation, leave approval, or any valid justification. On account of failure on the part of the accused officer to resume her duties, she has been proceeded against on the charge of misconduct on account of absence from duty. The accused officer failed to furnish her written reply in response to the Show Cause Notice dated 21.11.2024. Clause 5 of the Show Cause Notice reads as under;

"5. Your reply to Show Cause Notice should reach the undersigned, within the said period failing which it shall be presumed that you have no defence to offer and you have admitted the charge."

In view of the foregoing clause of the Show Cause Notice, the failure of the accused officer to submit a written reply is construed as an admission of the charge, thereby

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rendering the allegations against her as duly substantiated. Moreover, perusal of the available record reveals that the accused officer has remained wilfully absent from duty since 01.06.2023, for a continuous period exceeding one and a half years. This prolonged and unauthorized absence reflects a consistent pattern of conduct that is grossly detrimental to service discipline. Such conduct is unbecoming of a Government officer and constitutes gross misconduct, evidencing a blatant disregard for her professional duties and responsibilities.

6. **AND WHEREAS**, the accused officer was granted multiple opportunities for personal hearing, with explicit instructions to appear before the Hearing Officer on the designated dates. However, she consistently failed to attend the proceedings, thereby implying a lack of any supporting evidence or documentation to substantiate her defense. This repeated failure to comply with the hearings schedule further demonstrates her disregard for both the disciplinary process and her professional responsibilities. Notably, no extenuating circumstances have been presented to indicate that her absence from duty was due to factors beyond her control. It is well-established that absence from duty without prior approval or leave from the Competent Authority constitutes misconduct, as outlined under Section 2(n)(vii) of the Act *ibid*, and is deemed culpable wrongdoing. The record clearly establishes that the accused officer has been absent from duty without the requisite approval or permission from the Competent Authority for the period commencing on 01.06.2023 and continuing to the present, a duration exceeding one and half years. It is further observed that Section 7(f) of the PEEDA Act, 2006 provides as under:

(f) impose any one or more penalties mentioned in section 4, by an order in writing, if the charge or charges are proved against the accused:

Provided that—

(i) where charge or charges of grave corruption are proved against an accused, the penalty of dismissal from service shall be imposed, in addition to the penalty of recovery, if any; and

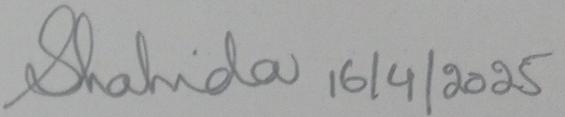
(ii) where charge of absence from duty for a period of more than one year is proved against the accused, the penalty of compulsory retirement or removal or dismissal from service shall be imposed upon the accused.

7. **NOW THEREFORE**, I, **Shahida Farrukh Naveed**, Secretary, Special Education and Competent Authority in this matter, after thorough review of all relevant aspects and materials associated with the case, am of the firm opinion that the record conclusively establishes the guilt of the accused officer for misconduct, specifically her continuous absence from duty from 01.06.2023 to the present (*for more than one and half years*). The accused officer's conduct, coupled with her indifferent attitude toward her official responsibilities, clearly reflects a lack of commitment to fulfilling the obligations of Government service. It is evident that her continued employment within Government service would provide no constructive benefit to the department or to the

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special students under its care. In light of the severity of the established charge, and in exercise of the powers vested in me under Section 7 read with Section 4 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, and for the reasons detailed above, major penalty of "Removal from Service" under Section 4(1)(b)(v) read with Section 7(f)(ii) of the PEEDA Act, 2006 is hereby imposed upon the accused officer.

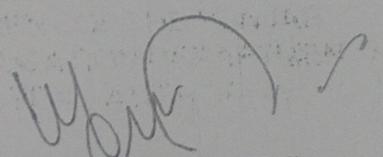
Dated Lahore the
April 16, 2025


(SHAHIDA FARRUKH NAVEED)
SECRETARY
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

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. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Lahore to ensure delivery of this order to the accused officer on her official and residential address under intimation to this department.
5. Headmaster / Headmistress, Government Special Education Centre, Nishtar Town Lahore to ensure deliver of this order to the accused officer on her official and residential address under intimation to this department.
6. Accused officer concerned / Ms. Aisha Muzzammil, Junior Special Education Teacher (H.I Field / BS-16), Govt. Special Education Centre, Nishtar Town, Lahore. Resident of House No. 207, Block A-3, Punjab Govt. Employees Co-operative Housing Society, College Road Township, Lahore.
7. P.S. to Secretary Special Education Department.
8. Office File.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT