

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

PENALTY ORDER

No. SO(ESTT)1-7/2008. WHEREAS, Disciplinary proceedings through a regular inquiry under the Section 5 read with Section 9 of the PEEDA Act, 2006 were initiated against **Mr. Asif Bashir**, Senior Special Education Teacher (BS-17 / H.I Field), Govt. School of Special Education, Rajanpur ("accused officer") vide order dated 12.02.2024 by appointing **Director (Monitoring)** (BS-19), Directorate General of Special Education, Punjab, Lahore as Inquiry Officer on the following charges of inefficiency, misconduct and corruption:

CHARGES AGAINST MR. ASIF BASHIR

- i. On the 7th of October, 2023, during a surprise visit of the Government School of Special Education for Hearing Impaired Children (HIC) in Rajanpur, conducted by the District Education Officer (Special Education), D.G.Khan, it came to light that the accused officer, serving as the Incharge of the school, exhibited a failure to effectively manage the school's affairs. Consequently, only 04 out of 12 teachers were present, and only 03 out of 12 non-teaching staff members were present and rest of the staff was either absent or granted leave.
- ii. Upon inspection on the 7th of October, 2023, it was observed that the cleanliness conditions within the school were severely inadequate, characterized by pervasive dust accumulation. The state of all six washrooms within the facility was deemed non-functional and displayed a lamentable condition. Additionally, a lack of access to clean drinking water was noted. Furthermore, inefficiency of the accused officer was evident as no students have attended the school since the 2nd of October, 2023.
- iii. The accused officer, without proper authorization from the competent authority, granted medical leave to the school driver. Furthermore, during an inspection, the accused officer hastily prepared an application for Ms. Robila Ghaffar, an attendant, and submitted it to the visiting officer without the applicant's signature. This action suggests an attempt by the accused officer to protect Ms. Robila Ghaffar by filing the application on her behalf.
- iv. An allocation totalling Rs. 07.535 million was disbursed under ADP scheme No. 453 to the school. However, owing to the inefficiency of the accused officer, the repair and maintenance endeavours within the school premises remain incomplete. An assessment of the progress conducted by the contractor reveals that only 40% of the stipulated work has been executed, notwithstanding the withdrawal of the entire allocated sum by the contractor. The accused officer neglected to discharge his professional duties by failing to promptly report this discrepancy to the higher authorities. Consequently, not only has this oversight severely impacted the operational functionality of the

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school, but it has also resulted in a substantial financial loss to the Government exchequer.

- v. The accused officer engaged in the unauthorized sale of the school's old main gate, facilitated by the assistance of the Chowkidar, yielding proceeds amounting to Rs. 25,000. However, the entirety of these funds was not remitted to the Government exchequer, thus the accused officer in breach of fiduciary duty misappropriated the public assets.
- vi. During the visit, it was noted that there was an absence of a Chowkidar at the main gate of the school, and furthermore, no surveillance cameras were found installed on the premises of the school. This contrasts with the assertions made by the accused officer to the former District Education Officer (DEO), wherein it was stated that cameras had been installed in the school. Such misrepresentation not only constitutes a breach of trust towards the management but also violates the instructions provided periodically, thereby compromising the safety and security of both the children and the school's assets. Such behaviour tantamounts to gross misconduct.
- vii. During the visit, it was noted that the accused officer affixed a sign outside his office bearing the inscription "District Child Protection Officer/Focal Person." However, the accused officer failed to display a nameplate indicating his official designation within the Special Education Department. This contravenes established decorum, as the accused officer appears to be utilizing his official position for other activities.
- viii. As a result of the inefficiency of the accused officer, both playgrounds have become inundated with mud and clay, and no grass has been cultivated despite the presence of a designated gardener (Mali).
- ix. The accused officer procured uniforms for chowkidars, drivers, and conductors utilizing funds designated for the uniforms of special students.
- x. Despite purchasing uniforms for special students in June 2023, it was observed during the visit that these uniforms had not been distributed to the special student which shows the inefficiency of the accused officer.
- xi. On 07-02-2022, the school's driver submitted a request to the then headmistress for the replacement of six tires. Subsequently, the school bus underwent inspection by Motor Vehicle Examiner (MVE) Rajanpur on 16-02-2022, during which it was recommended that all six tires be replaced. Following the tire replacement, the vehicle was to undergo a final inspection by the MVE. However, in May 2023, the accused officer being Incharge / DDO of the school proceeded with the repair work totalling Rs. 69,906/- on the bus without obtaining the required inspection from the MVE. Additionally, on 16.06.2023, the accused officer purchased four tires amounting to Rs. 199,184/- based on a requisition submitted by the driver 15 months prior. This demonstrates a grave lapse in diligence on the part of the accused officer, resulting in the operation of an unfit vehicle for transporting students. Furthermore, the accused officer's actions of splitting the procurement process into two bills, thereby violating clause 9 of the PPRA Rules 2014, are evident. Moreover, the accused officer approved expenditure for which they lacked both competency and authorization.

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- xii. During visit, the inspection of the store showed that a considerable number of stitching machines were haphazardly scattered, lacking proper organization and arrangement. Additionally, a substantial quantity of hostel items such as pillows and blankets were found in the store, which, despite being procured, have remained unused since the date of acquisition.

A substantial sum of amounting totalling Rs. 9,83,000/- was found to be parked / held in the DDO's bank account, specifically account No. 3035754469 at the National Bank of Pakistan, Rajanpur branch. The accused officer, in his capacity as DDO, failed to provide any breakdown or bank reconciliation statement to substantiate the rationale behind the funds deposited in the school's bank account.

2. **AND WHEREAS**, the Inquiry Officer after concluding the inquiry proceedings, submitted the inquiry report which was examined in light of Section 13(1) & (2) of the PEEDA Act, 2006 and vide order dated 11.10.2024 *de-novo inquiry* was initiated against the accused officer, under Section 13(6) of the Act *ibid* by appointing **Mr. Tariq Javed, Headmaster (BS-18), Govt. Special Education Centre, Nankana Sahib** as Inquiry Officer to proceed against the accused officer in terms of Section 5 read with Section 9 of the Act *ibid* and directed him to proceed against the accused officer on the above said charges of inefficiency and misconduct and submit his inquiry report within sixty days (60 days) from the date of initiation of *de novo inquiry* in terms of Section 10(6) of the Act *ibid*.

3. **AND WHEREAS**, the Inquiry Officer after conducting thorough inquiry proceedings, strictly in accordance with the mandate of Act *ibid*, submitted inquiry report and recommended imposition of minor penalty of 'Censure' under Section 4(1)(a)(i) of the PEEDA Act, 2006 upon the accused officer.

4. **AND WHEREAS**, upon receipt of inquiry report, Show Cause cum Personal Hearing Notice under Section 13(4) of Act *ibid* was issued to the accused officer directing her to submit additional defence, *if any*, and also to appear before **Deputy Secretary Special Education / Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid*, for personal hearing. The Departmental Representative was also directed to appear before the Hearing Officer alongwith all record under Section 13(4)(e) of the Act *ibid*.

5. **AND WHEREAS**, the Hearing Officer submitted report of hearing proceedings stating therein that before the hearing proceedings the accused officer submitted additional defense reply and during the hearing proceedings, while reiterating the stance taken by him during inquiry proceedings and in additional defense replies *inter alia*, contended that charges levelled against him are against the facts and record. He denied the charges and stated that he rebutted the veracity of the charges before the Inquiry Officer and the Inquiry Officer also failed to give any persuasive reason in the inquiry report for award of proposed penalty to him. Lastly, he requested that the charges are baseless and devoid of merit, therefore, he may be exonerated from the charges. The Hearing Officer further stated in the report that during the course of hearing proceedings, the Departmental Representative stated that all record related to the charges was provided to the accused officer and

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inquiry proceedings have been conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006 and statements of all concerned have been recorded and right of cross examination was also granted to the accused officer. The Departmental Representative further stated that charges of inefficiency & misconduct stood proved against the accused officer. He further stated that the arguments of the accused officer are fallacious and carry no weight. He further stated that penalty proposed by the Inquiry Officer commensurates with the guilt of accused officer.

6. **AND WHEREAS**, the Hearing Officer after considering the material related to the case available in the shape of inquiry report and keeping in view the findings and recommendations of the Inquiry Officer and hearing all concerned observed that the recommendations of the Inquiry Officer for imposing minor penalty of 'Censure' under Section 4(1)(a)(i) of the PEEDA Act, 2006 upon the accused officer is in accordance with law and also commensurates with magnitude of guilt of the accused officer.

7. **AND WHEREAS**, upon careful examination of the findings and recommendations of the Inquiry Officer, the additional defense replies submitted by the accused officer, the report of the Hearing Officer, and the available record on file, it is evident that the present case arises from disciplinary proceedings initiated against the accused officer under Section 5 read with Section 9 of the PEEDA Act, 2006, on thirteen (13) charges involving inefficiency and misconduct. To ensure procedural fairness and transparency, a *de novo* inquiry was conducted in accordance with the statutory framework of the PEEDA Act, 2006. Upon conclusion of the inquiry, the Inquiry Officer recommended imposition of a minor penalty of "Censure." Pursuant to Section 13(4) of the PEEDA Act, a personal hearing was afforded to the accused officer by the undersigned as Hearing Officer. Upon meticulous examination of the inquiry report, available evidence, and the defense presented by the accused officer, it is observed that the record reflects the presence of certain mitigating factors acknowledged by the Inquiry Officer, which warrant consideration in determining the quantum of penalty. The findings of the Inquiry Officer are well-reasoned, evidence-based, and reflect due adherence to the principles of natural justice. Notably, post-inspection improvements carried out by the accused officer, following the visit of the concerned District Education Officer and the initiation of these proceedings, indicate remedial intent and partial responsiveness to the shortcomings identified. A surprise inspection conducted on 07.10.2023 revealed serious lapses in institutional management, including the unauthorized absence of a substantial number of teaching and non-teaching staff, highlighting a failure in maintaining discipline and enforcing service regulations. The accused officer claimed that the attendance situation has since normalized, with all staff presently performing their duties. Gross negligence was established with regard to the upkeep of the Centre's physical infrastructure, including non-functional washrooms, absence of potable drinking water, and unhygienic conditions. However, these deficiencies have since been rectified. It was submitted, *and not disputed*, that student attendance has improved, and the Centre has been declared a "Centre of Excellence." The accused officer asserted that he held the position of Drawing and Disbursing Officer (DDO) for a brief period and had not issued any completion certificate. Given the Centre's declaration as Centre of Excellence, previously completed works were discontinued, and new construction was initiated. With respect to the parked amount

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of Rs. 983,000/- in the official DDO account, the accused officer explained that the sum was earmarked for stipend disbursement. The Inquiry Officer found no evidence of corruption, embezzlement, or misappropriation of public funds. The allegation concerning unauthorized sale of the school's old main gate for Rs. 25,000/- was categorically denied by the accused officer. It was further confirmed during the inquiry that the old gate is available in the Centre. The absence of a security guard at the main gate and lack of installed surveillance cameras, despite prior assurances to the contrary, reflect continued negligence in discharging institutional security responsibilities. The accused officer's act of misrepresenting his official designation as "District Child Protection Officer / Focal Person" instead of using his actual title, constitutes a serious breach of official conduct and professional integrity. In nutshell, while certain charges have not been substantiated and mitigating factors are evident, the accused officer's overall conduct warrants imposition of minor penalty of 'Censure', in view of the proven elements of negligence and professional misconduct.

8. **NOW THEREFORE**, I, **Shahida Farrukh Naveed**, Secretary, Special Education Department being Competent Authority, *for reasons recorded herein above*, hold the view that the penalty recommended by the Inquiry Officer commensurates with the magnitude of the guilt of the accused officer, therefore, *while agreeing with the recommendations of the Inquiry Officer*, in exercise of powers vested upon me under Section 13(5)(ii) read with Section 4 of the PEEDA Act, 2006, minor penalty of '**Censure**' under Section 4(1)(a)(i) of the PEEDA Act, 2006 is hereby imposed upon the accused officer.

Dated Lahore, the
April 30, 2025

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 Education Officer (Special Education), D.G Khan to ensure delivery of this order to the accused officer under intimation to this department.
4. Headmaster, Govt. School of Special Education, Rajanpur to ensure delivery of this order to the accused officer under intimation to this department.
5. Accused officer concerned / **Mr. Asif Bashir**, Senior Special Education Teacher (BS-17 / H.I Field), Govt. School of Special Education, Rajanpur.
6. PS to Secretary Special Education Department.

Shahida 30/4/2025
(SHAHIDA FARRUKH NAVEED)
SECRETARY
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

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5/5/25
SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT