

**PENALTY ORDER**

No. SO(ESTT)1-133/2005. WHEREAS, upon receipt of complaint against the Headmistress, Govt. Special Education Centre, Shahpur Saddar, District Sargodha on multiple allegations by Malik Afzaal, Social Worker / Journalist, Shahpur Sadar, Directorate General of Special Education, Punjab, Lahore was directed vide letter dated 04.01.2024 to look into matter and submit fact finding report alongwith clear cut recommendations. In response thereto, Deputy Director (Admn), Directorate General of Special Education Punjab vide letter dated 05.04.2024 forwarded probe report conducted by District Education Officer (Special Education), Sargodha with recommendations for initiation of regular inquiry under PEEDA Act, 2006 against **Ms. Sobia Akram**, Headmistress (BS-18 / PH Field), Govt, Special Education Centre, Shahpur Saddar, District Sargodha.

2. **AND WHEREAS**, after receipt of report, disciplinary proceedings through a regular inquiry under Section 5 read with Section 9 of the **PEEDA Act, 2006 ('Act')** were initiated against the accused officer on following charges of misconduct and inefficiency vide order of inquiry dated 24.06.2024, and later substituted vide order dated 28.06.2024, by appointing **Mr. Muhammad Ali Gohar**, Principal (BS-19), Government Higher Secondary School of Special Education for Hearing Impaired, Sheikhpura as Inquiry Officer:

- i. During the Financial Year 2021-22, as per supply order, 422 uniforms (summer and winter) were received whereas, as per record maintained by the accused officer, 387 number of uniforms were distributed. During the probe 42 uniforms received during the Financial Year 2021-2022 were found in the store, were not distributed. During the probe, uniforms distribution record was found incomplete, receivers' signatures and thumb impressions were missing in the register which shows inefficiency of the accused officer and also indicates poor record-keeping and potential mismanagement and misappropriation of Govt. resources.
- ii. The accused officer conducted an auction of old vehicle spare parts and other materials from the school store and deposited an amount of Rs. 37,730 in the Govt. treasury through Challan 32-A dated 29.01.2024. Whereas, the accused officer earlier reported that old tyres were shredded and combusted, while driver's statements recorded during probe indicate that more than a dozen old tyres were sold in the local market. These contradictory statements of the accused officer tantamount to misconduct and also shows financial irregularities and unauthorized sale of school property for personal gain.

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 major penalty of "**reduction to a lower post & pay scale from the substantive post for a period of one (1) year**" under section 4(1)(b)(ii) 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 **Additional 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*.

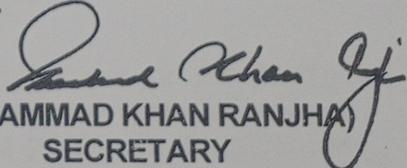
5. **AND WHEREAS**, Mr. Sajjad Ahmad Khan, Additional Secretary, Special Education / Hearing Officer submitted report of hearing proceedings stating therein that before the hearing proceedings the accused officer submitted additional defense reply and during the hearing proceedings, she while reiterating the stance taken by her during inquiry proceedings and in additional defense replies *inter alia*, contended that charges levelled against her are against the facts and record. She denied the charges and rebutted the veracity of the charges but also admitted that certain discrepancies are present in the record. Lastly, she requested that the charges are baseless and devoid of merit, therefore, she 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 inquiry proceedings were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006 and statements of all concerned were recorded. The Departmental Representative further stated that the accused officer was granted ample opportunities to defend herself and to rebut the charges but despite availing multiple opportunities, she failed to substantiate her stance and the charges of inefficiency & misconduct stood proved against the accused officer. She further stated that the arguments of the accused officer are fallacious and carry no weight. She further stated that penalty proposed by the Inquiry Officer commensurates with the guilt of accused officer.

6. **AND WHEREAS**, upon careful examination of the findings and recommendations of the Inquiry Officer, the additional defense reply submitted by the accused officer, the report of the Hearing Officer, and the available record on file, it has been observed that disciplinary proceedings against the accused officer were initiated under the PEEDA Act, 2006 based on charges of misconduct, inefficiency and administrative negligence. The case emerged from a fact-finding probe initiated upon multiple complaints received from stakeholders, uncovering lapses in governance, financial management, and ethical conduct. Following a meticulously conducted inquiry adhering to the principles of due process and procedural fairness, the Inquiry Officer found the accused officer guilty of the charges. The Inquiry Officer has recommended imposition of major penalty of "reduction to a lower post & pay scale from the substantive post for a period of one (1) year" under section 4(1)(b)(ii) of the PEEDA Act, 2006. Subsequently, the accused officer was duly served with a Show Cause Notice and granted a personal hearing, ensuring full compliance with the tenets of justice and transparency. She was also provided all record pertaining to the case enabling her to file her additional defense. After a comprehensive evaluation of record, it is observed that throughout the inquiry proceedings, the accused officer was afforded ample opportunity to present her defense and substantiate her innocence.

7. **AND WHEREAS**, after careful consideration, the undersigned disagrees with this recommendation on legal and equitable grounds. While the charges of inefficiency and administrative negligence are established, the findings of Inquiry Officer contained in inquiry report do not rise to the threshold required for imposition of a major penalty involving reduction in rank. The doctrine of proportionality, a well-settled legal principle enshrined in administrative jurisprudence, demands that penalties must be proportionate to the nature and

gravity of the misconduct proved. Although the charges of mismanagement of uniform distribution and unauthorized auction of tyres are established, no evidence of corruption, personal monetary gain, or criminal intent has been proved on record. The proceedings revealed irregularities in procedure, poor record maintenance, administrative lapses, and deviation from codified protocols, but not embezzlement, fraud, or misappropriation of public funds. The penal response must therefore be calibrated accordingly. The uniforms in question, though partially undistributed or poorly documented, were not misappropriated for personal gain. Similarly, although the process of auctioning old tyres was conducted in a defective manner, the proceeds. Rs. 37,730, were duly deposited in the Government Treasury. The accused officer's admission of irregularities and partial responsibility during hearing before the Hearing Officer further supports the view that the lapses, though serious, were not of a corrupt or fraudulent nature. It is pertinent to consider that the officer has no previous record of disciplinary action, and her conduct throughout the proceedings reflects a cooperative and non-defiant posture. The inconsistencies in record-keeping and procedural deviations, though condemnable, appear to stem from inefficiencies and lack of supervisory controls within the institutional framework, rather than deliberate abuse of position. While statements of witnesses (*especially drivers of the Centre*) and the accused officer's own responses during personal hearing point to inefficiencies, the evidentiary material does not reach the level of probative certainty that would justify imposition of major penalty of demotion from the rank.

8. **NOW THEREFORE, I, Muhammad Khan Ranjha**, Secretary, Special Education Department being Competent Authority, *for reasons recorded herein above*, hold the view that the penalty recommended by the Inquiry Officer do not commensurates with the magnitude of the guilt of the accused officer, therefore, *while disagreeing 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 **'withholding of increments for two years'** under Section 4(1)(a)(ii) of the PEEDA Act, 2006 under section 4(1)(b)(ii) of the PEEDA Act, 2006 is hereby imposed upon the accused officer.


(MUHAMMAD KHAN RANJHA)
SECRETARY

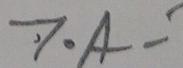
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore, the
July 21st, 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 Accounts Officer, Sargodha.
4. District Education Officer (Special Education), Sargodha to ensure delivery of this order to the accused officer under intimation to this department.
5. Headmaster / Headmistress, Govt, Special Education Centre, Shahpur Saddar, District Sargodha to ensure delivery of this order to the accused officer under intimation to this department.
6. Accused officer concerned / **Ms. Sobia Akram**, Headmistress (BS-18 / PH Field), Govt, Special Education Centre, Shahpur Saddar, District Sargodha.
7. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT

21/7/2025