

REGISTERED



ORDER

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

No. LO(Appeal)1-18/2025. WHEREAS, Mr. Azmat Yaqoob, former Senior Clerk, Govt. Secondary School of Special Education for Hearing Impaired School (Girls), Gujranwala now Junior Clerk, Govt. Special Education Centre, Pasrur ('appellant') filed departmental appeal under Section 16 of the PEEDA Act, 2006 ('Act') against order dated 25.04.2025 ('Impugned Order') passed by Director General Special Education, Punjab ('DGSE') whereby major penalties of 'reduction to a lower post and pay scale from the substantive post for a period of five years' under section 4(1)(b)(ii) of the Act *ibid* and 'forfeiture of past service for a period of three years' under section 4(1)(b)(iii) of the Act *ibid* ('impugned penalty') was imposed upon the appellant.

2. AND WHEREAS, comments on the appeal were obtained from DGSE. In order to decide the appeal of the appellant, the appellant was afforded opportunities of personal hearing on 07.08.2025 and 19.08.2025 in presence of Departmental Representative of Directorate General of Special Education, Punjab, Lahore.

3. AND WHEREAS, during the hearing proceedings, the appellant, while reiterating the stance already taken by him in his departmental appeal, *inter alia*, contended that the charges levelled against him are false and contrary to record; that the inquiry was not conducted in accordance with the law; that he was not provided ample opportunities to rebut the charges and to cross examine the record and witnesses, *who deposed against him*, that the penalties imposed upon him, *in view of the facts of the case*, are harsh and unjustified. He, lastly, requested that the impugned penalty order may be set-aside and he may be exonerated from the charges.

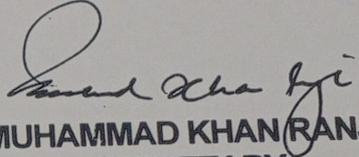
4. AND WHEREAS, on the other hand the Departmental Representative apprised that the appellant was proceeded against departmentally through regular inquiry under statutory regime of Act *ibid* on the charges of inefficiency and misconduct by appointing an inquiry officer. After receipt of inquiry report, DGSE issued Show Cause cum Personal Hearing Notice under Section 13(4) of the Act *ibid* to the appellant and after granting him hearings in accordance with the law, imposed impugned penalties upon the appellant vide impugned order. The Departmental Representative further stated that inquiry proceedings were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006, all record was thoroughly scrutinized and statements of all concerned were recorded; that charges of inefficiency and misconduct, *levelled against the accused officer through order of inquiry*, stood proved; that the arguments of the accused officer are fallacious and carry no weight; that the penalties proposed by the Inquiry Officer and imposed by the Competent Authority commensurates with the gravity and severity of the guilt of the appellant.

5. AND WHEREAS, after affording an opportunity of personal hearing to the appellant in the presence of the Departmental Representative, and upon careful perusal and consideration of the available record, it is noted that the observations, findings, and reasons recorded by the Competent Authority in the impugned order imposing penalties were rendered after due application of judicial mind, in light of the facts and circumstances of the case, and are duly supported by the record. The appellant, *instead of producing any fresh*

material or evidence in support of his defence, has merely reiterated the stance earlier taken before the Inquiry Officer as well as the Competent Authority. It is pertinent to note that the said stance was thoroughly examined and duly adjudged at both stages. The appellant has failed to advance cogent or convincing grounds warranting his exoneration, whereas sufficient material in the form of statements and documentary evidence exists on record establishing his connection with the commission of the charges. During the course of hearing before the undersigned, the appellant could not adduce any substantive evidence to disprove or discredit the charges framed against him. The record further reveals that no illegality or material irregularity has been pointed out in the impugned order of penalty. The appellant's submissions in the departmental appeal are found to be devoid of merit, lacking reasoning or justification, and unsupported by record. Notwithstanding the foregoing, while the charges of inefficiency and misconduct stand duly established against the appellant, it is observed that the penalty imposed by the Competent Authority in the instant case requires modification so as to bring it in conformity with the gravity of the charges and the principle of proportionality. The two major penalties imposed do not look logical.

6. **NOW, THEREFORE**, for the reasons recorded hereinabove, the departmental appeal preferred by the appellant is **partly allowed**. The impugned order is modified to the extent that the major penalty of '**forfeiture of past service for a period of three years**' imposed under Section 4(1)(b)(iii) of the Act *ibid* is hereby **set aside**. However, the major penalty of '**reduction to a lower post and pay scale from the substantive post for a period of five years**' imposed under Section 4(1)(b)(ii) of the Act *ibid* is **maintained/upheld**. The appeal stands disposed of in the aforesaid terms.

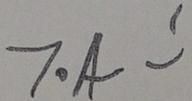
Dated Lahore the
September, 17 / 2025


(MUHAMMAD KHAN RANJHA)
SECRETARY
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT/
APPELLATE 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. Director (Admn), Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Gujranwala.
5. Appellant concerned / Mr. Azmat Yaqoob, Junior Clerk, Govt. Special Education Centre, Pasrur.
6. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT

17/9/2025