

**PENALTY ORDER**

SO(Estt.)10-419/2011. WHEREAS, disciplinary proceedings were initiated against **Ms. Naheed Akhtar**, Senior Special Education Teacher (Hearing Impaired Field)(BS-17) /ex-In-charge Headmistress, Govt. Special Education Centre, Ahmad Pur East presently awaiting posting in Special Education Department and **Mr. Shehzad Ahmad**, Junior Clerk (BS-11), previously posted at Govt. Special Education Centre, Ahmad Pur East presently posted at Govt. Special Education Centre Liaqatpur, District Rahim Yar Khan vide order dated 22.12.2021 under the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by appointing Mr. Muhammad Asif Iqbal, Headmaster (BS17+10 Special Pay), Govt. Institute for Slow Learners, Bahawalpur as Inquiry Officer to proceed against accused officer and official in terms of Section 5(1)(b) read with Section 9 of the Act *ibid* on the following charges of inefficiency and misconduct;

- i. Ms. Naheed Akhtar, ex-Incharge Headmistress was the symbolic head of Govt. Special Education Centre, Ahmad Pur East. The administration of the Centre was being run by her husband, Mr. Shahzad Ahmad ex-Junior Clerk of the same Centre which caused mismanagement and indiscipline in the said Centre.
- ii. Ms. Naheed Akhtar and Mr. Shahzad Ahmad were causing distress to Mr. Muhammad Hanif, Chowkidar of the said Centre. The situation got aggravated when there was a technical fault in the biometric machine. Instead of repairing the biometric machine, both Ms. Naheed Akhtar and Mr. Shahzad pressurized Mr. Muhammad Hanif (late). They locked him up in a room of the Centre, harassed him and threatened him of dire consequences. They compelled him to accept that he created fault in the biometric machine and got his signature & thumb impression on a paper by force. They pressurized the deceased to accept his fault before video camera and recorded his statement. These circumstances compelled Mr. Muhammad Hanif to commit suicide in the Centre.

2. **AND WHEREAS**, the accused officer and official filed Writ Petition No. 420/2022 in Lahore High Court, Bahawalpur Bench, Bahawalpur with the following prayer:

“That by accepting this instant petition, by setting aside the impugned orders dated 26.01.2021 and 22.12.2021 passed by respondent No.2 and 4 respectively being illegal void ab-initio without lawful authority excess of jurisdiction having no force upon the rights of the petitioners, in the interest of justice.

Further prayed that the impugned orders dated 26.01.2021 and 22.12.2021 passed by respondent No.2 and 4 respectively may kindly be suspended by restraining the respondent No.4 to pass any adverse order against the petitioner till the decision of main case.”

The Honourable Court passed the following order on 21.01.2022:

"Notice for the above said date, in the meanwhile, no adverse action influenced by the decision of the office of the Provincial Ombudsman Punjab, Lahore shall be taken against the Petitioners. However, it is made clear that unless, the interim order is extended on the next date of hearing, the same shall be deemed to be vacated."

3. **AND WHEREAS**, order of inquiry dated 22.12.2021 was substituted vide order dated 10.03.2022 and Mr. Mansoor Ali, District Education Officer (Special Education), Bahawalpur was appointed as Inquiry Officer. The Inquiry Officer, after conducting the inquiry submitted inquiry report to this department, with following recommendation as to imposition of penalty to both accused;

"Minor penalty of withholding of three increments for the period of three years in terms of section (1)(a)(ii) of PEEDA Act, 2006."

4. **AND WHEREAS**, upon receipt of inquiry report, Show-Cause-cum-Personal-Hearing Notice under Section 13(4) of PEEDA Act, 2006 was issued to the accused officer and official directing them to submit their additional defence, if any and to appear before Ms. Khadija Tull Kubra, Additional Secretary, Special Education / **Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid* for personal hearing. The Hearing Officer after granting hearing to the accused officer and official in presence of Departmental Representative, submitted report of hearing proceedings stating therein that the injunctive order passed by the Hon'ble Lahore High Court, Bahawalpur Bench, Bahawalpur dated 21.01.2022 whereby the Hon'ble Court has restrained to pass any adverse action against the accused officer and official influenced by the decision of the office of the Provincial Ombudsman, Punjab, Lahore is still in field, therefore, it is suggested that no final decision in this inquiry may be passed and the case of the accused officer and official may be stayed till final decision of the Writ Petition No. 420/2022.

5. **AND WHEREAS**, disciplinary proceedings were stayed vide order dated 13.12.2022 till final decision of Writ Petition No.420/2022 pending adjudication before Hon'ble Lahore High Court, Bahawalpur Bench, Bahawalpur. As per record, vide order dated 15.09.2025 passed by Hon'ble Lahore High Court, Bahawalpur Bench, Writ Petition No. 420/2022 was disposed of as not pressed. After decision of the Writ Petition, final opportunity of hearing was granted accused officer and official to finalize the disciplinary proceedings and accordingly they were directed to appear before the undersigned on 10.11.2025.

6. **AND WHEREAS**, the accused officer and official appeared on the date fixed and filed additional defence replies. During course of personal hearing, the accused officer and official reiterated their earlier defence taken by them during the inquiry proceedings and in the additional defence reply and *inter alia*, stated that they had performed their duties with utmost diligence, integrity, and commitment, and that no complaint of any nature had ever been preferred against them throughout their tenure. They further asserted that the charges framed were inconsistent with the factual matrix and documentary record; that all relevant evidences and official record was duly produced before the Inquiry Officer in rebuttal of the allegations; however, their version was neither

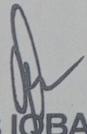
adequately appreciated nor objectively considered in the inquiry findings. It was contended that the Inquiry Officer, without proper evaluation of their defence, erroneously recommended the imposition of penalties. On the other hand, the Departmental Representative submitted that the accused officer and official were granted full opportunity to access and review all documentary evidence relevant to the charges. He further stated that the inquiry proceedings were conducted by the Inquiry Officer in strict conformity with the provisions of the PEEDA Act, 2006, and statements of all material witnesses were duly recorded during the proceedings in presence of the accused officer and official. It was emphasized that the Inquiry Officer had duly taken into account the entire defence put forth by the accused officer and official, including the surrounding circumstances and the factual context of the case, prior to arriving at his findings. The Departmental Representative contended that the charges of inefficiency stood duly substantiated against accused officer and official. Accordingly, the Departmental Representative argued that the assertions advanced by the accused officer and official were devoid of substance and did not undermine the credibility or legality of the inquiry proceedings. He maintained that the penalties proposed and recommended by Inquiry Officer are just, reasonable, and commensurate with the gravity and nature of the misconduct established against the delinquent officers.

7. **AND WHEREAS**, after a thorough, independent, and judicious appraisal of the inquiry proceedings, documentary record, and submissions advanced during the personal hearing, it has been noted that the inquiry was conducted strictly in accordance with the procedural framework envisaged under the Punjab Employees, Efficiency, Discipline and Accountability Act, 2006, and that the accused officer and official were afforded due process and fair opportunity to defend themselves at every stage. The record unambiguously establishes that while no direct or circumstantial evidence exists to substantiate the allegations of abetment, harassment, or willful causation of the tragic suicide of the Chowkidar, the charge of inefficiency stands conclusively proved against both the accused through their own admissions and the consistent testimonies of witnesses. The evidence reveals that the then In-charge Headmistress, Ms. Naheed Akhtar, abdicated her administrative responsibilities by permitting her husband, Mr. Shahzad Ahmad, Junior Clerk, to exercise undue and unauthorized influence over the Centre's day-to-day affairs, thereby undermining the discipline, chain of command, and sanctity of institutional governance. Her failure to ensure an orderly and safe working environment, coupled with the Junior Clerk's assumption of an informal managerial role, amounted to a grave dereliction of duty incompatible with the standards expected of public servants entrusted with the care of vulnerable special children. Furthermore, the conduct of both accused following the incident reflected a disturbing lack of administrative judgment and procedural propriety. They failed to promptly inform the police, the District Education Officer, or the higher departmental hierarchy of the occurrence, demonstrating serious negligence and disregard for official responsibility. The belated and inconsistent handling of documentation, including the attachment of contradictory death certificates, further underscores the breakdown of discipline and accountability at the Centre under their watch. Such omissions, though not evidencing *malafide* intent, clearly indicate gross inefficiency and professional incompetence.

8. **AND WHEREAS**, while concurring with the Inquiry Officer's conclusion that the charge of inefficiency stands proved, it is observed that the recommended penalty of withholding of three annual increments for three years is disproportionate to the nature and extent of the proven lapses. The Inquiry Officer failed to adequately weigh the mitigating circumstances, namely that the incident, *though tragic*, did not directly result from any willful act or deliberate negligence on part of the accused; that both officers have otherwise served for considerable periods without prior adverse entries; and that their inefficiency, *while serious*, stemmed from misjudgment and administrative complacency rather than *malafide* or corrupt motives. In view of the foregoing analysis, considering the mitigating factors and the absence of any aggravating evidence of intentional misconduct, the ends of justice would be best served by imposing the minor penalty of withholding of increment for a period of one year under Section 4(1)(a)(ii) of the PEEDA Act, 2006.

9. **NOW THEREFORE**, I, **Shoaib Iqbal Syed**, Secretary, Special Education Department being Competent Authority, *for reasons recorded herein above*, hold the view that the penalty recommended by the Inquiry Officer does not commensurates with the magnitude of the guilt of the accused officer and official, 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 increment for a period of one year**' under Section 4(1)(a)(ii) of the PEEDA Act, 2006 is hereby imposed upon the accused officer and official.

Dated Lahore, the
December 02 /2025


(SHOAIB IQBAL SYED)
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. District Education Officer (Special Education), Bahawalpur to ensure delivery of this order to the accused officer and official under intimation to this department.
4. Accused officer and official concerned /
 - i. **Ms. Naheed Akhtar**, Senior Special Education Teacher (Hearing Impaired Field)(BS-17) / ex-Incharge Headmistress, Govt. Special Education Centre, Ahmad Pur East presently awaiting posting in Special Education Department.
 - ii. **Mr. Shehzad Ahmad**, Junior Clerk previously posted at Govt. Special Education Centre, Ahmad Pur East, presently posted at Govt. Special Education Centre Liaquatpur, District Rahim Yar Khan.
5. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT