

**PENALTY ORDER**

No. SO(ESTT.)10-507/2013. WHEREAS, disciplinary proceedings through a regular inquiry under the Punjab Employees, Efficiency, Discipline and Accountability Act, 2006 ('Act') were initiated against **Mr. Amer Raza**, Senior Special Education Teacher (BS-17 / VI Field), previously posted at Govt. Gunj Shakar Special Education Complex, Okara, presently under suspension and reported to department ('accused officer') vide Order of Inquiry dated 23.04.2025 (*substituted order of inquiry dated 23.06.2025*) under Section 3 read with Section 9 of the Act *ibid* on the following charges of inefficiency and misconduct by appointing **Mrs. Waseem Sana Ullah**, Principal (BS-19), Govt. Institute for the Blind Girls, Allama Iqbal Town, Lahore as Inquiry Officer:

- i. That the accused officer, while serving as Senior Special Education Teacher at Government Gunj Shakar Special Education Complex, Okara, violated the officially circulated Standard Operating Procedures (SOPs) relating to the protection of children with special needs from all forms of abuse and neglect. He failed to fulfil his core responsibility of ensuring the safety, dignity, and emotional well-being of special children under his supervision by using inappropriate, offensive, and infelicitous language during a phone conversation with Ms. Laiba Ismail, a visually impaired student of Class IX. This conduct constitutes a serious breach of trust, professional misconduct, and dereliction of duty, thereby falling within the scope of misconduct as defined in the PEEDA Act, 2006.
- ii. That the accused officer, entrusted with the education and moral development of visually impaired students, grossly violated the ethical and legal obligations of his position by molesting Ms. Laiba Ismail, a visually impaired student of Class IX. This grave and reprehensible act is in direct contravention of the standards of decency, professional conduct, and child protection policies expected of a teacher of special students.
- iii. The accused officer, while serving as Senior Special Education Teacher at Government Gunj Shakar Special Education Complex, Okara, was entrusted with the moral, ethical, and academic guidance of visually impaired students. Instead of upholding the standards of professional integrity and mentorship, the accused indulged in unethical and inappropriate conduct by establishing an improper and exploitative relationship with a special student under his care for illicit personal benefit. This act reflects a gross abuse of authority, a serious breach of trust, and a violation of both professional and ethical responsibilities expected of a teacher of special students.
- iv. The accused officer deliberately instigated and manipulated Ms. Laiba Ismail, a visually impaired student, to influence and persuade fellow students to abstain from attending school unless the Class IX

(Girls) section was placed under his charge. This act of incitement disrupted the academic environment, compromised institutional discipline, and demonstrated wilful defiance of administrative authority. The act amounts to deliberate subversion of institutional order and constitutes misconduct under PEEDA Act, 2006.

2. **AND WHEREAS**, the Inquiry Officer after conducting inquiry into the charges submitted inquiry report, wherein the Inquiry Officer recommended imposition of following penalty upon the accused officer:

Sr. No.	Name of Accused Officer	Recommendation
1.	Mr. Amer Raza, Senior Special Education Teacher (BS-17 / VI Field)	i. Major penalty of "Forfeiture of past service for a period of two years" under section 4(1)(b)(iii) of the PEEDA Act, 2006. ii. Minor penalty of "Censure" under section 4(1)(a)(i) of the PEEDA Act, 2006.

3. **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 him to submit additional defence, *if any*, and also to appear for personal hearing on 18.09.2025. The accused officer was granted another opportunity of hearing on 17.11.2025.

4. **AND WHEREAS**, the accused officer appeared on the fixed dates and during the course of personal hearing, reiterated the submissions advanced by him during the inquiry proceedings, asserting that he had discharged his official duties with due diligence, integrity, and commitment, and that no complaint of any nature had ever been preferred against him during the entirety of his service. He further contended that the charges framed against him were not in consonance with the factual matrix or documentary record on file. The accused officer maintained that all relevant evidence and record including statement of the mother the female student, *whereby she has forgiven her and stated that she does not want to pursue her complaint*, had been duly produced before the Inquiry Officer in rebuttal of the allegations; however, his defence was neither adequately appreciated nor objectively evaluated in the inquiry findings. He alleged that the Inquiry Officer, without proper assessment of his defence, erroneously proceeded to recommend the imposition of penalty. Conversely, the Departmental Representative submitted that the accused officer was afforded full and fair opportunity to access and review all evidence relevant to the charges. He asserted that the inquiry proceedings were conducted by the Inquiry Officer strictly in accordance with the provisions of the PEEDA Act, 2006, and that statements of all material witnesses were duly recorded in the presence of the accused officer, who was also extended the right of cross-examination. It was emphasized that the Inquiry Officer had taken into consideration the entire defence presented by the accused officer, along with the statement of the mother of the female student, factual context and surrounding circumstances, prior to reaching her findings. The Departmental Representative contended that the charges of inefficiency and misconduct stood duly substantiated against the accused officer,

and therefore the assertions advanced in his defence were devoid of substance and failed to cast any doubt on the credibility or legality of the inquiry proceedings. He maintained that the penalty proposed and recommended by the Inquiry Officer was just, reasonable, and commensurate with the nature and gravity of the misconduct established against the delinquent officer.

5. **AND WHEREAS**, upon a comprehensive and critical appraisal of the entire record, including the inquiry report, the defence submissions of the accused officer, and the documentary and oral evidence brought on file, it emerges that while the misconduct involving use of inappropriate and unprofessional telephonic language with a visually impaired female student and the act of inciting her to influence fellow students stands duly established, the remaining allegations, particularly those imputing physical molestation, exploitation, or any form of sexual misconduct, are unsubstantiated and unsupported by reliable, cogent, or corroborative evidence. The unambiguous exoneration of the accused officer by the Inquiry Officer on the gravest component of the charge, coupled with the sworn and voluntary statement of the complainant's mother retracting all allegations beyond the telephonic impropriety and expressly forgiving the accused, significantly diminishes the probative weight of the allegations that initially attracted major-penalty contemplation. Moreover, the accused officer's service record, spanning several years without a single adverse entry and complaint substantiates that the misconduct proved is an isolated lapse of judgment rather than a pattern of behaviour. The Inquiry Officer, despite correctly concluding that no element of physical or sexual wrongdoing was established, proceeded to recommend the major penalty of forfeiture of past service for two years without articulating any proportionate nexus between the nature of the misconduct proved, its actual impact, the mitigating circumstances on record, and the quantum of punishment proposed. This renders the recommended penalty disproportionate and inconsistent with the well-settled principles of administrative justice requiring parity, proportionality, and rational justification in the award of penalties under the PEEDA Act, 2006. The misconduct proved, though unbecoming of a teacher, does not meet the threshold for imposing a major penalty. In view thereof, and taking into account the mitigating factors, the absence of aggravating circumstances, the lack of past misconduct and the bona fide remorse implicit in the proceedings, it is concluded that the imposition of minor penalty of *Censure* is appropriate and proportionate to the gravity of charges proved against the accused officer. Accordingly, the recommendations of the Inquiry Officer to the extent of proposing a major penalty are declined as disproportionate, unsupported by reasoning. The ends of justice, administrative discipline, and pedagogical propriety shall stand adequately served through the imposition of the minor penalty of *Censure*, which is proportionate and commensurate with the nature and extent of misconduct actually proved against the accused officer.

6. **NOW THEREFORE**, I, **Shoab Iqbal Syed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case and *for reasons stated herein above*, in exercise of powers vested in me under Section 13(5) read with Section 4 of the

Punjab Employees Efficiency, Discipline and Accountability Act, 2006 do hereby award minor penalty of 'Censure' under Section 4(1)(a)(i) of the Act *ibid* to the accused officer.

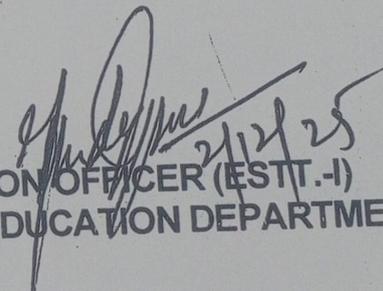
(SHOAIB IQBAL SYED)  
SECRETARY  
GOVT. OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

Dated Lahore, the  
December 02 /2025

No. & Date Even:

A copy is forwarded for information and necessary action to the:-

1. **Director General** Special Education, Punjab, Lahore.
2. **District Education Officer (Special Education), Sahiwal** to ensure delivery of this order to the accused officer.
3. Headmaster / Headmistress, Govt. Gunj Shakar Special Education Complex, Okara to ensure delivery of this order to the accused officer.
4. **Mr. Amer Raza**, Senior Special Education Teacher (BS-17 / VI Field), previously posted at Govt. Gunj Shakar Special Education Complex, Okara, presently under suspension and reported to department.
5. PS to Secretary Special Education Department.

  
SECTION OFFICER (ESTT.-I)  
SPECIAL EDUCATION DEPARTMENT