

REGISTERED



**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**

ORDER

No. SO (Estt)21-281/2016. WHEREAS, Show Cause Notice dated 27.11.2020 under Section 7(b) read with Section 5(1)(a) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 was served upon Ms. Madiha Masood, Ex-Psychologist (BS-17) Govt. Special Education Centre, Shakargarh, presently awaiting posting in Special Education Department on the following charge of misconduct:

“You have been found absent from duties w.e.f 30.11.2019 to 28.10.2020 without any intimation or prior permission of the Competent Authority even after finalization of earlier disciplinary proceedings against you regarding willful absence and imposition of penalties vide order dated 30.01.2019 and 29.11.2019.”

2. **AND WHEREAS**, the accused officer submitted her written defence reply regarding the charge as mentioned in the Show Cause Notice, wherein, the accused officer stated that she was suffering from severely damaged cocccy due to which doctors strictly advised her to avoid travel. She further stated that in the meanwhile Govt. of the Punjab closed the educational institutions due to Covid-19 Pandemic. Furthermore, in June 2020, she had undergone serious surgery of Right Ectopic Laprotomy and after surgery, she went to Govt. Special Education Centre, Shakargarh in ambulance to join her duties but the Headmaster concerned did not allow her to join the Centre and forwarded her request for joining to Special Education Department for seeking advice to proceed further in the matter. Therefore, she couldn't attend her duties at Govt. Special Education Centre, Shakargarh. She requested that she may be exonerated of the charge leveled against her.

3. **AND WHEREAS**, in order to meet the ends of justice, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the PEEDA Act, 2006 on 03.02.2021. During personal hearing, she pleaded herself innocent and

reiterated her defence reply while relying on the evidence in the shape of medical reports which she had already produced.

4. **AND WHEREAS**, the accused officer was appointed as Psychologist (BS-17) on contract basis for a period of five (05) years vide order dated 15.07.2016. She was transferred to Govt. Special Education Centre, Shakargarh vide order dated 22.08.2017 on her own request. The Headmaster, Govt. Special Education Centre, Shakargarh vide letter dated 28.09.2018, submitted her absence report whereby, it was intimated that the accused officer had absented herself from duty w.e.f 31.08.2018. She was proceeded against under the PEEDA Act, 2006 by serving a Show Cause Notice dated 31.08.2018 upon her and was also afforded two opportunities of personal hearing. She, however, could not justify her long absence from duty. Therefore, the Secretary Special Education / Competent Authority imposed a minor penalty of "withholding of annual increment for a period of one year" under Section 4(1)(a)(ii) upon her vide order dated 30.01.2019. The Headmaster, Government Special Education Centre, Shakargarh again intimated vide letter dated 11.03.2019 that the accused officer did not join her duty after completion of disciplinary proceedings. Therefore, once again disciplinary proceedings under the PEEDA Act, 2006 were initiated against her through a Show Cause Notice dated 22.07.2019 and after observing all legal formalities, she was awarded minor penalty of "withholding of annual increments for a period of two years" vide order dated 29.11.2019.

5. **AND WHEREAS**, Govt. of the Punjab closed the educational institutions due to pandemic of COVID-19. However, after re-opening of educational institutions, the accused officer visited Govt. Special Education Centre, Shakargarh on 25.08.2020 and requested the Headmaster concerned to re-join her for duties at the said Centre. The Headmaster concerned forwarded the application of the accused officer to Special Education Department for seeking advice to proceed further in the matter. The accused officer was transferred from Govt. Special Education Centre, Shakargarh and directed to report to this Department on administrative grounds vide order dated 29.10.2020.

6. **NOW, THEREFORE**, I, Syed Javed Iqbal Bokhari, Secretary Special Education / Competent Authority, after hearing the accused officer, considering the defence reply of the accused officer and her medical reports, am of the considered view

that although the accused officer remained absent from duty w.e.f 30.11.2019 to 28.10.2020, however, it was due to the circumstances beyond her control because of her severe ailment. Moreover, the educational institutions in all over the Punjab remained closed from March 2020 to August 2020 due to pandemic of COVID-19. Therefore, I, being the Competent Authority, in exercise of powers vested in me under section 7(f) of Punjab Employees Efficiency & Discipline Act, 2006, while taking a lenient view, hereby impose the minor penalty of "Censure" under Section 4(1)(a)(i) of the PEEDA Act 2006 upon the accused officer / Ms. Madiha Masood, Psychologist (BS-17), presently awaiting posting in Special Education Department.

Dated Lahore the
February, 16th 2021


(SYED JAVED IQBAL BOKHARI)
SECRETARY SPECIAL EDUCATION /
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. Accused officer concerned.
4. Statistical Officer.
5. PS to Secretary Special Education Department.
6. Master File.


SECTION OFFICER (ESTT.)