



**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**

ORDER

SO(Estt)10-137/2006: WHEREAS, Deputy Secretary, Special Education Department and Director (Academics), Directorate General of Special Education visited Govt. Sunrise Institute for the Blind, Lahore (**'institute'**) on 04.10.2023 at 10:07 AM (*the date of visit was inadvertently mentioned as 03.10.2023 in the visit report submitted by visiting officer*). Deputy Secretary, Special Education submitted visit report with the observations that **Syed Muhammad Naveed Qamar**, Headmaster (VI Field / BS-18), previously posted at Govt. Sunrise Institute for the Blind, Lahore presently awaiting posting in this department (**'accused officer'**) was found absent from duty without intimation. The report alongwith other issues had also highlighted the poor cleanliness condition of the institute and inadequate management of the hostel facilities. Thereafter, Director General, Directorate General of Special Education vide Note dated 10.10.2023 informed that Deputy Director (Curriculum), Directorate General of Special Education also visited the institute on 06.10.2023 and the accused officer was again found absent from duty without any prior approval from the authority. Director General, Special Education further informed that the accused officer failed to perform his duties in befitting manner and consequent thereupon, *due to his inefficiency*, cleanliness condition of the institute was poor. He also failed to observe the directions issued by Directorate General of Special Education regarding dengue eradication as debris and grown grass was present in the lawn and also the pockets of the dispenser were full of water and water was leaking therefrom. The accused officer remained inefficient in discharge of his duties as he failed to provide healthy educational environment to the special students despite issuance of clear instructions by Director (Academics) and Deputy Secretary, Special Education during the visit on 04.10.2023.

2. AND WHEREAS, keeping in view the inefficiency and negligence as depicted from the visit reports, severity of the matter involved and in view of availability of sufficient documentary evidence on record, *while dispensing regular inquiry*, disciplinary proceedings were initiated against the accused officer vide Show Cause Notice 23.10.2023 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 (**'Act'**) on the following charges of inefficiency and misconduct:

- i. You were found absent from your duty on 03.10.2023 and 06.10.2023 without prior permission / approval of leave by the Competent Authority and during school hours the Principal office was locked on both days.**
- ii. During the visit on 03.10.2023 it was found that structure of the institute was in appalling condition but you did not put in any effort to improve the condition of the institute and no action was taken to bring the matter into the notice of the**

higher authorities as last communication made by you with the Executive Engineer, Building Division No. 2 (M&R), Lahore was vide letter dated 10.12.2021.

- iii. On 03.10.2023 at 10:07 AM the teaching staff was on a tea break in the staff room and no one was in the class rooms to look after the special students.*
- iv. As per record, staff of the institute is marking attendance on Bio-Matric machine but the Bio-Matric machine is offline. Moreover, you have not registered yourself on Bio-Matric machine for marking attendance.*
- v. Cleanliness condition of the institute was pathetic. The condition of the kitchen was also not good. During the visit on 03.10.2023, classrooms, hostel, courtyard, clerical office including Principal's office were found filthy. Kitchen was not adequately maintained and unnecessary belongings of the staff were kept there. The presence of the rats in kitchen was evidenced through rat droppings. The hostel Superintendent also failed to provide record of daily grocery items being purchased / received for kitchen.*
- vi. The condition of the hostel was also not up to the mark and showed mismanagement of the space and resources.*
- vii. The drinking water was found to be unpleasant in odor. Your statement regarding source of drinking water was in contradiction with the statement of storekeeper which shows your lack of interest in performance of your duties. No record was provided regarding date of change of filters of the filtration plant installed in the institute.*
- viii. Academic Calendar available in the Art Class was outdated and the updated Academic Calendar was not available in the institute.*
- ix. The CCTV cameras of the institute were functional and it was informed that 21-days recording is maintained but when instructed by Deputy Secretary Special Education, CCTV recording for 03.10.2023 was not provided due to unknown reasons.*
- x. You violated the instructions issued by the Directorate General of Special Education related to dengue eradication*

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as there was debris and grown grass in the lawn. Pockets of the water dispenser were full of water and there was leakage of water which would lead to proliferation of dengue.

- xi. Your performance as Principal remained unsatisfactory as you failed to provide healthy educational environment to the special students. Despite clear instructions issued by the Director (Academics) and Deputy Secretary Special Education during their visit on 03.10.2023, you did not even bother to clean the fans and classrooms properly.**

3. **AND WHEREAS**, through the above said Show Cause Notice, the accused officer was directed to submit written reply to the charges within 07-days but the accused officer failed to submit written reply within stipulated period and filed an application dated 30.10.2023 for provision of record and extension of time for filing of written reply. Pursuant to the application, the accused officer was provided the requisite record and he was also allowed extension in time for 07-days for filing of written reply vide letter dated 21.11.2023. There-after, the accused officer filed another application dated 24.11.2023 seeking provision of certain record. The said application was disposed of vide letter dated 06.12.2023 with the direction to the accused officer to approach the concerned institute for provision of record as the documents requested did not pertain to this department. Despite provision of record, the accused officer failed to file written reply. Therefore, in order to finalize the disciplinary proceedings, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the Act *ibid* and for said purpose vide letter dated 10.10.2023, he was directed to appear before **Additional Secretary, Special Education / Hearing Officer** appointed under Section 7(d) of the Act *ibid* on 15.01.2024.

4. **AND WHEREAS**, the Hearing Officer after affording opportunity of personal hearing to the accused officer, submitted report of hearing proceedings stating therein that the accused officer during course of personal hearing filed written reply which was considered and found unsatisfactory. The Hearing Officer concluded that all charges levelled against the accused officer stand proved. The Hearing Officer after hearing the accused officer, examining the reply of the accused officer, relevant record available in the file and also submitted by the accused officer, at the very outset observed that Deputy Secretary, Special Education alongwith Director (Academics), DGSE visited the institute of the accused officer on 04.10.2023 (Wednesday) but in the visit report submitted by the Deputy Secretary, Special Education on 09.10.2023, the date of visit was inadvertently mentioned as 03.10.2023. It is also matter of record that the said visit (*that held on 04.10.2023*) is not disputed by the accused officer but due to inadvertent mentioning of incorrect date in the visit report by the Deputy Secretary, Special Education the charges leveled against the accused officer also contain visit date as 03.10.2023 which is proposed, *for the sake of convenience*, to be considered as 04.10.2023. The Hearing Officer with regards to charge No. 1 observed that the

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accused officer has denied the charge by stating that on both days of visit, he was present in the institute. This stance of the accused officer is negated by the record. As per record, on 04.10.2023 (*the day of visit which has been mentioned as 03.10.2023*), the accused officer was not present in the institute but later on, he came to the institute and put forth justification for his late arrival by stating that his better half is suffering from some serious medical issues, therefore, he in order to deposit certain sum of money in the bank account, had to visit the Bank. Whereas, on 06.10.2023, the accused officer was not present in the institute and in order to justify his absence, he has taken a stance that he was in the market for the purpose of repair of RO Plant which was installed in the institute on 05.10.2023. To substantiate his stance, he relied upon the movement register. The accused officer was asked by the Hearing Officer, *during course of personal hearing*, whether he informed DEO concerned regarding his non presence in the institute, to which he replied in negative. The accused officer was also asked whether the movement register was placed before the visiting officers. In response he again replied in negative. The accused officer was also asked why the Principal office was locked on both days of visits. In response to this question, the accused officer initially stated that the Principal office was not locked but when he was confronted with the reports of visiting officers, then he stated that since important record is kept in his office, therefore, in his absence his office was kept locked. The Hearing Officer observed that conjoint perusal of the record and stance of the accused officer, it is established that the accused officer was not present in the institute on both days of the visits and office of the Principal was also locked, hence this charge stands proved.

5. **AND WHEREAS**, the Hearing Officer with regards to charge No. 2, after examining the record, observed that the accused officer in reply to this charge has cited a correspondence dated October 23, 2023, addressed to the Director General of Special Education. The accused officer's dependence on a letter composed subsequent to the inspections and issued on the same date as the Show Cause Notice, in itself, constitutes material evidence substantiating the charge. Moreover, the accused officer has failed to refute the assertion regarding the precarious state of the institute's infrastructure. The Hearing Officer with regards to charge No. 3, observed that in response to this charge, the accused officer has contended that the teaching staff, during periods of unassigned instructional duties (free periods), habitually convene in the staff room to partake in tea consumption—a customary practice observed across all Special Education Institutes. The reliance is placed upon the official timetable of the institute. The position articulated by the accused officer, along with the document relied upon to substantiate this position, was examined and there-after the Hearing Officer noted that the timetable, purportedly adhered to and cited by the accused officer, lacks specific time references. Furthermore, the rationale behind the simultaneous presence of all teaching staff in the staff room during a tea break, particularly when, according to the accused officer's stance, only those without scheduled lectures or classes are expected to be present, raises questions about the unattended status of special students during that period. The accused officer was not physically present at the institute during both days of visits (*reference is made to the findings qua charge No.1 supra*), prompting consideration of his stance as a post hoc rationalization aimed at

shielding the teaching staff.

6. **AND WHEREAS**, the Hearing Officer with regards to charge No. 4 observed that the tenor of the stance of the accused officer in response to this charge is that the temporary unavailability of the biometric machine resulted from non-payment of bills, attributable to a delayed budget release in the month of September, 2023. The absence from the attendance system by Heads of Institutions is deemed standard practice, aligning with their professional obligations involving attendance at diverse meetings. The stance taken by the accused officer was evaluated by the Hearing Officer, keeping in juxtaposition the record available in the file and it was observed that the stance of the accused officer is in sheer violation of the instructions issued *viz-a-viz* marking of attendance on bio-metric machine. The accused officer was asked by the Hearing Officer, *during course of hearing*, whether the Heads of the Institutes are exempted from marking their attendance on bio-metric machine to which he replied in negative. The Hearing Officer observed that no piece of evidence, in shape of written communication, has been placed on record by the accused officer (neither presented during hearing nor attached with written reply) through which it could be inferred that the accused officer informed the higher authorities regarding non-operational status of the bio-metric machine. The Hearing Officer with regards to charge No. 5 observed that the justification accorded by the accused officer in reply to this charge is nothing more than a story built to cover-up the lacunas. It was observed by the visiting officers on both days of visits that cleanliness condition of the institute was not up to the mark. The stance of the accused officer in response to this charge indicates that the accused officer, rather than providing justification for the lack of cleanliness in the institute premises, attempts to dispute the charge's accuracy, citing a contradiction with charge No. 1. This stance depicts that the same is based on non-reading of the visit report submitted by the visiting officer. The accused officer has failed to provide any substantiation or explanation concerning the observed disorderliness and lack of cleanliness in various areas, including classrooms, the hostel, courtyard, clerical office, and the Principal's office. Additionally, there is an absence of justification for the inadequate maintenance of the kitchen and the presence of unnecessary belongings of the staff therein. The issue of rats in the kitchen, substantiated by evidence such as rat droppings, remains unaddressed. Furthermore, the accused officer has not presented any documented evidence to justify the failure to maintain records of daily grocery items procured or received for the kitchen. The Hearing Officer observed that the accused officer failed to provide compelling justifications, thereby rendering his response unsatisfactory.

7. **AND WHEREAS**, the Hearing Officer with regards to charge No. 6 observed that the substandard condition of the hostel premises, as evidenced, reflects a clear manifestation of mismanagement concerning both spatial utilization and resource allocation. Such conditions, indicative of inefficiency and negligence, are inconsistent with the expected standard of performance of duties. The failure to uphold a satisfactory standard of cleanliness, maintenance, and order within the hostel not only compromises the overall operational efficiency but also raises concerns regarding the responsible stewardship of available resources. Maintaining facilities at an optimal level is

Kavina Saad

imperative, and the observed lapse in meeting these standards implies a dereliction of duty. The stance of the accused officer in response to this charge stands in opposition to the reports submitted by visiting officers. The unfavourable remarks by the visiting officers indicate that had the Hostel been adequately maintained, such criticism would not have been articulated. The additional contention that no grievances are lodged by students and staff lacks merit as visually impaired students are residents of the hostel, and staff in league with the accused officer is beneficiary of the lapses.

8. **AND WHEREAS**, the Hearing Officer with regards to charge No. 7 observed that the reply of the accused officer in response to this charge is in contradiction of the report of visiting officers. It is duly recorded that the visiting officer documented an unpleasant odor emanating from the water source. Discrepancies arose during the visit regarding the statement made by the Store Keeper and the accused officer concerning the origin of the drinking water. The response provided by the accused officer inadequately addresses the charge, as it fails to furnish any documentation or presentation of records indicating the dates of maintenance or replacement of the filters within the installed filtration plant. This absence of evidentiary support raises concerns about the veracity of the water quality management practices followed by the accused officer being supervisory officer of the Institute.

9. **AND WHEREAS**, the Hearing Officer, in relation to charge No. 8, noted that the contention put forth by the accused officer is inaccurate, as the syllabus for the Art class has been disseminated by the Directorate General of Special Education (DGSE). The Hearing Officer with regards to charge No. 9 observed that the accused officer has not refuted this charge, thereby substantiating the veracity of the charge. The Hearing Officer with regards to charge No. 10 observed that presence of debris, overgrown grass within the premises and the pockets of the water dispenser containing stagnant water and evident water leakage, presents a hazardous situation that warrants immediate attention. Such conditions not only compromise the aesthetic standards of the environment but also pose a significant public health risk, particularly with respect to the potential proliferation of vector-borne diseases such as dengue. The accumulation of debris and unattended vegetation in the lawn creates conducive breeding grounds for disease-carrying vectors, notably mosquitoes responsible for the transmission of dengue fever. The stagnant water found in the pockets of the water dispenser further exacerbates the situation, as stagnant water serves as an ideal breeding site for mosquitoes. The resultant increased mosquito activity poses a direct threat to the health and well-being of the occupants that are visually impaired students of the premises. The leakage of water from the dispenser not only contributes to the formation of stagnant water but also indicates a failure in the maintenance and operational integrity of the water dispensing system. This not only compromises the quality of services provided but also exposes individuals to potential health hazards. The neglect of maintenance leading to such unsanitary conditions may be construed as a violation of duty, especially when it endangers public health. There is also no denial to the fact that grown grass was present in the lawn.

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10. **AND WHEREAS**, the Hearing Officer, in relation to charge No. 11, noted that the performance assessment of the accused officer in his role as Principal reveals significant deficiencies, specifically in the provision of a conducive educational environment for the special students. The evaluation indicates a failure to adhere to established standards, as evidenced by his non-compliance with explicit directives issued by the Director (Academics) and Deputy Secretary Special Education during their visit on October 4, 2023 (*this date has inadvertently mentioned as 03.10.2023*).

11. **AND WHEREAS**, after having considered all aspects and material related to the case, written reply of the accused officer with documents annexed therewith and report of Hearing Officer, it has been noticed that the accused officer initially failed to file reply to the charges within stipulated time and later on within the extended time given to him. Para-06 of the Show Cause Notice instructed the accused officer that if the reply is not filed within stipulated time, then it shall be presumed that he has no defence to offer. Despite, this explicit direction the accused officer failed to file written reply within stipulated and extended time. While taking lenient view, the reply filed by the accused officer is considered and it has been observed that the accused officer has failed to present compelling, persuasive, and confidence-inspiring evidence to support his position and counter the charges. After consulting the record, I am inclined to observe that no circumstances extenuating in nature exist in favour of the accused officer through which it can be deduced that conduct of the accused officer is not prejudicial to good order or service discipline. Furthermore, it is observed that the position adopted by the accused officer in his written reply is inherently flawed, lacking logical reasoning. Moreover, his stance is characterized by vagueness and appears to be a retrospective consideration rather than a well-founded response. Additionally, it is noted that the current predicament faced by the accused officer is solely attributable to his own actions, no one else is accountable for the situation in which he finds himself today. Summarily, charge No. 1, concerning absence from duty, is substantiated as the accused officer was not present on both days of visits. On the other hand, charge No. 2 to 11, which relate to inefficiency and misconduct, are fully substantiated and proven against the accused officer. It is not out of place to observe that the accused officer has not contested the fact that the biometric machine at the institute was non-functional, and attendance was not being marked on the said machine. The accused officer also did not contest the absence of the DVR for the CCTV cameras, and he did not dispute the unfavourable cleanliness conditions highlighted by the visiting officers. The visiting officers' depiction of the cleanliness status at the Centre as hazardous and unsatisfactory is supported by the record. A wade of the record reveals that the fundamental responsibility of maintaining a healthy educational environment encompassing various aspects was on the shoulders of the accused officer, and it is regrettable that performance of the accused officer in this regard has fallen short of expectations. The specific non-compliance with directives issued during visit by the visiting officer specially related to the cleanliness of fans and classrooms is particularly concerning. The failure to address these basic hygiene and maintenance requirements reflects a lack of diligence and non-commitment to the well-being of the students entrusted to the accused officer's care. Suffice is to say that the oversight in maintaining

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a clean and hygienic learning space raises issues of duty neglect. The failure to implement corrective measures following explicit instructions from higher authorities further compounds the gravity of the lapse.

12. **NOW THEREFORE, I, Saima Saeed, Secretary Special Education / Competent Authority** in the instant case, *for reasons recorded herein above*, am of the considered view that the accused officer's conduct in the execution of his official duties has remained detrimental to good service discipline and constitutes gross misconduct. Given the severity of the proven charge, in exercise of powers vested upon me under the Section 7(f) read with Section 4 of the Act *ibid*, minor penalty of **"withholding of increment for a period of three years"** in terms of Section 4(1)(a)(ii) is hereby imposed upon the accused officer.



(SAIMA SAEED)

SECRETARY to

**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY**

**Dated Lahore, the
February 15th/2024**

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), Lahore.
4. Headmaster / Headmistress, Govt. Sunrise Institute for the Blind, Lahore to ensure delivery of this order to the accused officer at his residential and official address through all possible means including email at his official email address under intimation to this Department.
5. PS to Secretary Special Education Department, Lahore.
6. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
7. Accused officer concerned / **Syed Muhammad Naveed Qamar**, Headmaster (VI Field / BS-18), previously posted at Govt. Sunrise Institute for the Blind, Lahore presently awaiting posting in this department.



**SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT**