



GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT

ORDER

**SO(Estt)42-46/2018: WHEREAS**, on account of availability of sufficient evidence on record, *while dispensing with regular inquiry*, disciplinary proceedings were initiated against **Mr. Salamat Samuel**, Superintendent (BS-17), Govt. Secondary School for Special Education for Hearing Impaired (Girls), Bahawalpur ('accused officer') vide Show Cause Notice dated 01.01.2024 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 ('Act') on the following charges;

1. You filed applications for grant of leaves but before approval of leaves by the Competent Authority you absented yourself from duties. Later on, your applications for grant of leaves were rejected by the Competent Authority vide order dated 18.12.2023 but despite said rejection you have not joined your duties. Thus, you have been found willfully absent from your duties w.e.f. 17.06.2023 till date without prior permission / approval of leave by the Competent Authority which manifestly shows your irresponsible behaviour and negligent attitude towards discharge of your official duties.
2. Earlier you were issued an explanation dated 04.07.2023 and directed to explain your position within 05 days but you did not file reply of the same which tantamounts to misconduct.

2. **AND WHEREAS**, through the above said Show Cause Notice, the accused officer was directed to submit his written reply within 07-days. Accordingly, he filed written reply which was examined and found unsatisfactory. 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 23.01.2024, he was directed to appear before **Deputy Secretary Special Education / Hearing Officer** appointed under Section 7(d) of the Act *ibid* on 31.01.2024.

3. **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 appeared on the fixed date and reiterated the stance already taken in his written reply. The Hearing Officer further stated that the assertions of the accused officer concerning the period during which he was medically unfit w.e.f. 17.06.2023 to 02.09.2023 (78 days) deserve lenient view. However, the justification provided for the period w.e.f. 19.10.2023 to 23.12.2023 (66 days) appears to be unjustified. The Hearing Officer further stated that the accused officer has not denied the charge No.2 because it is admitted by the accused officer that he did not file reply to the explanation issued to him which shows his inefficiency. The Hearing Officer concluded that the delinquency of the accused officer stood proved and both charges are substantiated against him.

4. **AND WHEREAS**, having meticulously examined all pertinent aspects and materials associated with the case, inclusive of the written response from the accused officer and the report submitted by the Hearing Officer, it is evident from the record that the accused officer was absent from duty w.e.f. 17.06.2023 to 02.09.2023 (a total of 78 days) and he had submitted an application for sanction of medical leave for said period, accompanied by medical documentation. The examination of the medical records, shows that the medical certificates submitted by the accused officer have been issued by a House Officer / PGR / Senior Registrar and lacked the necessary countersignature from the Medical Superintendent, thus failing to meet the stipulations outlined in the Punjab Revised Leave Rules of 1981. Furthermore, the accused officer's leave application dated 23.09.2023 was received in the department on 19.10.2023 subsequent to the commencement of his absence from duty. Additionally, the said leave application was regretted through an order dated 18.12.2023 which was duly communicated to the accused officer, *which is also not disputed by him*. It is also a matter of record that the accused officer willfully remained absent from duty w.e.f. October 19, 2023, to December 23, 2023 (a total of 66 days), without the Competent Authority's permission. The accused officer's stance that he submitted an application for the grant of earned leaves for the relevant period has been considered and it is noted that the said leave application was received in this department on 24.10.2023 considerably later than required, and the accused officer proceeded on leave before the decision was made on his application. Suffice is to observe that mere filing of application for grant of leave does not confer any right upon the applicant to proceed on leave before decision of his application by the Competent Authority. Undeniably, the accused officer chose to proceed on leave rather than wait to find out the outcome of his application, hence he was found absent from duty without permission of Competent Authority. The act of the accused officer shows inefficiency and also tantamounts to gross misconduct. Records further shows that the application for grant of earned leave filed by the accused officer for the period w.e.f. 19.10.2023 to 23.12.2023 was declined through a decision dated December 18, 2023. A wade through the record, coupled with written reply of the accused officer also depicts that the justification *viz-a-viz* absence from duty, provided by the accused officer for the period from 19.10.2023 to 23.12.2023 appears to be unjustified and without any supporting evidence/record.

5. **AND WHEREAS**, with regards to charge No. 2, it also evinces from the perusal of record that the accused officer earlier absented himself from duty and *ex-post facto* sanction of leaves were granted to him and he was issued an explanation dated 04.07.2023 with the direction to file reply within 05 days but the accused officer did not file any reply. As per record, the accused officer has not denied the factum of issuance of explanation rather he has taken a stance that he was on bed due to medical reasons hence he was unable to file reply. This very stance of the accused officer is admission on his part. Moreover, this stance of the accused officer is also without any substantial evidence, hence does not merit consideration. The record shows that the accused officer since his promotion in October 2021 to the post of Superintendent (BS-17) has remained most of the time on leave on one pretext or any other and has avoided to perform his duties at his designated place of posting. It is further observed that the

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accused officer being Superintendent lacks awareness of due process/official norms regarding the procedure for filing of application for grant of leave on medical grounds or any other, which shows his irresponsible behaviour and negligent attitude towards discharge of his official duties.

6. **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 one year**" in terms of Section 4(1)(a)(ii) is hereby imposed upon the accused officer.

7. **NOTWITHSTANDING ABOVE**, it is further decided that absence period of the accused officer w.e.f. 17.06.2023 to 02.09.2023 (78 days) and w.e.f. 19.10.2023 to 23.12.2023 (66 days) shall be treated as leave of kind due.



(SAIMA SAEED)  
SECRETARY to

GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

Dated Lahore, the  
February 15<sup>th</sup> 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 Accounts Officer, Bahawalpur.
4. District Education Officer (Special Education), Bahawalpur.
5. Headmaster / Headmistress, Govt. Secondary School for Special Education for Hearing Impaired (Girls), Bahawalpur to ensure delivery of this order to the accused officer at her residential and official address through all possible means including email at her official email address under intimation to this Department.
6. PS to Secretary Special Education Department, Lahore.
7. Accused officer concerned / **Mr. Salamat Samuel**, Superintendent (BS-17), Govt. Secondary School for Special Education for Hearing Impaired (Girls), Bahawalpur.



SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT