



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt)4-34/2019. WHEREAS, through this order representation filed by Ms. Farwa Rubab, Senior Special Education Teacher (HI Field / BS-17) presently posted as Headmistress, Government Special Education Centre, Jhang City ('Representationist') for expunction of adverse remarks recorded in her Performance Evaluation Reports ('PERs') for the period w.e.f. 18.06.2020 to 31.12.2020, 01.01.2021 to 31.12.2021 & 01.01.2022 to 31.12.2022 shall be decided.

2. AND WHEREAS, brief facts of the case are that Mr. Abdul Sattar, former District Education Officer (Spl. Edu.), Faisalabad ('Reporting Officer') recorded the following adverse remarks in Part-I, Part-II & Part-III of the Performance Evaluation Reports ('PERs') in respect of representationist for the following periods in his capacity as Reporting Officer:

Sr. No.	Period	Remarks
01	18.06.2020 to 31.12.2020	Part-I <u>Integrity</u> "Reported to be corrupt" Part-II <u>Overall Grading</u> "Below Average" Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful"
02	01.01.2021 to 31.12.2021	Part-I <u>Integrity</u> "Reported to be corrupt" Part-II <u>Overall Grading</u> "Poor" Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful"
03	01.01.2022 to 31.12.2022	Part-I <u>Integrity</u> "Reported to be corrupt" Part-II <u>Overall Grading</u> "Poor" Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful"

3. **AND WHEREAS,** the above referred adverse remarks alongwith a copy of PERs were communicated to the representationist vide letter dated 21.09.2023, for filing representation for expunction of the said adverse remarks, *if deem necessary*. Subsequently, the representationist filed representation with the request to expunge the adverse remarks recorded in her PERs with following contentions;

1. *"That the remarks submitted by DEO Faisalabad on the annual performance report are biased and devoid of facts. Till date, there has not been any inquiry against the undersigned which proves the financial mismanagement.*

• **PER's 18.06.2020 to 31.12.2020**

Due to the Corona pandemic, many departments in Punjab were remained closed, and the head of the school / institution has not made any purchases that could indicate financial mismanagement. The remarks of the respected DEO are personal and subjective.

• **PER's 01.01.2021 to 31.12.2020**

During this period, the undersigned adhered to the regulations and requirements regarding the procurement of uniforms for students and on the recommendations of the purchase committee of the institution, the student's uniform were purchased and distributed among them. Detailed records are available. The remarks of the respected DEO are biased.

Furthermore, when the undersigned took charge as the headmistress of the institution, the numbers of students were 62, which later increased to 102 due to the personal efforts of undersigned. This stands as evident proof of effective and good performance.

• **PER's 01.01.2022 to 31.12.2022**

The undersigned purchased uniforms and furniture on the recommendations of the purchase committee. The uniforms were distributed among the students, and the furniture is present in the institution. Stipends/incentives were also given to students on time. The school / institution's bank account statement is available on record. Furthermore, if any purchases were made to run the department in an organized manner, all procedural formalities were followed accordingly.

2. *That the undersigned's previous service record is good, and for the period from 01.07.2023 to 31.07.2023, the Performance Evaluation Report (PER) was sent to the District Education Officer (DEO) Faisalabad, but the remarks have not been received yet.*

Faisalabad

3. That the undersigned vide letter No. 395/GSEC/Jhang City dated 17.03.2023 has informed the Director General of Special Education regarding personal opposition and attitude of DEO Faisalabad but no action has been taken by the department.

In light of the aforementioned facts, undersigned requested that the remarks of the DEO Faisalabad may be expunged."

4. **AND WHEREAS**, the Reporting Officer was also directed vide letter dated 18.09.2023 to submit reasons / justifications alongwith documentary evidence for recording adverse remarks in the PERs of the representationist.

5. **AND WHEREAS**, the Reporting Officer submitted reasons / justifications leading to recording of such adverse remarks by stating therein as under:

1. "The lady officer remained failed to submit PERS duly filled part-1 for the relevant years within the stipulated time which leads to negligence on her part regarding submission of PERs from 18.06.2020 to 31.12.2022,
2. During the tenure of these PERs, she has been found non-cooperative, rude, arrogant, and with humiliating behaviour. Her attitude remained non-professional and abusive with the subordinate staff. The voice recorded clip to this context is available and can be provided whenever required.
3. Her performance during said period remained very poor which leads to her inefficiency with regard to official assignments asked to be provided from time to time.
4. She repeatedly refused flatly to comply with the instructions like clearance of dormant user IDs.
5. Her attitude was also found non-cooperative with staff of the DEO Office as well as with the undersigned.
6. The undersigned visited her Institute in August, 2021 and after scrutiny of record it was observed that payment of contingency claims against cost of others object were drawn from treasury but the furniture / other permanent items were not found present in the Institute which leads to her bad intention and embezzlement on her part. She was warned strictly to complete the quantity of permanent stock as per claims.
7. She is habitual of availing causal leaves without prior intimation / approval of the undersigned and marked attendance against the dates of availed unlawful leaves. An explanation was also served to her vide letter No. 8842/DEO(Spl. Edu)Fsd/2023 dated 01.03.2023.
8. The undersigned paid a surprise visit of her Institute on 12.11.2022 and found that only 02 students were present out of 102 total enrolments. The security measures and condition of cleanliness of the Institute were very bad.

9. The behaviour of lady officer is harsh, abusive, immoral, contentious and amateurish and evident from the record. In order to veracity of these allegations, the matter was thoroughly inquired by an unbiased Inquiry Officer and he recommended as:-

"It is recommended that regular inquiry may please be initiated against the accused Ms. Farwa Rubab, Headmistress, Govt. Special Education Centre Jhang under prevailing rules on the charges of Inefficiency, Misconduct & Misuse of Authority with immediate effect by the Competent Authority. Furthermore, it is also recommended that the erratic posting of accused officer may please be withdrawn immediately and posted on her substantive post i.e., Senior Special Education Teacher (Hearing Impaired Field) in best interest of Special Children.

10. The said officer showed her reluctance to perform assigned duties in an efficient manner. She always refused to comply with instructions issued time to time. Further added she strives to specific burden of responsibilities on the shoulder of other employees. During her period of PERS, the undersigned paid visits at her school and always found the school in miserable situation. The undersigned observed that the said officer is not useful/fit for further extension in her period of contract.
11. Furthermore, it is pertinent to mention here that Special Education Centre for 02-Remaining Disabilities, Jhang was merged/ shifted into newly established Govt. Special Education Centre Jhang which established for all 04 categories of Disabilities vide Notification No. 3392 Spl.Edu. Dated 26-07-2021. In order to merging of these Centres, she created hindrances/obstacles. In this context a latest inquiry report bearing No. GSEC/MCC/FSD/2023/09 dated 01.02.2023 to this effect comprising of five (05) pages is attached.
12. It is submitted that twenty (20) physically handicapped/ visually impaired students shifted from 02-Remaining Disabilities Centre, Jhang into newly established Govt. Special Education are still deprived of incentives (uniform & stipend) provided by the Government till now due to her ulterior motives. This is her discriminatory treatment with these special students. The said officer was asked repeatedly by the undersigned as well as your office to provide the incentives but she refused to comply with the directions. The 04 teachers of 02 Remaining Disabilities Centre, Jhang are drawing their monthly salaries from the DDO Code Education Centre Jhang since the month of

merging. The matter has already in the notice of the concerned Authorities.

13. It is further submitted that she was selected as Senior Special Education Teacher (H.I field) and posted at Govt. Special Education Centre Sahiwal, tehsil Sahiwal, district Sargodha in October 2019 and later on she was posted against the post of Headmistress, Govt. Special Education Centre, City Jhang in June 2020. She has not delivered her services against the substantive post ie, S.S.E.T and at her present place of posting she has never taught to any class even a single day. It is proposed that her services may please be evaluated / assessed against her actual post of cadre against which she was appointed through PPSC.

Keeping in view, above narrated facts, her poor performance/non-professional attitude, her services are not liable to be /extended."

6. **AND WHEREAS**, in order to decide the representation, it was decided to afford an opportunity of personal hearing to the representationist in presence of all concerned and for said purpose, **Additional Secretary, Special Education** was appointed as **Hearing Officer**.

7. **AND WHEREAS**, the Hearing Officer after affording opportunity of personal hearing to the representationist in presence of all concerned submitted report of hearing proceedings stating therein that during the course of personal hearing PER record of the representationist was thoroughly examined and it has been observed that the representationist was appointed as Senior Special Education Teacher (HI Field / BS-17) in the year 2019 on contract basis for a period of five years and posted at Govt. Special Education Centre, Sahiwal District Sargodha vide order dated 15.10.2019. Where-after, she was transferred and posted as Headmistress, Govt. Special Education Centre, Jhang vide order dated 16.06.2020. It is manifest from record that substantive post of the representationist is SSET a teaching position, owing to her posting as Headmistress, she has not performed her duties as SSET (HI Field) for which she was actually appointed / recruited. The Hearing Officer further observed that the representationist is aggrieved of the remarks recorded in her PERs for the period w.e.f.18.06.2020 to 31.12.2020, 01.01.2021 to 31.12.2021 and 01.01.2022 to 31.12.2022, which according to her are adverse for her service career. Whereas, stance of Reporting Officer is that the conduct, performance, attitude towards discharge of official duties and behaviour of the representationist was the reason for recording adverse remarks. Review of the stance taken by the Reporting Officer shows that the Reporting Officer recorded adverse remarks due to poor performance/management of the representationist. As per record produced by Reporting Officer many complaints have been filed against the representationist. The Reporting Officer on account of bad financial discipline / indiscipline / failure to adhere to the Procurement Rules on the part of the representationist has graded her in the column of "Integrity" as "reported to be corrupt". During course of hearing, the Reporting Officer was asked whether any

report is available which shows corruption, *if any*, made by the representationist. In response thereof, the Reporting Officer referred to probe conducted at district level and warnings issued by him to the representationist. The stance of the Reporting Officer to the extent of integrity of the representationist requires deeper appreciation. The Hearing Officer further observed that apparently, the adverse remarks recorded in the PERs of the representationist *viz-a-viz* performance have reasons, relevance and due consideration to various aspects of performance of the representationist has been given and at the face of it the adverse remarks are substantiated with the record. The Reporting Officer during course of personal hearing also stated that the representationist used to remain absent from duty without intimation and / or permission / approval of leave and she also failed to perform the assigned duties. The Reporting Officer further stated that he also counselled the representationist many times and when she failed to improve her performance, written explanation / warning and displeasures were issued to representationist alarming her for the alleged conduct but despite all efforts she failed to mend her ways. The Reporting Officer also pointed out that the representationist was in habit of defying the instructions / orders issued by him as District Education Officer (Spl. Edu.), Faisalabad and whenever she was asked to provide any information, she denied to provide by stating that school time has ended. To be more specific and to highlight the poor performance of the representationist, the Reporting Officer referred to the dormant cases pertaining to Dengue activities. The Hearing Officer observed that the stance of the representationist is that her performance remained good and the alleged adverse remarks are contrary to record. The record has been perused and it is noticed that stance of the representationist is negated by record. The representationist was posted as Headmistress, Govt. Special Education Centre, Jhang on 16.06.2020 and in the year 2022 multiple complaints were filed against her for her alleged misconduct. The Director (Admn), DGSE vide letter dated 11.01.2023 forwarded complaint lodged by the then DEO, Faisalabad (Reporting Officer) against the representationist containing details of poor performance of representationist duly supported by relevant record. Director (Admn) DGSE vide another letter dated 11.01.2023, forwarded the visit report of the then DEO wherein it was stated that upon his visit of the school only 02 students were present and the behaviour of the representationist was unprofessional and non-cooperative. The Hearing Officer further observed that be that as it may be, since no formal inquiry was conducted against the representationist and she has also taken categorical stance that her performance was upto the mark, hence this issue also requires deeper appreciation and warrants detailed inquiry.

8. **AND WHEREAS**, after examining / considering the record, representation of the representationist, reply filed by Reporting Officer and report of Hearing Officer, it is observed that PERs are the most important documents in the service record of an employee. PERs help the competent authorities in making informed decisions with regards to personnel administration matters. It is, therefore, essential that the PERs are written by the Reporting Officer with utmost care and responsibility. The PER forms elaborate the criteria against which the performance of a subordinate officer is to be evaluated, and the instructions issued with regards to properly recording the PERs, are

designed to ensure reporting on an officer's strong and weak points more objectively, as only objective reporting can effectively serve the true purpose of such reports.

9. **AND WHEREAS**, the representationist expresses discontent regarding the statements documented in her Performance Evaluation Reports (PERs) covering the periods from June 18, 2020, to December 31, 2020, January 1, 2021, to December 31, 2021, and January 1, 2022, to December 31, 2022. She contends that these assessments have a detrimental impact on her professional trajectory. In contrast, the position asserted by the Reporting Officer is that the basis for recording adverse remarks stems from the representationist's conduct, performance, attitude towards the discharge of official duties, and overall behavior. Upon careful examination of the adverse remarks and the justifications presented by the Reporting Officer, it is sufficient to note that no formal inquiry was conducted against the representationist and she has also taken categorical stance that her performance was upto the mark, hence the issue pertaining to adverse remarks viz-a-viz poor performance and integrity whereby she is rated as "reported to be corrupt" requires deeper appreciation and warrant detailed inquiry.

10. **NOW, THEREFORE**, I, **Saima Saeed**, Secretary Special Education / Competent Authority in this case, *for reasons stated herein above*, am of the considered view that disciplinary proceedings under PEEDA Act, 2006 against representationist on the charges of inefficiency and misconduct as pointed out by the Reporting Officer are essentially required to be initiated to arrive at definite conclusion. Hence the instant representation of the representationist for expunction of adverse remarks recorded in her PERs w.e.f. 18.06.2020 to 31.12.2020, 01.01.2021 to 31.12.2021 and 01.01.2022 to 31.12.2022 is hereby **disposed of**, till the final outcome of disciplinary proceedings, in following manner;

1. In exercise of powers conferred upon me being Competent Authority under Sections 3 & 5 read with Section 9 of the PEEDA Act, 2006, disciplinary proceedings are hereby initiated against Ms. Farwa Rubab, Senior Special Education Teacher (HI Field / BS-17) presently posted as Headmistress, Government Special Education Centre, Jhang City, by appointing **Mr. Asad Ullah (BS-18)**, District Education Officer (Spl. Edu.), Gujranwala as Inquiry Officer. The Inquiry Officer shall proceed against Ms. Farwa Rubab in terms of Section 5 read with Section 9 of the Act *ibid* on the following charges of inefficiency, misconduct and corruption:

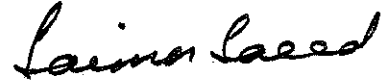
- I. Mr. Abdul Sattar, former District Education Officer (Spl. Edu.), Faisalabad in his capacity as Reporting Officer recorded adverse remarks i.e., in the column of Integrity "Reported to be corrupt", in the column of Overall Grading "Below Average" and in the column of Usefulness for Retention / Extension in Service "Not useful" in the PERs of **Ms. Farwa Rubab**, Senior Special Education Teacher (HI Field / BS-17) presently posted as Headmistress, Government Special Education Centre, Jhang City, for the periods w.e.f.

18.06.2020 to 31.12.2020, 01.01.2021 to 31.12.2021 and 01.01.2022 to 31.12.2022. The said adverse assessment is attributed to poor performance, financial indiscipline and non-compliance with Procurement Rules by Ms. Farwa Rubab.

- II. The performance of **Ms. Farwa Rubab**, Senior Special Education Teacher (HI Field / BS-17) presently posted as Headmistress, Government Special Education Centre, Jhang City, remained subpar w.e.f. 18.06.2020 till 31.12.2022 because she did not carry out her responsibilities in a suitable manner, in accordance with applicable standards.
- III. Ms. Farwa Rubab is in habit to remain absent from duty without proper intimation, permission, or approval of leave. She failed to fulfill the responsibilities assigned to her.
- IV. Mr. Abdul Sattar being Reporting Officer counseled Ms. Farwa Rubab on multiple occasions but on account of her persistent subpar performance, written explanations, warnings, and expressions of displeasure were issued, serving as alerts regarding her alleged conduct. Despite these efforts, Ms. Farwa Rubab failed to rectify her performance.
- V. Ms. Farwa Rubab was in habit to disregard instructions and orders issued by District Education Officer (Spl. Edu.), Faisalabad. When she was requested to provide any information, she consistently refused, citing the conclusion of the school hours as the reason for non-compliance. The poor performance of Ms. Farwa Rubab is evident from the dormant cases pertaining to Dengue activities.
- VI. During the visit of the then District Education Officer (DEO), Faisalabad to the Centre on 12.11.2022, out of total 102 enrolled students, only two students were present. Whereas, in another institute i.e., Govt. National Education Centre (Devolved), Jhang, situated in the same premises, attendance rate was 70%. During the visit of the then DEO, Faisalabad on 12.11.2022, behaviour of Ms. Farwa Rubab was unprofessional and non-cooperative with him which shows poor performance and inefficiency of Ms. Farwa Rubab.
- VII. Ms. Farwa Rubab failed to ensure application of Punjab Procurement Rules, 2014 while making procurements, thus caused loss to Govt. exchequer. She also failed to maintain relevant registers including stock register which shows her poor performance.

2. Ms. Farwa Rubab is directed to submit her written defence to the Inquiry Officer, within **07** days of the receipt of this order. If she fails to submit her written defence within the prescribed period, it shall be presumed that either she has no defence to offer or she has declined to offer the same and she has accepted the charges.

3. **Mr. Muhammad Akmal Shah, Senior Special Education Teacher (H.I) (BS-17), Government (Middle) Special Education Centre, Tandianwala, District Faisalabad** is appointed as Departmental Representative in terms of Section 9(1)(c) read with Section 12 of the Act *ibid*.
4. In case, the accused officer desire to consult any record on which the aforesaid charges are based or is relevant to the aforesaid charges, she may do so with prior arrangement with the Departmental Representative within **03** days of the receipt of this Order.
5. The Inquiry Officer will submit his report and recommendations to the undersigned within sixty days (**60 days**) of the initiation of inquiry in terms of Section 10(6) of the Act *ibid*.



(SAIMA SAEED)

SECRETARY

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore the

March, 12th /2024

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), Faisalabad.
3. Inquiry Officer / **Mr. Asad Ullah (BS-18)**, District Education Officer (Spl. Edu.), Gujranwala.
4. **Mr. Muhammad Akmal Shah**, Senior Special Education Teacher (H.I) (BS-17), Government (Middle) Special Education Centre, Tandianwala, District Faisalabad / Departmental Representative with direction to ensure delivery of this order to Ms. Farwa Rubab and to perform duties of Departmental Representative as per Section 12 of the PEEDA Act, 2006 and assist the Inquiry Officer.
5. **Ms. Farwa Rubab**, Senior Special Education Teacher (HI Field / BS-17) presently posted as Headmistress, Government Special Education Centre, Jhang City.
6. PS to Secretary, Special Education Department.


SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT