



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No.SO (Estt)10-510/2018. WHEREAS, through this order representation filed by Ms. Aqsa Baqir, Junior Special Education Teacher (HI Field/BS-16), Government Special Education Centre, Qila Deedar Singh, District Gujranwala ('representationist') for expunction of adverse remarks recorded in her Performance Evaluation Reports ('PERs') for the period w.e.f. 29.04.2022 to 31.12.2022 and 01.01.2023 to 16.08.2023 shall be decided.

2. AND WHEREAS, Mr. Shahzad Intiaz, Junior Special Education Teacher (Mentally Challenged Field / BS-16) / ex-Incharge Headmaster, Government Special Education Centre, Qila Deedar Singh, District Gujranwala ('Reporting Officer') recorded the following adverse remarks in Part-I, Part-II & Part-III of the PERs in respect of representationist for the following periods in his capacity as Reporting Officer:

Sr. No.	Period	Remarks
01	29.04.2022 to 31.12.2022	<p>Part-I <u>Integrity</u> "She did not remain honest to her official duty. Detail attach at page No. 3,4,5,6,7,8,9,10"</p> <p>Part-II <u>Overall Grading</u> "Poor"</p> <p>Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful"</p>
02	01.01.2023 to 16.08.2023	<p>Part-I <u>Integrity</u> "She did not remain honest to her official duty. Detail attach at page No. 3,4,5,6,7,8,9,10"</p> <p>Part-II <u>Overall Grading</u> "Poor"</p> <p>Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful"</p>

3. AND WHEREAS, the above referred adverse remarks alongwith a copy of PERs were communicated to the representationist vide letter dated 29.01.2024, for filing representation for expunction of the said adverse remarks, if deemed necessary. Subsequently, the representationist filed representation dated 21.02.2024 with the request to expunge the adverse remarks recorded in her PERs.

4. **AND WHEREAS**, the Reporting Officer was directed vide letter dated 29.01.2024 to submit reasons / justifications alongwith documentary evidences for recording adverse remarks in the PERs of the representationist. Accordingly, the Reporting Officer submitted reasons / justifications leading to recording of such adverse remarks.

5. **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**. 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 PERs record of the representationist was thoroughly examined in presence of all concerned and it has been observed that the representationist was appointed in the year 2019 and she joined duty on 22.02.2019. PERs of the representationist w.e.f. 22.02.2019 to 18.04.2019 (*this period was less than three months therefore certificate has been provided*), 19.04.2019 to 31.12.2019 and 01.01.2020 to 31.12.2020 do not contain any adverse remarks. PERs for the period w.e.f. 01.01.2021 to 09.02.2021 (*this period was less than three months therefore certificate has been provided*) and 10.02.2021 to 31.12.2021 and 01.01.2022 to 28.04.2022 also do not include any adverse entries. The representationist is aggrieved of the remarks recorded in her PERs for the period w.e.f. 29.04.2022 to 31.12.2022 and 01.01.2023 to 16.08.2023 (*these PERs are written by one Reporting Officer*), these remarks, deemed adverse by the representationist, are perceived as detrimental to her professional advancement. Conversely, the Reporting Officer asserted that the recording of adverse remarks stemmed from the representative's conduct, performance, attitude towards discharging official duties, and overall behaviour. Following a thorough examination of the adverse remarks and the justifications provided by the Reporting Officer, it is evident that the remarks lack specificity and fail to cite particular instances warranting the formation of such opinions. Consequently, these remarks do not meet the criterion of reasonableness. The Hearing Officer further observed that examination of the available evidence indicates a lack of substantial documentary material against the representationist, which would warrant the recording of such adverse remarks by the Reporting Officer. Notably, no remarks pertaining to the integrity of the representationist were made by the Reporting Officer. It is essential to note that the inclusion of adverse remarks in PERs necessitates strong and justifiable reasons, which are conspicuously absent in this instance. Indeed, the adverse remarks recorded in the representationist's PERs are deemed unreasonable, irrelevant, and influenced by extraneous considerations, lacking substantiation with the available record. During the course of a personal hearing, the Reporting Officers acknowledged the representationist's punctuality and diligent performance of assigned duties. Furthermore, there is no indication in the records that any counseling or warning was issued to the representationist to address the alleged misconduct.

6. **AND WHEREAS**, after examining/considering the record, representation of the representationist, reply filed by Reporting Officer and report of Hearing Officer, it is

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noted that adverse remarks serve to highlight deficiencies or shortcomings in an employee's work quality, performance, or conduct. These remarks can significantly impact the reputation and overall perception of the individual. It has been observed that the recording of adverse remarks in an officer's PER necessitates robust justifications, which are lacking in this case. The adverse remarks documented in the representationist's PERs are deemed unreasonable, irrelevant, and influenced by extraneous factors, failing to align with the available record. The Reporting Officer himself does not contest the representationist's punctuality or her diligent execution of assigned duties. Analysis of the existing record indicates a shortage of sufficient documentary evidence against the representationist that would warrant the inclusion of such adverse remarks by the Reporting Officer. The Reporting Officer has not recorded any remark on the integrity of the representationist. It is also observed that representationist had filed a complaint against Reporting Officer before Ombudsperson, Punjab and a penalty was imposed upon him as a result of those proceedings, therefore, it appears that the adverse remarks were recorded by the Reporting Officer in a retaliatory manner. A wade through the record reveals that the stance of the Reporting Officer is precisely based on the point that the representationist marked fake attendance of Ms. Uzma Abbas in the attendance register; the representationist did not provide him SIS data when asked; the representationist left early on 01.10.2022 without informing anyone; the representationist herself wrote in the student diary that there are vacations in school, therefore, they should not send students to school. The representationist, in her response, addressed all the aforementioned grounds with supporting evidence from the record. It is documented that the Reporting Officer acknowledged the representationist's punctuality and noted her satisfactory academic performance. Additionally, during the leave of the Psychologist, the representationist assumed the duties of Admission Incharge alongside Ms. Arifa Shakoor, successfully facilitating new admissions. The Reporting Officer's response regarding the allegation of falsifying attendance records for Ms. Uzma Abbas was deemed unsatisfactory, as no supporting evidence has been provided to substantiate this allegation. Similarly, evidence in the form of WhatsApp conversations demonstrated the representationist's timely provision of SIS data, refuting the corresponding allegation. Regarding the incident of early departure from the Centre on 1st October 2022, the representationist clarified that she properly marked her attendance on the biometric machine at the time of departure and she left early due to medical issue as she was in seventh month of pregnancy. She further stated that the Reporting Officer was himself not available in the Centre at that time. Furthermore, concerning the allegation of unauthorized communication regarding vacation schedules in the student diary, the representationist explained that this action was taken with the prior consultation and approval of the Reporting Officer, necessitated by space constraints for conducting examinations. This assertion remained unchallenged by the Reporting Officer. It is also observed that since sufficient reasons, including documentary material, was not available against the representationist which could compel Reporting Officer to record adverse remarks against the representationist, therefore, perusal of record shows that the representationist has been made victim of

Uzma Abbas

personal bias. It is also not discernible from record that any counseling session was held for the representationist, in order to caution her for the alleged conduct.

7. **NOW, THEREFORE, I, Saima Saeed**, Secretary Special Education / Competent Authority in this case, *for reasons stated herein above*, am of the view that the afore-referred adverse remarks are biased, un-justified, contrary to the record and not sustainable, as the available record does not provide basis or direct evidence for recording of such adverse remarks by the Reporting Officer. Therefore, the representation of the representationist for expunction of adverse remarks recorded in her PERs is hereby **allowed / accepted**. Consequently, impugned adverse remarks recorded in the PERs of the representationist for the period w.e.f. 29.04.2022 to 31.12.2022 and 01.01.2023 to 16.08.2023 stand expunged and scored out as to render these illegible.

Saima Saeed

(SAIMA SAEED)

SECRETARY

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore the
April 17th /2024

No. & Date even:

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

1. The Director General, Special Education, Punjab, Lahore.
2. The District Education Officer (Special Education), Gujranwala.
3. Headmaster/Headmistress, Government Special Education Centre, Qila Deedar Singh, District Gujranwala.
4. Ms. Aqsa Baqir, Junior Special Education Teacher (HI Field/BS-16), Government Special Education Centre, Qila Deedar Singh, District Gujranwala.
5. PS to Secretary, Special Education Department.

Saima
SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT