

REGISTERED



**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**

ORDER

No. SO(Estt)36-38/2011. WHEREAS, Junior Special Education Teachers namely Ms. Shafa Jalil Ur Rehman, Ms. Kiran Shahzadi, Ms. Amina Ghafoor, and Ms. Saima Gulnaz, of Government Special Education Center Qila Dedar Singh, District Gujranwala filed complaint against Mr. Shahzad Imtiaz, Junior Special Education Teacher, Incharge Headmaster, Government Special Education Center Qila Dedar Singh. On the other hand, Mr. Shahzad Imtiaz also filed complaint against them. In order to proceed further in the matter and to probe the complaints, Mr. Abdul Sattar, Headmaster (BS-18), was appointed as probe officer. The probe officer after visiting the Centre and recording the statements of all concerned submitted probe report and recommended that disciplinary proceedings may be initiated against Mr. Shahzad Imtiaz, Ms. Saima Gulnaz and Amina Ghafoor.

2. AND WHEREAS, upon receipt of the probe report, joint disciplinary proceedings under Section 3 read with Section 5 and 9 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 ('Act') were initiated against **Mr. Shahzad Imtiaz**, Junior Special Education Teacher (MC Field / BS-16), former Incharge Headmaster of Government Special Education Center Qila Dedar Singh, District Gujranwala, presently reported to department ('**accused officer No. 1**'), **Ms. Saima Gulnaz**, Junior Special Education Teacher (BS-16 / MC Field), previously posted at Government Special Education Center Qila Dedar Singh, District Gujranwala presently reported to department ('**accused officer No. 2**') and **Ms. Amina Ghafoor**, Junior Special Education Teacher (BS-16 / VI Field), previously posted at Government Special Education Center Qila Dedar Singh, District Gujranwala presently reported to department ('**accused officer No. 3**') (**the accused officers are jointly referred as 'accused officers'**), on the following charges of misconduct and inefficiency vide order dated 23.10.2023 by appointing Mr. Muhammad Mudassar, Headmaster (BS-18), Govt. Special Education Centre, Sara-i-Alamgir, District Gujrat as Inquiry Officer:

Saima Laseed

CHARGES AGAINST MR. SHAHZAD IMTIAZ

1. Mr. Shahzad Imtiaz, while he was posted as Incharge Headmaster, Govt. Special Education Centre, Qila Deedar Singh remained inefficient as he failed to manage the affairs of institute in a befitting manner resulting into formation of groups amongst the female teaching staff of the Centre which negatively impacted the Centre's atmosphere and welfare / educational activities of the special students. On account of his weak administration, lack of leadership qualities, due diligence, good governance and inability to enhance the welfare of special students of the Centre, the educational and rehabilitation activities of the Centre suffered badly.
2. The behaviour of Mr. Shahzad Imtiaz, during his tenure as Incharge Headmaster, with the female staff of the Centre was erratic and egoistical.
3. During the tenure of Mr. Shehzad Imtiaz, as Incharge Headmaster, Govt. Special Education Centre, Qila Deedar Singh, one vehicle (mini bus) of the Special Education Centre, Qila Deedar Singh, mostly remained off road without assigning any cogent reasons.

CHARGES AGAINST MS. SAIMA GULNAZ

1. Ms. Saima Gulnaz's performance at the Govt. Special Education Centre, Qila Deedar Singh, remained subpar because she did not carry out her responsibilities in a suitable manner, in accordance with applicable standards and continued to form groups with other female employees of the Centre with the intention of interfering in the administrative affairs of the Centre, which impeded administrative procedures.
2. Ms. Saima Gulnaz instead of performing her duties remained busy in knitting conspiracies alongwith other female staff members of the Centre against the Incharge Headmaster with the intention of spoiling the atmosphere of the Centre and she also occasionally misbehaved with the Incharge Headmaster.
3. Ms. Saima Gulnaz instead of working for the welfare of special students remained busy in lobbying for getting Mr. Shehzad Imtiaz removed from the position of Incharge Headmaster and restoration of Ms. Nimra Bhatti former Incharge Headmistress of the said Centre on the same position for her personal motives such as leave hunting and coming late to duty etc.
4. Ms. Saima Gulnaz remained disobedient and non-cooperative to Incharge Headmaster of the Centre regarding her official assignments and defied the lawful orders / instructions issued to her by the Incharge Headmaster, due to which academic activities of the Centre were badly ignored and special students suffered vigorously.

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CHARGES AGAINST MS. AMINA GHAFOOR

1. The conduct and performance of Ms. Amina Ghafoor during her tenure at the Govt. Special Education Centre, Qila Deedar Singh, remained below average. This is attributable to her failure to fulfill her responsibilities in a manner in line with established standards. She has consistently engaged herself in the formation of alliances with fellow female staff members at the Centre, thereby exhibiting an intention to interfere in the administrative affairs of the Centre. Such conduct had adversely impacted the seamless execution of administrative procedures.
2. Ms. Amina Ghafoor misbehaved with Chief Executive Officer, District Education Authority, Gujranwala, during his visit of Centre on 06.10.2023, which tantamounts to gross misconduct.
3. Ms. Amina Ghafoor, rather than performing her assigned responsibilities, was preoccupied with orchestrating conspiracies in collaboration with other female staff members of the Centre, with the deliberate intention of disrupting the harmonious Centre's environment. Furthermore, she periodically / intermittently displayed instances of improper / in appropriate behaviour towards the Incharge Headmaster.
4. Ms. Amina Ghafoor in league with Ms. Saima Gulnaz instead of working for the welfare of special students of the Centre, remained busy in lobbying for getting Mr. Shehzad Imtiaz removed from the position of Incharge Headmaster and restoration of Ms. Nimra Bhatti former Incharge Headmistress of the said Centre on the same position for her personal motives such as leave hunting and coming late to duty etc

3. **AND WHEREAS**, the Inquiry Officer after conducting thorough inquiry in accordance with provisions of the PEEDA Act, 2006, submitted inquiry report wherein the Inquiry Officer observed that charges levelled against accused officer No.1 / Mr. Shahzad Imtiaz remained unproved, hence he may be exonerated from the charges. Whereas, all the charges levelled against the accused officer No.2 / Ms. Saima Gulnaz and accused officer No. 3 / Ms. Amina Ghafoor stand fully proved, hence the Inquiry Officer recommended imposition of following penalties upon accused officer No. 2 and 3:

Name of the accused officer	Recommendations of Inquiry Officer
Ms. Saima Gulnaz	<ol style="list-style-type: none">1. Major penalty of 'forfeiture of past 03 years' service' under Section 4(1)(b)(iii) of the PEEDA Act, 2006; and2. Minor penalty of 'withholding of increments for a period of two years' under section 4(1)(a)(ii) of the PEEDA Act, 2006.

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Ms. Amina Ghafoor	<ol style="list-style-type: none"> 1. Major penalty of 'forfeiture of past 03 years' service' under section 4(1)(b)(iii) of the PEEDA Act, 2006; and 2. Minor penalty of 'withholding of increments for a period of two years' under section 4(1)(a)(ii) of the PEEDA Act, 2006.
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4. **AND WHEREAS**, upon receipt of inquiry report, Show Cause cum Personal Hearing Notice under Section 13(4) of Act *ibid* was issued to the accused officer No. 2 and 3 directing them to submit additional defence, *if any*, and also to appear on **19.03.2024** before **Additional Secretary** Special Education / **Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid*, for personal hearing. The Departmental Representative was also directed to appear before the Hearing Officer alongwith all record under Section 13(4)(e) of the Act *ibid*.

5. **AND WHEREAS**, the Hearing Officer after granting opportunity of personal hearing to the accused officer No. 2 and 3 in presence of Departmental Representative submitted report of hearing proceedings stating therein that during the hearing proceedings, the accused officer No. 2 and 3 submitted additional defense reply and while reiterating the stance taken by them in additional defense replies and stance already taken by them during inquiry proceedings, *inter alia*, contended that charges levelled against them are against the facts and record. They denied the charges and while relying upon the record stated that no *mala fide* was involved in the matter. They further maintained that they produced all the record before the Inquiry Officer and rebutted the veracity of the charges with cogent evidence and Inquiry Officer also failed to give any persuasive reason in the inquiry report for award of proposed penalties to them. Lastly, they requested that the charges are baseless and devoid of merit, therefore, they may be exonerated from the charges.

6. **AND WHEREAS**, the Departmental Representative stated that all record related to the charges was provided to the accused officer No. 2 and 3 and inquiry proceedings were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006. The Departmental Representative further stated that during the course of inquiry proceedings, all record was thoroughly scrutinized and statements of all concerned were recorded in the presence of the accused officers and right of cross examination was also granted to the accused officers. The Departmental Representative further apprised that all the charges of inefficiency and

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misconduct levelled against the accused officer No. 2 and 3 stood fully proved. He further stated that penalties proposed by the Inquiry Officer commensurate with the guilt of accused officer/officials. The Departmental Representative further stated that the all the arguments of the accused officer No. 2 and 3 taken by them in written replies submitted during the inquiry proceedings and in additional defense replies submitted during the course of personal hearing are fallacious being devoid of merits and also being negated by record.

7. **AND WHEREAS**, after hearing the accused officer No. 2 and 3, Departmental Representative, examining the additional defense of the accused officer No. 2 and 3 and documents annexed therewith, considering the material related to the case available in shape of inquiry report and keeping in view the findings and recommendations of the Inquiry Officer, the Hearing Officer observed that the inquiry proceedings have been conducted in accordance with the provisions of PEEDA Act, 2006, merits of the case have been appreciated by the Inquiry Officer and due process as provided under the law has been adopted by the Inquiry Officer. During inquiry proceedings the accused officers were provided full, fair and complete opportunities to vindicate their stance and prove their innocence. Pertinently, perusal of findings of the Inquiry Committee shows that same are based on cogent, convincing and confidence inspiring evidence, credibility of which has not been questioned by the accused officer No. 2 and 3 during hearing proceedings. After thorough examination of record and after evaluating the statements of all concerned recorded during course of inquiry proceedings it is found that the accused officer No. 2 and 3 have been found guilty of inefficiency and misconduct and their delinquency stood proved. The Hearing Officer observed that no new and/or plausible piece of evidence has been brought on record by the accused officer No. 2 and 3, through additional defense replies submitted during course of personal hearing, to rebut the evidence already available on record. After thorough examination of record, it is noted that the penalties recommended by the Inquiry Officer commensurate with gravity of guilt of the accused officer No.2 and 3.

8. **AND WHEREAS**, perusal of findings and recommendations of the Inquiry Officer, additional defense replies submitted by accused officer No. 2 and 3 and report of Hearing Officer coupled with record available in file shows that the inquiry proceedings have been conducted by the Inquiry Officer in accordance with the provisions of PEEDA Act, 2006 and due process as provided under the law has

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been adopted by the Inquiry Officer. The accused officer No. 2 and 3 failed to substantiate their stance and to place on record any new piece of evidence to rebut the evidence already available on record. It is observed that the findings and recommendations of the Inquiry Officer are based on record, made after considering all aspects of the case and taking into consideration the entire circumstances involved in the case. It is further observed that recommendations of the Inquiry Officer are substantiated with reasons / findings and no exception can be taken from the same. It transpires from perusal of record that Inquiry Officer after applying judicious mind and fulfilling all requirements of law, *including recording statement of all concerned and providing right of cross examination to the accused officers*, has recommended imposition of penalties. *Prima facie* the same are in consonance with the record and spirit of the law.

9. **AND WHEREAS**, as per findings of Inquiry Officer contained in inquiry report, with regards to accused officer No. 1 i.e., **Mr. Shahzad Imtiaz**, all the charges remained unproved, therefore, it has been recommended that he may be exonerated from the charges. The findings recorded by the Inquiry Officer show that same are based on facts which is supported by documentary evidence / record presently during course of inquiry proceedings and also on the statements recorded during course of inquiry proceedings. It is also observed that the complainants / female teaching staff members of Govt. Special Education Centre, Qila Dedar Singh despite being given ample / reasonable opportunities by the Inquiry Officer, failed to substantiate their stance and prove guilt of the accused officer No. 1. It has also been observed that the Inquiry Officer adopted all means to dig out the truth and all the record pertaining to charges was thoroughly examined by him, statements of all concerned were recorded (*opportunity of cross examination was also granted to other accused officers to rebut the statement of accused officer No.1 and the record provided by him in support of his stance*) but despite these efforts, nothing adverse was found which could connect the accused officer No. 1 with commission of the charges levelled against him. Therefore, it is observed that the findings of the Inquiry Officer align with the record and recommendations made thereupon are in consonance with it.

10. **AND WHEREAS**, with regards to accused officer No. 2 i.e., **Ms. Saima Gulnaz**, it has been observed that all the charges stood proved during course of inquiry proceedings. The Inquiry Officer after conducting the inquiry into the charges

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levelled against Ms. Saima Gulnaz observed that Ms. Saima Gulnaz was involved in formation of a coalition comprising other female staff with the aim to remove the incumbent Headmaster from his position by obstructing him in execution of official business. For the purpose to effectuate the removal of Mr. Shehzad Imtiaz from the position of Incharge Headmaster, Ms. Saima Gulnaz alongwith other female staff members visited the office of the District Education Officer (Special Education) Gujranwala. During the inquiry proceedings, it has also been proved that Ms. Saima Gulnaz misbehaved with the Incharge Headmaster, she remained busy in weaving conspiracies against him and did not pay attention to mentally challenged children, which manifestly proved that she was not discharging her substantive duties whole heartedly for which she was appointed and paid from the Government ex-chequer. During the inquiry proceedings, Ms. Saima Gulnaz did not put forth even a single piece of evidence of her efficiency or work for the wellbeing of special students. Whereas, participation in grouping, misbehaviour and weaving conspiracies against the Incumbent Headmaster has been proved by the statements of other staff members recorded during the course of inquiry proceedings in the presence of the accused officer and annexed with the inquiry report and the evidence put on record by the prosecution (*the accused officer was provided opportunity to cross examine the statements of those witnesses who deposed against her and the record produced against her to substantiate the charges*). Ms. Saima Gulnaz during course of personal hearing before the Hearing Officer also failed to rebut the findings of the Inquiry Officer and to place on record evidence / record which could suggest that her conduct remained remarkably good. Perusal of additional defense reply filed by Ms. Saima Gulnaz shows that the stance taken by her in her additional defense reply that she had never been a part of any group, is also negated by the statements of Ms. Arifa Shakoor (JSET MC), Mr. Amin Ansari (JSET HI), Mr. Muhammad Mujahid (Junior Clerk), Mr. Ashraf Farooq (Conductor), Mr. Muhammad Arshad (Mali), Mr. Ehsaan Ullah (Chowkidar) and Mr. Fiaz Rasool (Sweeper). The statements recorded during the course of inquiry proceedings also lead to the inference that the behaviour of Ms. Saima Gulnaz was not good with the Incharge Headmaster. After thorough examination of record, it is observed that sufficient material surfaced during inquiry proceedings, *including report about the disobedience and misbehaviour of Ms. Saima Gulnaz submitted by the Incharge Headmaster from time to time*, which suggest that Ms. Saima Gulnaz used to disobey the instructions and misbehaved with the Incharge Headmaster and at one occasion, she even abused him. Hence,

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the penalties recommended by the Inquiry Officer commensurate with the gravity of guilt of the accused officer No. 2.

11. **AND WHEREAS**, with regards to accused officer No. 3 i.e., **Ms. Amina Ghafoor**, it is observed that all the charges levelled against accused officer No. 3 stood proved during course of inquiry proceedings. The Inquiry Officer after conducting the inquiry into the charges levelled against Ms. Amina Ghafoor observed that Ms. Amina Ghafoor played a pivotal role in formation of a coalition with the league of Ms. Saima Gulnaz and other female staff with the aim to remove the incumbent Headmaster from his position by obstructing him in execution of official business. Her behaviour towards the Incharge Headmaster and other officers was so bad that on 06.10.2023, she misbehaved with the Chief Executive Officer (District Education Authority) Gujranwala, when he was on official visit at Govt. Special Education Centre, Qila Didar Singh. During the inquiry proceedings, it has also been proved that Ms. Amina Ghafoor remained busy in weaving conspiracies against the Incharge Headmaster, meaning thereby that she was not discharging her substantive duties in a befitting manner for which she was appointed and paid from the Government ex-chequer. The formation of groups, disobedience and weaving conspiracies against the Incumbent Headmaster has been proved by the statements of other staff members and the evidence put on record by the prosecution (*the accused officer No. 3 / Ms. Amina Ghafoor was provided opportunity to cross examine the statements of those witnesses who deposed against her and the record produced against her to substantiate the charges*). Ms. Amina Ghafoor during course of personal hearing before the Hearing Officer also failed to rebut the findings of the Inquiry Officer and to place on record any such evidence / record which could suggest that her conduct remained remarkably good. The stance of Ms. Amina Ghafoor taken by her in additional defense reply that she had never been a part of any group is also negated by the statements of Ms. Arifa Shakoor (JSET MC), Mr. Amin Ansari (JSET HI), Mr. Muhammad Mujahid (Junior Clerk), Mr. Ashraf Farooq (Conductor), Mr. Muhammad Arshad (Mali), Mr. Ehsaan Ullah (Chowkidar) and Mr. Fiaz Rasool (Sweeper). The statements recorded during the course of inquiry proceedings also lead to the inference that the behaviour of Ms. Amina Ghafoor was not good with the Incharge Headmaster. After thorough examination of record, it is observed that sufficient material surfaced during inquiry proceedings, *including reports about the disobedience and misbehaviour of Ms. Amina Ghafoor submitted by the Incharge Headmaster from time to time*, which suggest that Ms. Amina

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Ghafoor disobeyed the instructions of the Incharge Headmaster and also misbehaved with him and other officers, even during the visit of the Chief Executive Officer (District Education Authority) Gujranwala on 06.10.2023, she misbehaved with him. It is also observed that keeping in view the conduct of accused officer No. 3 and severity of charges that stood fully proved against her, the penalty proposed by the Inquiry Officer commensurate with the gravity of charges.

12. **NOW THEREFORE, I, Saima Saeed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case and recommendations of the Inquiry Officer, *for reasons stated herein above*, am of the considered view that charges of inefficiency and misconduct remained unproved against accused officer No. 1 i.e., Mr. Shahzad Imtiaz, therefore, in exercise of powers vested upon me under Section 13(5) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, while agreeing with the recommendations of the Inquiry Officer, do hereby **exonerate** the **accused officer No. 1 / Mr. Shahzad Imtiaz**, Junior Special Education Teacher (MC Field/BS-16), former Incharge Headmaster, Govt. Special Education Centre, Qila Dedar Singh presently reported to department from the charges levelled against him vide order of inquiry 23.10.2023 under Section 13(3) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006. **Whereas**, all the charges of inefficiency and misconduct levelled against accused officer No. 2 i.e., Ms. Saima Gulnaz and accused officer No. 3 i.e., Ms. Amina Ghafoor stood proved and the penalties recommended by the Inquiry Officer commensurate with gravity/severity of guilt of the accused officer No. 2 and 3. Therefore, in exercise of powers vested in me under Section 13(5) read with Section 4 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, *while agreeing with the recommendations of the Inquiry Officer*, following penalties are hereby imposed upon the accused officer No. 2 i.e., Ms. Saima Gulnaz and accused officer No. 3 i.e., Ms. Amina Ghafoor:

Sr. No.	Name of the accused officer	Penalty imposed
1.	Ms. Saima Gulnaz	1. Major penalty of ' forfeiture of past 03 years' service ' under Section 4(1)(b)(iii) of the PEEDA Act, 2006; and 2. Minor penalty of ' withholding of increments for a period of two years ' under section 4(1)(a)(ii) of the PEEDA Act, 2006.

2.	Ms. Amina Ghafoor	<ol style="list-style-type: none"> 1. Major penalty of 'forfeiture of past 03 years' service' under section 4(1)(b)(iii) of the PEEDA Act, 2006; and 2. Minor penalty of 'withholding of increments for a period of two years' under section 4(1)(a)(ii) of the PEEDA Act, 2006.
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SECRETARY SPECIAL EDUCATION /
COMPETENT AUTHORITY

Dated Lahore, the
June 11th /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, Gujranwala.
4. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
5. District Education Officer (Special Education), Gujranwala to ensure delivery of this order to the accused officers and implementation of the penalties under intimation to this department.
6. Headmaster/Headmistress, Govt. Special Education Centre, Qila Dedar Singh to ensure delivery of this order to the accused officers and implementation of the penalties under intimation to this department.
7. Accused officer No. 1 / **Mr. Shahzad Imtiaz**, Junior Special Education Teacher (MC Field / BS-16), former Incharge Headmaster of Government Special Education Center Qila Dedar Singh, District Gujranwala, presently reported to department.
8. Accused officer No. 2 / **Ms. Saima Gulnaz**, Junior Special Education Teacher (BS-16 / MC Field), previously posted at Government Special Education Center Qila Dedar Singh, District Gujranwala presently reported to department.
9. Accused officer No. 3 / **Ms. Amina Ghafoor**, Junior Special Education Teacher (BS-16 / VI Field), previously posted at Government Special Education Center Qila Dedar Singh, District Gujranwala presently reported to department.
10. PS to Secretary Special Education Department.

[Signature]

SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT