

No. SO(ESTT.)10-359/2010
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT
31-Sher Shah Block New Garden Town, Lahore

Dated Lahore, the 27th August, 2024.

Ms. Shagufta Naz,

Senior Special Education Teacher (H.I Field / BS-17),
previously posted as Incharge, Govt. Special Education Center,
Karor Lal Easan, presently under suspension and reported to department.

Subject:

SHOW CAUSE-CUM-PERSONAL HEARING NOTICE UNDER SECTION 13(4) OF THE PUNJAB EMPLOYEES, EFFICIENCY, DISCIPLINE AND ACCOUNTABILITY ACT, 2006.

WHEREAS, disciplinary proceedings were initiated against you under Section 5 read with Section 9 of the Punjab Employees, Efficiency, Discipline and Accountability Act, 2006 ('Act') vide order dated 04.04.2024 on the following charges of inefficiency, misconduct and corruption by appointing **Ms. Humaira Farooq**, Vice Principal (BS-18), Govt. Degree College of Special Education, Multan as Inquiry Officer;

1. The accused officer admitted in her written statement submitted before the District Education Officer (Spl. Edu.). D.G Khan during his visit on 09.10.2023 that her quarter has no electricity meter and she explained that she is using electricity from electricity meter of a neighbor bearing reference No. 1615733114500R. She further confessed in her statement that she did not have any record of previous bills. The consumption of units of the Centre shows that the stance of the accused officer is based on mis-statement, as the Centre electricity bills for the year 2020, 2021 & 2022 show theft of electricity. Detail is as under:

Year-21	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21
Unit Consumed	1650	1026	640	340	840	960	700	760	880	1780	1820	1880
Year-22	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22
Unit Consumed	1660	1460	740	800	760	1177	904	1420	2146	1446	1604	1492
Year-23	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23
Unit Consumed	638	421	282	225	273	210	219	446	864	847	604	1157

The above table shows that the consumption of units during summer vacations increased whereas these should have declined which manifestly shows that the accused officer was consistently stealing / misusing the Centre electricity for her quarter/residence and thereby used 14000 units unauthorizedly and caused heavy loss to Government ex-chequer amounting to Rs. 4,90,000/- (which is equivalent to the cost of 14000 units misused and average cost per unit i.e. Rs. 35/-). During visit of DEO on 09.10.2023, the accused officer submitted a fake copy of bill which is a rural connection type whereas Centre connection type is urban. This aspect also establish that the stance of the accused officer in her written statement is inaccurate.

2. The bank statement of Centre account no. PK75NBPA1688004085717575 at Allied Bank D.G Khan shows some suspicious entries. The accused officer had withdrawn an amount of Rs. 224,800/- through cheque No. 259851440 on 29-07-2022 in cash and justification of which is not available. Being suspicious transaction, Allied Bank Limited, Dera Ghazi Khan was approached on 30-10-2023 at 1230 hours by the DEO and the Bank authorities were requested to verify the few random deposit entries. It was confirmed by the Bank authorities that no amount is deposited into the accounts of special students which shows that withdrawn amount of Rs. Rs. 224,800/- has been embazzled.
3. No record regarding disbursement of stipend drawn in last four years i.e., 2019 to 2022 was provided by the accused officer.

Detail of withdrawal under the stipend head of account for last four years is as under:-

Sr. No.	Year	Stipend amount withdrawn
1	2022	1,209,600/-
2	2021	1,096,400/-
3	2020	424,000/-
4	2019	648,400/-

4. The accused officer prepared the ambiguous tender documents as it did not prescribe the method of procurement and procedure for the evaluation of bids. Besides, no mechanism was framed in the tender documents as to what criteria will be followed to choose the lowest price bidder. As for instance, the procuring agency asked the bidder to submit separate price for shoes, but the price of shoes was deliberately made part of other items thereby did not award contract of shoes to M/s Nadeem Brothers, who was offering shoes with the

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lowest rates. Since, the method of awarding of contract was ambiguous in violation of clauses 24, 25 & 31 of PPRA Rules 2014; there is loss to Govt. ex-chequer for purchasing the shoes from the 2nd highest bidder, overall loss in the purchase of shoes is Rs. 99,050/- for not purchasing the shoes from the lowest bidder.

5. According to clause 3 of terms and conditions of tender documents, the uniform should be got tested from the National Textile University, Faisalabad after the supply from successful bidder. The accused officer did not get the uniform quality tested from the National Textile University, Faisalabad, rather attached suspicious test reports issued by Textile Lab, 05-basement, Bano Bazar, Faisalabad. The accused officer not only procured the substandard uniforms but its disbursement to special students is also suspicious as various complaints have been received from students/parents that neither uniform nor shoes were delivered to them. Various videos have also been received in the office of District Education Officer (Spl. Edu.), D.G Khan, which show that after the said complaints, the accused officer took the students to tailor shop for the supply of uniform and shoes.
6. The financial proposal form designed by the procuring agency categorically stated at the bottom of the page in bold font that "Rates must be including all Government Taxes as per Rules/law prevailing in the country", and the clause 7 of tender notice published on PPRA website, directs the bidders to submit competitive rates inclusive of taxes. Since, all the rates offered by the bidders are inclusive of taxes, the accused officer paid the taxes again to the bidder worth Rs. 221,744/- thus intentionally paid the excess sales tax which was already included in the bid price.
7. Due to the inefficiency of accused officer, she failed to provide the winter uniform and also provided one less pair of shoes to students. According to uniform distribution register, the date of distribution of uniform to special students was 17-06-2023 whereas the Centre received delivery of uniform is on the same date i.e., 17-06-2023. This aspect establishes that the record of uniform distribution is suspicious whilst the quantity distributed is also not mentioned on register. According to log books of the Centre, no bus provided the pick and drop facility to special students on the distribution date i.e. 17-06-2023, being summer holiday.
8. The accused officer incurred Rs. 842,731/- in year 2022 and Rs. 317,784/- in year 2021 under the head-A13001-Repair to Transport. The said amount is incurred without observing codal and legal formalities and violations of PPRA Rules were being made (Non-formulation of Annual Procurement Plan, Splitting, unjustified expenditure). On the basis of one requisition 07 bills were claimed to avoid tender in the month of May 2023, 04 bills in the month of

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November 2022 and 02 bills in December 2022. Besides, after repair work, bus was not produced before the Motor Vehicle Examiner for obtaining fitness certificates. A brief detail of alleged repair is as under:-

Sr. No.	Bill No.	Date	Amount	Sr. No.	Bill No.	Date	Amount
1	475	19/05/2023	39,365	8	Nil	17/09/2022	119,340
2	479	22/05/2023	53,438	9	Nil	03/11/2022	119,340
3	480	23/05/2023	37,406	10	Nil	10/11/2022	29,028
4	481	24/05/2023	44,332	11	Nil	20/11/2022	29,500
5	479	26/05/2023	39,270	12	Nil	02/12/2022	33,984
6	485	26/05/2023	41,636	13	Nil	20/12/2022	29,500
7	486	27/05/2023	42,614				
			<u>298,061</u>				<u>360,692</u>

The log book of vehicle No. LYB-7539 shows that vehicle was on road and covered complete route of 100 KM on 15th May, 2023 to 31st May 2023 without any break. This aspect proved that either the bills were fake or the log book entries were fake because it is not possible to carry out the sophisticated repair work and also cover the route. Similarly, tires were purchased for the same vehicle by splitting the bills to avoid tender.

9. The accused officer incurred heavy expenditure in the account head Cost of other store-A3942. No record of permanent items was available. Besides that, no annual stock verification of permanent items was carried out by the accused officer which is in violation of Rule 15.16 of PFR Volume-I which states that physical verification of all stores must be made at least once in every year. The accused officer also did not produce fixed assets register. Detail of expenditure is as under:-

Sr. No.	Year	Budget Utilized
1.	2022	222,558
2.	2021	95,764
3.	2020	248,734
4.	2019	1,151,724

10. The accused officer had weak administrative control on the staff of the center and she remained inefficient in handling administrative matters of the Centre. The environment of the Centre was found to be very pitiable during the visit of DEO on 09.10.2023 and cleanliness condition was very poor. The daily attendance of students was also very poor as average student attendance is 62% which is below par. No flood light was found installed in Centre premises which is exposing the public assets to risk, non-functionality of cameras in buses and

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non-availability of recording forthwith also compromise the safety and security of special student. Such, negligence demonstrates that conduct of the accused officer towards performance of her duty remained highly prejudicial to good service, discipline, unbecoming of an officer and is tantamount to corruption, inefficiency and gross misconduct.

11. The accused officer prepared vague rough cost estimates of Rs. 05.644 million. The scope as per letter No. HM/GSEC/KRR/361 dated 09-09-2023 received from the accused officer includes white wash of whole building, replacement of 05 doors & 50 windows, replacement of 50 ceiling fans, shed for 03 buses, government residences repairing, marble tiling 100*14 Feet, sewerage 250 feet whole building, replacement of electric wiring, tubes, bulbs and replacement of grills & railings. Whereas, it was found by the DEO during visit on 09.10.2023 that the school building is newly constructed and handed over by building department in 2019. It is a two-story building and its first floor is vacant. The sheds of buses have already been constructed. The residences also require no repair work.
12. The accused officer instigated the co-female staff and lodged a fake complaint of harassment against the driver of the Centre and then uploaded the complaint on social media. The act of the accused officer defamed the department but also its officers.

2. **AND WHEREAS**, the Inquiry Officer, after finalizing the inquiry proceedings, has submitted inquiry report to this department on 24.07.2024 (**copy of Inquiry Report is attached**). The Inquiry Officer has recommended the imposition of following penalties;

- i. Minor penalty of withholding of increment for a period of one year under Section 4(1)(a)(ii) of the PEEDA Act, 2006; and
- ii. Major penalty of recovery of Rs. 164,325/- under Section 4(1)(b)(i) of the PEEDA Act, 2006.

3. **AND WHEREAS**, in view of the above, you are liable to be imposed one or more penalties in terms of Section 4 of the Act *ibid* for the charge against you.

4. **NOW THEREFORE**, in exercise of the powers conferred upon me as Competent Authority under Section 13(4) of the PEEDA Act, 2006, you are hereby called upon to show cause within seven (**07**) days of the receipt of this notice as to why one or more penalties as prescribed under Section 4 of the PEEDA Act, 2006 may not be imposed upon you. You are allowed to submit additional defence in writing, if any.

5. You are also afforded an opportunity of personal hearing and directed to appear before **Additional Secretary, Special Education Department / Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid* for said purpose. Therefore, you

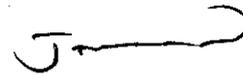
are directed to appear before the **Additional Secretary, Special Education Department / Hearing Officer** as and when the case is fixed for hearing by the Hearing Officer.



(SAIMA SAEED)
SECRETARY SPECIAL EDUCATION /
COMPETENT AUTHORITY

CC.

1. **Additional Secretary, Special Education Department / Hearing Officer.**
2. District Education Officer (Special Education), D.G Khan with the direction to ensure the delivery of this notice to the accused officer on her official and residential address under intimation to this department.
3. Deputy District Education Officer (Spl. Edu.), D.G. Khan / **Departmental Representative** to attend the hearing on the date fixed for personal hearing along with relevant record.
4. PS to Secretary, Special Education Department.



SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT