

REGISTERED



ORDER

**GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT**

**No. SO(Estt)10-741/2016: WHEREAS**, disciplinary proceedings through a regular inquiry under the Section 5 read with Section 9 of the PEEDA Act, 2006 ('Act') were initiated against **Ms. Nida Rafaqat**, Speech Therapist (BS-17), previously posted at Govt. Special Education Centre, Layyah, presently under suspension and reported to the department ('accused officer No.1) and **Ms. Nazia Mushtaq**, Senior Special Education Teacher (HI Field/BS-17), former Incharge Headmistress, Govt. Special Education Centre, Layyah, presently under suspension and reported to the department ('accused officer No.2) (jointly referred as be as 'accused officers') vide order dated 31.07.2023 by appointing Mr. Muhammad Imran Rahi, Headmaster (BS-18), Govt. Special Education Centre, Saddar Town, Bahawalpur as Inquiry Officer on the following charges of inefficiency and misconduct:

**CHARGES AGAINST MS. NIDA RAFAQAT**

1. Ms. Nida Rafaqat, Speech Therapist (BS-17) often remains absent from duty and marks her bogus attendance with active connivance of Ms. Nazia Mushtaq, SSET (HI Field/BS-17) / Incharge Headmistress, Govt. Special Education Centre, Layyah.

**CHARGE AGAINST MS. NAZIA MUSHTAQ**

1. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) with mala fide intention aids Ms. Nida Rafaqat, Speech Therapist (BS-17) to mark her bogus attendance as Ms. Nida Rafaqat is habitual leave hunter and she often remain absent from duty.
2. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) often remains absent from duty and marks her bogus attendance.
3. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) deliberately and with mala fide intentions keeps Bio-metric machine dysfunctional and submits wrong status of bio-metric machine.
4. Due to inefficiency of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), the amount of stipend to be distributed amongst Special Students of the Centre had never been paid in full and the amount so drawn for said purpose is embezzled.
5. Due to inefficiency of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), the uniform is not distributed amongst the students as per policy of the Special Education Department.
6. Due to loose administrative control of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), attendance register of the Centre remains in the custody of Chowkidar instead of Headmistress or Clerk.

7. The behaviour of Ms. Nazia Mushtaq, SSET (HI Field/BS-17) with staff of the Centre is very rude. She often misbehaves with the staff and she threatens them to record adverse remarks in their PER(s) if they raise any objection on her acts.
8. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) uses rough language with the students as well as with their parents.
9. Students of the centre were on leave w.e.f. 18.03.2023 to 31.03.2023 but Ms. Nazia Mushtaq, SSET (HI Field/BS-17) forced the staff of the centre to mark the attendance of the students as well as buses of the Centre were shown as operational during this period and fuel amount has been embezzled.
10. Despite purchasing sports items / articles, the same were never handed over to Instructor Physical Education.
11. Parents-Teachers Meeting has not been conducted for several months.

2. **AND WHEREAS**, the Inquiry Officer after conducting the inquiry proceedings submitted inquiry report, wherein the Inquiry Officer made following recommendations:

Sr. No.	Name of accused	Recommendations of Inquiry Officer
01	<b>Ms. Nida Rafaqat</b> , Speech Therapist (BS-17), Previously posted at Govt. Special Education Centre, Layyah, Presently under suspension and reported to department.	<i>The charge stands proved against Ms. Nida Rafaqat (Speech Therapist / BS-17), hence, she may be awarded minor penalty of "Fine equal to basic pay of one month" under section 4(1)(a)(iii) of the PEEDA Act 2006 along with recovery of pay of (13) thirteen days (absent period) amounting to Rs. 47,099/-.</i>
02	<b>Ms. Nazia Mushtaq</b> , SSET (HI Field/BS-17), Former Incharge Headmistress, Govt. Special Education Centre, Layyah, presently under suspension and reported to department.	<i>The charges stand proved against Ms. Nazia Mushtaq (SSET-HI / BS-17) In-charge Headmistress, hence, she may be awarded minor penalty of "Withholding of 03 increments for a period of five years" under section 4(1)(a)(ii) of the PEEDA Act, 2006 along with recovery against different charges mentioned above amounting to Rs. 901093/-.</i>

3. **AND WHEREAS**, upon receipt of inquiry report, Show Cause cum Personal Hearing Notice under Section 13(4) of the PEEDA Act, 2006 was issued to the accused officers directing them to submit additional defense, *if any*, and also to appear before Deputy 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*.

4. **AND WHEREAS**, the Hearing Officer after affording opportunity of personal hearing to the accused officers and fulfilling all codal formalities submitted report of hearing proceedings observing therein that the recommendations and conclusion drawn by the Inquiry Officer is devoid of reasoning as the Inquiry Officer has not given separate findings on each and every charge. The Inquiry Officer did not provide opportunity of cross examination to the accused officers. Moreover, Inquiry Officer also did not cross-examine the statements of staff and has conducted the inquiry in slipshod manner. The statements of the staff were recorded in the form of a questionnaire, which is not an appropriate method for documenting witness testimony. The accused officers during course of inquiry did not file proper record along with their written reply but during the course of personal hearing the accused officer namely Nazia Mushtaq produced record including but not limited to log books and bills claimed for the POL, these documents require inquiry as their authenticity is subject to verification. The accused officer namely Nida Rafaqat in her additional defense has taken different stance than the one taken in her written reply submitted before the Inquiry Officer.

5. **AND WHEREAS**, for reasons stated hereinabove, it is proved that there are sufficient grounds to initiate *de novo inquiry* against the accused officers. Therefore, the undersigned being Competent Authority hereby orders initiation of *de novo* disciplinary proceedings against the accused officers under Section 13(6) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by appointing **Mr. Shahid Abbas, Principal (VI Field/BS-19), Govt. (High) Special Education Centre, Shalimar Town, Lahore** as Inquiry Officer to proceed against the accused officers in terms of Section 5 read with Section 9 of the Act *ibid*.

6. The Inquiry Officer shall proceed against the accused officers on the following charges of inefficiency and misconduct;

**CHARGES AGAINST MS. NIDA RAFAQAT**

1. Ms. Nida Rafaqat, Speech Therapist (BS-17) often remains absent from duty and marks her bogus attendance with active connivance of Ms. Nazia Mushtaq, SSET (HI Field/BS-17) / Incharge Headmistress, Govt. Special Education Centre, Layyah. She also remained absent for 13 days w.e.f. 03-04-2023 to 11-04-2023 (09-days) & 26-04-2023 to 29-04-2023 (04-days) without prior permission / approval of leave.

**CHARGE AGAINST MS. NAZIA MUSHTAQ**

1. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) with mala fide intention aids Ms. Nida Rafaqat, Speech Therapist (BS-17) to mark her bogus attendance as Ms. Nida Rafaqat is habitual leave hunter and she often remain absent from duty. Ms. Nida Rafaqat remained absent for 13 days w.e.f. 03-04-2023 to 11-04-2023 (09-days) & 26-04-2023 to 29-04-2023 (04-days) but Ms. Nazia Mushtaq marked her bogus attendance.

- Lainna Saad*
2. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) often remains absent from duty without prior permission / approval of leave and marks her bogus attendance.
  3. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) deliberately and with mala fide intentions keeps Bio-metric machine dysfunctional and submits wrong status of bio-metric machine.
  4. Due to inefficiency of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), the amount of stipend to be distributed amongst Special Students of the Centre was never paid in full and the amount so drawn for said purpose was embezzled.
  5. Due to inefficiency of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), the uniform is not distributed amongst the students as per policy of the Special Education Department.
  6. Due to loose administrative control of Ms. Nazia Mushtaq, SSET (HI Field/BS-17), attendance register of the Centre was kept in the custody of Chowkidar instead of Headmistress or Clerk.
  7. The behaviour of Ms. Nazia Mushtaq, SSET (HI Field/BS-17) with staff of the Centre was very rude. She often misbehaved with the staff and she also threatens them to record adverse remarks in their PER(s) if they raise any objection on her acts. Ms. Nazia Mushtaq, SSET (HI Field/BS-17) also used rough language with the students as well as with their parents of special students. Moreover, parents-teachers meeting was not conducted for several months.
  8. Students of the centre were on leave w.e.f. 18.03.2023 to 31.03.2023 but Ms. Nazia Mushtaq, SSET (HI Field/BS-17) forced the staff of the centre to mark the attendance of the students as well as buses of the Centre were shown as operational during this period and fuel amount has been embezzled.
  9. Despite purchasing sports items / articles, the same were never handed over to Instructor Physical Education.

7. The accused officers are directed to submit their written defense to the Inquiry Officer, within **07** days of the receipt of this order. If they fail to submit their written defense within the prescribed period, it shall be presumed that either they have no defence to offer or they have declined to offer the same and they have accepted the charges.

8. **Deputy District Education Officer (Spl. Edu.), D.G. Khan** is appointed as Departmental Representative in terms of Section 9(1)(c) read with Section 12 of the Act *ibid*.

9. In case, the accused officers desire to consult any record on which the aforesaid charges are based or is relevant to the aforesaid charges, they may do so with prior arrangement with the Departmental Representative within **03** days of the receipt of this Order.

10. 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 SPECIAL EDUCATION/  
COMPETENT AUTHORITY

Dated Lahore the  
September 24, 2024

**NO. & DATE EVEN**

A copy is forwarded to:-

1. The Director General, Special Education Punjab, Lahore.
2. The District Education Officer (Special Education), D.G. Khan.
3. **Mr. Shahid Abbas**, Principal (VI Field/BS-19), Govt. (High) Special Education Centre, Shalimar Town, Lahore / **Inquiry Officer**.
4. **Deputy District Education Officer (Spl. Edu.)**, D.G. Khan / **Departmental Representative** is directed to ensure delivery of this order to the accused officers through all possible means, provide complete relevant record to the Inquiry Officer and to the accused officers, *if so requested by them*, and assist the Inquiry Officer on each and every date of hearing proceedings.
5. **Ms. Nida Rafaqat**, Speech Therapist (BS-17), Previously Posted at Govt. Special Education Centre, Layyah, presently under suspension and reported to the department.
6. **Ms. Nazia Mushtaq**, Senior Special Education Teacher (HI Field/BS-17), former Incharge Headmistress, Govt. Special Education Centre, Layyah, presently under suspension and reported to the department
7. PS to Secretary Special Education Department.
8. Office order file.



SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT