

**REGISTERED**



**GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT  
31-Sher Shah Block New Garden Town, Lahore**

**ORDER**

**No.SO(Estt)10-318/2010. WHEREAS, Samra Javed, Headmistress (BS-18) (MC Field), previously posted at Govt. Special Education Centre, Hafizabad presently posted at Govt. Special Education Centre, Narang Mandi, District Sheikhpura filed appeal against order dated 29.02.2024 passed by the **Secretary, Special Education / Competent Authority** whereby penalties of "*withholding of increments for a period of two years*" and "*reduction to a lower post & pay scale from the substantive post for a period of two years*" were imposed upon her under the **PEEDA Act, 2006**.**

**2. AND WHEREAS,** comments were obtained from the Administrative Department. **Mr. Zahoor Hussain, Secretary (Archives), S&GAD** was appointed as Hearing Officer to afford personal hearing to the appellant and submit a comprehensive report to arrive at a definitive decision.

**3. AND WHEREAS,** the Secretary (Archives), S&GAD after affording personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department submitted hearing report stating therein that the appellant reiterated the points already raised in her appeal. She contended that she joined the department in 2010 and had an impeccable service record. The staff of Centre in collusion with Local Administrator of Hafizabad started campaign against her through different sources and filed fake complaints in which the staff succeeded to get order of inquiry. The Secretary, Special Education / Competent Authority on the inquiry report of Deputy Commissioner, Hafizabad ordered initiation of regular inquiry. The Inquiry Officer conducted the inquiry proceedings in her absence and she was not informed about the fate of inquiry. She submitted application against the ex-parte inquiry proceedings and requested for setting aside the same. The Secretary, Special Education / Competent Authority without deciding the application, passed the impugned order dated 29.02.2024 on the basis of ex-parte proceedings against the law. The appellant prayed that she may be exonerated from the charges levelled against her by setting aside the impugned order dated 29.02.2024.

4. **AND WHEREAS**, on the other hand, the Departmental Representative stated that the teaching staff of Government Special Education Centre, Hafizabad lodged complaint dated 26.10.2022 before the Deputy Commissioner, Hafizabad against the appellant. The allegations in the complaint were that the behavior of the appellant was abusive and she remained absent from duty, attended office twice in a week and marked attendance through proxies. She was involved in multifarious sort of corrupt practices like managing day to day affairs of institute like tree plantation, white wash, class rooms' decoration etc. from salaries of the staff and then re-imburement of these expenditures from public exchequer. She keeps halted transport of institute in parking and drew POL while teachers were forced to mark attendance of students when buses do not operate and staff was harassed in case of refusal. Therefore, the Deputy Commissioner, Hafizabad initiated inquiry against the appellant under the Punjab Civil Administration Act, 2017. Mr. Abdul Rauf the then Additional Deputy Commissioner (R) was appointed as Inquiry Officer who submitted report and recommended initiation of departmental inquiry under the PEEDA Act, 2006 against the appellant. The Secretary, Special Education / Competent Authority initiated disciplinary proceedings against the appellant on the charges of misconduct and inefficiency under the PEEDA Act, 2006. Mr. Shahid Abbas, Principal, Government (High) Special Education Centre, Shalimar Town, Lahore was appointed as Inquiry Officer who submitted report to the effect that the charges stood proved and recommended imposition of impugned penalties. The Secretary, Special Education / Competent Authority after affording personal hearing through the designated Hearing Officer imposed the impugned penalties upon the appellant *vide* impugned order dated 29.02.2024. The Departmental Representative proposed that the appeal may be rejected being devoid of merit.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering the arguments presented by the appellant and the report of the Hearing officer, it is observed that the contentions raised by the appellant are convincing and she has substantiated her stance in the appeal, which require due consideration. Although the charges stood proved against the appellant yet the fact remains that the charges are general in nature and not specific. Out of 37 staff members, a majority i.e. 25 spoke in favour of the appellant, leaving little to prove the first charge/allegation of misbehavior with them. Therefore, the penalties imposed upon

the appellant seems harsh and do not commensurate with the quantum of guilt committed by the appellant, which requires due consideration.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, in exercise of powers conferred upon me under Section 16 of the PEEDA Act, 2006 do hereby **partially accept** the appeal of **Samra Javed**, by modifying the impugned penalties of "*withholding of increments for a period of two years*" & "*reduction to a lower post & pay scale from the substantive post for a period of two years*" into "*withholding of increments for a period of one year*" & "*reduction to a lower post & pay scale from the substantive post for a period of one year*".

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**(ZAHID AKHTAR ZAMAN)**  
**CHIEF SECRETARY, PUNJAB**

Dated: Lahore the 25<sup>th</sup> September, 2024

**No. & Date Even.**

A copy is forwarded to the:

1. **Accountant General**, Punjab, Lahore.
2. **Director General**, Directorate General of Special Education, Punjab, Lahore.
3. **Deputy Secretary (Service Matters)** to Chief Secretary, Punjab w.r. to Note dated 21.09.2024.
4. District Education Officer (Special Education), Lahore to ensure delivery of this order to the appellant under intimation to this department.
5. **Appellant concerned / Ms. Samra Javed**, Headmistress (BS-18) (MC Field), Govt. Special Education Centre, Narang Mandi, District Sheikhpura.
6. PS to Secretary Special Education Department.

  
**SECTION OFFICER (ESTT.)**  
**SPECIAL EDUCATION DEPARTMENT**