



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt)3-506/2022: WHEREAS, Director General of Special Education Punjab, Lahore ('DGSE') through Note dated 08.01.2024 recommended initiation of disciplinary proceedings Hafiz Muhammad Saleem Zia, Headmaster (BS-18), Government Special Education Centre Shahkot, District Nankana ('accused officer No. 1') and Ms. Maria Islam, (BS-18) District Education Officer (Spl. Edu.), Lahore ('accused officer No. 2'), Mr. Amjad Ali, Naib Qasid Government Special Education Centre Shahkot, District Nankana ('accused official No. 1') and Ms. Shamshad Amjad, Aaya, Government Special Education Centre Shahkot, District Nankana ('accused official No. 2') (the accused officers and officials are herein after jointly referred to be as 'accused officers/officials') on the charges of inefficiency and misconduct.

2. AND WHEREAS, upon receipt of recommendations of Director General, Special Education, Punjab, Lahore, vide order dated 16.01.2024 disciplinary proceedings against the accused officers / officials were initiated under the enabling provisions of the PEEDA Act, 2006 ('Act') on the following charges of inefficiency and misconduct by appointing Mr. Ghulam Murtaza, Director (Admn) (BS-19), Directorate General of Special Education, Punjab, Lahore as Inquiry Officer:

CHARGES AGAINST HAFIZ MUHAMMAD SALEEM ZIA /
ACCUSED OFFICER NO. 1

1. The accused officer unlawfully allowed / permitted Naib Qasid, Mr. Amjad Ali and Aaya, Ms. Shamshad Amjad to reside within the premises of the Govt. Special Education Centre, Shahkot alongwith their family and to use Govt. resources / utilities thus causing loss to Govt. exchequer. These illegal acts of the accused officer tantamounts to inefficiency and gross misconduct.
2. The accused officer by allowing accused official No.1 and 2 to reside alongwith their family within the premises of the Centre jeopardized the safety and security of the special students studying the Centre, hence committed misconduct.
3. The presence and residence of family of the official staff within the premises of the Centre is detrimental to the special students studying in the Centre and may lead to untoward situation.
4. The performance of the accused officer remained subpar because he did not carry out his responsibilities in a suitable manner, *in accordance with applicable standards*, and failed to discharge his official duties. If the stance of the accused officer

tendered by him before Director General that he did not allow any official staff to reside within the premises of the Centre is taken as his statement, the same also tantamounts to inefficiency as he failed to monitor and to report to the higher authorities that official staff of the Centre is residing within the premises of the Centre alongwith their family and are using Govt. resources / utilities which is causing loss to Govt. exchequer.

CHARGE AGAINST MS. MARIA ISLAM / ACCUSED OFFICER NO. 2

The accused officer remained inefficient in discharging her official duties, as assigned to her, in befitting manner. Her monitoring remained very poor and she did not report the matter of residence of official staff alongwith their families within the premises of Govt. Special Education Centre, Shahkot and use of Govt. resources / utilities by them promptly to higher authorities. This is attributable to her failure to fulfill her responsibilities in a manner consistent with established standards. The poor administration / supervision / monitoring shown by the accused officer also reflects her sheer negligence and inefficiency.

CHARGE AGAINST MR. AMJAD ALI / ACCUSED OFFICIAL NO.1

The accused official No. 1 was illegally / unlawfully residing within premises of the Centre with his family and using / utilizing the Govt. resources unauthorizedly causing loss to Govt. exchequer.

CHARGE AGAINST MS. SHAMSHAD AMJAD / ACCUSED OFFICIAL NO.2

The accused official No. 2 was illegally / unlawfully residing within premises of the Centre with her family and using / utilizing the Govt. resources unauthorizedly causing loss to Govt. exchequer.

3. **AND WHEREAS**, the Inquiry Officer after conducting inquiry into the charges submitted inquiry report. Upon receipt of the Inquiry Report, Show Cause-Cum Personal Hearing Notice was issued to the accused officers / officials under Section 13(4) of the PEEDA Act, 2006 directing them to submit additional defense, if any, and also to appear for personal hearing before Additional Secretary, Special Education Department / Hearing officer nominated under Section 13 (4)(c) of the Act *ibid*.

4. **AND WHEREAS**, after hearing the accused officers / officials in presence of Departmental Representative, Hearing Officer submitted report of hearing proceedings stating therein that the inquiry proceedings have not been conducted in accordance with the provisions of the PEEDA Act, 2006. Specifically, the accused officers/officials were not afforded the opportunity to cross-examine the record or

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witnesses. Furthermore, the testimony of the Director General Special Education / Visiting Officer was not recorded. The record further reflects that the Director General Special Education / Visiting Officer, in a Note submitted to the Secretary Special Education, recommended initiation of disciplinary proceedings against the accused officers. In this Note, it was stated that Ms. Sadia Aslam, Speech Therapist (*who had look after charge of the Centre*) when questioned regarding the residence of the accused officials at the Centre, stated that the Headmaster/accused officer No. 1 may have permitted the accused officials to reside within the premises. However, during the inquiry proceedings, Ms. Sadia Aslam provided a statement/affidavit contradicting the Visiting Officer's account, asserting that on the day of the visit, she neither met with the Visiting Officer nor communicated with her via telephone there-after. This statement by Ms. Sadia Aslam has not been subjected to cross-examination. Neither this fact has been appreciated by the Inquiry Officer nor considered / addressed in the inquiry report, hence to resolve this inconsistency, case needs to be referred back to Inquiry Officer.

5. **AND WHEREAS**, after examining the Inquiry Report in juxtaposition with the findings of Hearing Officer contained in hearing report, it has been observed that the inquiry has not been conducted in accordance with the provisions of the Act *ibid* and in order to meet the ends of justice, questions raised / points highlighted by the Hearing Officer in the findings of hearing report, need to be answered / addressed.

6. **NOW THEREFORE**, in the light of above facts, I, Saima Saeed, Secretary Special Education / Competent Authority hereby remand the inquiry under Section 13(6) of the PEEDA Act, 2006 to Inquiry Officer with the direction to conduct inquiry in accordance with the provisions of the PEEDA Act, 2006 and in view of the above observations / directions and submit inquiry report after adverting to the above questions/points alongwith specific recommendations.


(SAIMA SAEED)
SECRETARY

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore, the
October 10 /2024

No. & Date Even:

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

1. The Director General, Special Education Punjab, Lahore.
2. The District Education Officer (Special Education), Lahore.
3. Ms. Maria Islam, (BS-18) District Education Officer (Spl. Edu.), Lahore.
4. Hafiz Muhammad Saleem Zia, Headmaster (BS-18), Government Special Education Centre Shahkot, District Nankana.

5. Mr. Amjad Ali, Naib Qasid Government Special Education Centre Shahkot, District Nankana.
6. Ms. Shamshad Amjad, Aaya, Government Special Education Centre Shahkot, District Nankana.
7. PS to Secretary Special Education Department, Lahore.

 10/10/24

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