

REGISTERED



**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**

ORDER

No. SO(Estt)1-7/2008: WHEREAS, disciplinary proceedings through a regular inquiry under the Section 5 read with Section 9 of the PEEDA Act, 2006 were initiated against Mr. Asif Bashir, Senior Special Education Teacher, (H.I Field), Govt. School of Special Education, Rajanpur ('accused officer') vide order dated 12.02.2024 by appointing Director (Monitoring) (BS-19), Directorate General of Special Education, Punjab, Lahore as Inquiry Officer on the following charges of inefficiency, misconduct and corruption:

CHARGES AGAINST MR. ASIF BASHIR

- i. On the 7th of October, 2023, during a surprise visit of the Government School of Special Education for Hearing Impaired Children (HIC) in Rajanpur, conducted by the District Education Officer (Special Education), D.G. Khan, it came to light that the accused officer, serving as the Incharge of the school, exhibited a failure to effectively manage the school's affairs. Consequently, only 04 out of 12 teachers were present, and only 03 out of 12 non-teaching staff members were present and rest of the staff was either absent or granted leave.
- ii. Upon inspection on the 7th of October, 2023, it was observed that the cleanliness conditions within the school were severely inadequate, characterized by pervasive dust accumulation. The state of all six washrooms within the facility was deemed non-functional and displayed a lamentable condition. Additionally, a lack of access to clean drinking water was noted. Furthermore, inefficiency of the accused officer was evident as no students have attended the school since the 2nd of October, 2023.
- iii. The accused officer, without proper authorization from the competent authority, granted medical leave to the school driver. Furthermore, during an inspection, the accused officer hastily prepared an application for Ms. Robila Ghaffar, an attendant, and submitted it to the visiting officer without the applicant's signature. This action suggests an attempt by the accused officer to protect Ms. Robila Ghaffar by filing the application on her behalf.
- iv. An allocation totaling Rs. 07.535 million was disbursed under ADP scheme No. 453 to the school. However, owing to the inefficiency of the accused officer, the repair and maintenance endeavors within the school premises remain incomplete. An assessment of the progress conducted by the contractor reveals that only 40% of the stipulated work has been executed, notwithstanding the withdrawal of the entire allocated sum by the contractor. The accused officer neglected to discharge his professional duties by failing to promptly report this discrepancy to the higher authorities. Consequently, not only has this oversight severely impacted the operational

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functionality of the school, but it has also resulted in a substantial financial loss to the Government exchequer.

- v. The accused officer engaged in the unauthorized sale of the school's old main gate, facilitated by the assistance of the Chowkidar, yielding proceeds amounting to Rs. 25,000. However, the entirety of these funds was not remitted to the Government exchequer, thus the accused officer in breach of fiduciary duty misappropriated the public assets.
- vi. During the visit, it was noted that there was an absence of a Chowkidar at the main gate of the school, and furthermore, no surveillance cameras were found installed on the premises of the school. This contrasts with the assertions made by the accused officer to the former District Education Officer (DEO), wherein it was stated that cameras had been installed in the school. Such misrepresentation not only constitutes a breach of trust towards the management but also violates the instructions provided periodically, thereby compromising the safety and security of both the children and the school's assets. Such behaviour tantamounts to gross misconduct.
- vii. During the visit, it was noted that the accused officer affixed a sign outside his office bearing the inscription "District Child Protection Officer/Focal Person." However, the accused officer failed to display a nameplate indicating his official designation within the Special Education Department. This contravenes established decorum, as the accused officer appears to be utilizing his official position for other activities.
- viii. As a result of the inefficiency of the accused officer, both playgrounds have become inundated with mud and clay, and no grass has been cultivated despite the presence of a designated gardener (Mali).
- ix. The accused officer procured uniforms for chowkidars, drivers, and conductors utilizing funds designated for the uniforms of special students.
- x. Despite purchasing uniforms for special students in June 2023, it was observed during the visit that these uniforms had not been distributed to the special student which shows the inefficiency of the accused officer.
- xi. On 07-02-2022, the school's driver submitted a request to the then headmistress for the replacement of six tires. Subsequently, the school bus underwent inspection by Motor Vehicle Examiner (MVE) Rajanpur on 16-02-2022, during which it was recommended that all six tires be replaced. Following the tire replacement, the vehicle was to undergo a final inspection by the MVE. However, in May 2023, the accused officer being Incharge / DDO of the school proceeded with the repair work totaling Rs. 69,906/- on the bus without obtaining the required inspection from the MVE. Additionally, on 16.06.2023, the accused officer purchased four tires amounting to Rs. 199,184/- based on a requisition submitted by the driver 15 months prior. This demonstrates a grave lapse in diligence on the part of the accused officer, resulting in the operation of an unfit vehicle for transporting students. Furthermore, the accused officer's actions of splitting the procurement process into two bills, thereby violating clause 9 of the PPRA Rules 2014, are evident. Moreover, the accused officer approved expenditure for which they lacked both competency and authorization.
- xii. During visit, the inspection of the store showed that a considerable number of stitching machines were haphazardly scattered, lacking proper organization and arrangement. Additionally, a substantial quantity of hostel

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items such as pillows and blankets were found in the store, which, despite being procured, have remained unused since the date of acquisition.

- xiii. A substantial sum of amounting totalling Rs. 9,83,000/- was found to be parked / held in the DDO's bank account, specifically account No. 3035754469 at the National Bank of Pakistan, Rajanpur branch. The accused officer, in his capacity as DDO, failed to provide any breakdown or bank reconciliation statement to substantiate the rationale behind the funds deposited in the school's bank account.

2. **AND WHEREAS**, the Inquiry Officer after conducting inquiry proceedings submitted Inquiry Report which has been examined in light of Section 13(1)&(2) of the PEEDA Act, 2006 and it has been observed that the inquiry proceedings have not been conducted in accordance with the provisions of PEEDA Act, 2006, merits of the case have not been appreciated by the Inquiry Officer and due process as provided under the law has not been adopted by the Inquiry Officer. Perusal of record available alongwith the inquiry report shows that Inquiry Officer failed to take into consideration merits of the case and ignored vital points pertaining to the charges. The Inquiry Officer did not provide opportunity of cross examination to the accused officer. Moreover, Inquiry Officer also did not cross-examine the statement of accused officer and no statement of other staff has been recorded and the inquiry officer mainly relied upon the statement of the accused officer which shows that the inquiry has been conducted in a slipshod manner. The recommendations and conclusion drawn by the Inquiry Officer are devoid of reasoning as much as the justification/findings given by the Inquiry Officer are in conflict with the record. The Inquiry Officer, while finalizing his recommendations, proposed imposition of penalties which do not commensurates with the gravity of charges that stood proved. It is also observed that sufficient incriminating material surfaced to substantiate the charges but the Inquiry Officer has not given any value to them.

3. **AND WHEREAS**, for reasons stated hereinabove, it is proved that there are sufficient grounds to initiate *denovo inquiry* against the accused officer. Therefore, the undersigned being Competent Authority hereby orders initiation of *denovo* disciplinary proceedings against the accused officer under Section 13(6) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by appointing **Mr. Tariq Javed, Headmaster (BS-18), Govt. Special Education Centre, Nankana Sahib** as Inquiry Officer to proceed against the accused officer in terms of Section 5 read with Section 9 of the Act *ibid*.

4. The Inquiry Officer shall proceed against the accused officer on the above said charges of inefficiency, misconduct and corruption.

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5. The accused officer is directed to submit his written defence to the Inquiry Officer, within 07 days of the receipt of this order. If he fails to submit his written defence within the prescribed period, it shall be presumed that either he has no defence to offer or he has declined to offer the same and he has accepted the charges.

6. Mr. Mumtaz UI Hassan, Superintendent (BS-17), Govt. Degree College of Special Education, Multan is appointed as Departmental Representative in terms of Section 9(1)(c) read with Section 12 of the Act *ibid*.

7. In case, the accused officer desires to consult any record on which the aforesaid charges are based or is relevant to the aforesaid charges, he may do so with prior arrangement with the Departmental Representative within 03 days of the receipt of this Order.

8. The Inquiry Officer shall submit his report and recommendations to the undersigned within sixty days (60 days) from the date of the initiation of *de novo* inquiry in terms of Section 10(6) of the Act *ibid*.

Saima Saheed

(SAIMA SAEED)

SECRETARY SPECIAL EDUCATION/
COMPETENT AUTHORITY

Dated Lahore the
October 11, 2024

NO. & DATE EVEN

A copy is forwarded to:-

1. The Director General, Special Education Punjab, Lahore.
2. The District Education Officer (Special Education), DG Khan.
3. Mr. Tariq Javed, Headmaster (BS-18), Govt. Special Education Centre, Nankana Sahib / Inquiry Officer.
4. Mr. Mumtaz UI Hassan, Superintendent (BS-17), Govt. Degree College of Special Education, Multan / Departmental Representative is directed to ensure delivery of this order to the accused officer through all possible means, provide complete relevant record to the Inquiry Officer and to the accused officer, *if so requested by him*, and assist the Inquiry Officer on each and every date of hearing proceedings.
5. Accused officer / Mr. Asif Bashir, Senior Special Education Teacher, (BS-17/H.I Field), Govt. School of Special Education, Rajanpur.
6. Headmaster / Headmistress, Govt. School of Special Education, Rajanpur.
7. PS to Secretary Special Education Department.

Mumtaz UI Hassan
11/10/24
SECTION OFFICER (ESTT.-I)