

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt)40-122/2015. WHEREAS, Deputy Director (Admn), Directorate General of Special Education vide letter dated 06.03.2024 forwarded communications from the District Education Officer (Special Education), Multan dated February 24, 2024, and the Headmistress of the Government Special Education Centre, Lodhran, District Multan dated February 23, 2024. These communications had indicated that **Ms. Farooha Urooj**, Junior Special Education Teacher (H.I Field / BS-16), Govt. Special Education Centre, Lodhran ('accused officer') filed an application for earned leave from 01.03.2024 to 17.04.2024 (48 days). Upon review, it was found that the request for leave was not accompanied by necessary documentation. Further, it was discovered through communication with the Headmistress that the accused officer prior to decision of application for grant of leave had already proceeded on leave. Consequently, on 18.03.2024 the accused officer was instructed to justify her position as to why disciplinary action should not be taken against her. The accused officer's response, received on 09.04.2024, was examined and found unsatisfactory. Hence, given the circumstances and the fact of the case, absence of the accused officer and on account of existence of sufficient documentary evidence on file, disciplinary proceedings under the statutory regime of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 ('Act') were initiated against the accused officer, *while dispensing regular inquiry in terms of Section 5 of the Act ibid*, vide Show Cause Notice dated 20.08.2024 under Section 7(b) read with Section 5(1)(a) of the Act *ibid* on the following charge of misconduct on account of absence from duty:

"You filed an application for earned leave w.e.f. 01.03.2024 to 17.04.2024 (48-days) and proceeded on leave prior to approval of the leave by the Competent Authority. Consequently, you have committed an act of misconduct and have been found to be absent from your duties during this period."

2. **AND WHEREAS**, the Show Cause Notice directed the accused officer to provide her written reply within 07-days. Consequently, she filed reply which was reviewed and was found to be unsatisfactory. Hence, in order to conclude the disciplinary proceedings, *vide letter dated 23.09.2024*, Deputy Secretary, Special Education Department was appointed as Hearing Officer and the accused officer was directed to appear before Deputy Secretary / Hearing Officer on 02.10.2024.

3. **AND WHEREAS**, the Hearing Officer, after providing the accused officer with an opportunity for a personal hearing, submitted a report on the proceedings. The report notes that the accused officer made submissions indicating that her decision to proceed on leave was due to circumstances beyond her control. In light of this, Hearing Officer suggested that the accused officer be treated with leniency.

4. **AND WHEREAS**, upon examination of the written response submitted by the accused officer, along with the conclusion drawn by the Hearing Officer in the

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hearing report and the available record on file, it is evident that the accused officer does not dispute that she proceeded on leave and remained absent from her duties without obtaining prior approval from the Competent Authority precisely before a decision on her application for earned leave had been made. The accused officer's justification rests on the assertion that her husband, an army officer holding the rank of Colonel, was stationed in Waziristan, where he was attacked by militants. During the attack, several of his colleagues were martyred, and he sustained serious injuries. In order to visit her husband, the accused officer proceeded on leave prior to its formal approval. While the accused officer acknowledges that submitting an application for leave does not confer the right to proceed on leave before receiving approval, she argues that the extraordinary circumstances of her case merit leniency. However, it is pertinent to note that willful absence from duty without the approval of the Competent Authority constitutes misconduct under Section 2(n)(vii) of the Act and tantamounts to culpable wrongdoing. Accordingly, it is concluded that the accused officer has been found guilty of misconduct due to her unauthorized absence from duty, and the charge against her is substantiated. However, the mitigating circumstances, *as narrated by the accused officer*, make out a case for taking a lenient view in the matter.

5. **NOW THEREFORE**, I, **Saima Saeed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects and material relating to the case, *for reasons recorded herein above*, in exercise of powers vested upon me under Section 7(f) read with Section 4 of the Act *ibid*, while taking a lenient view in the matter, do hereby impose minor penalty of "**Censure**" in terms of Section 4(1)(a)(i) upon the accused officer.

6. **NOTWITHSTANDING ABOVE**, in order to keep continuity in the service of the accused officer and for regularization of the absence period of the accused w.e.f. 01.03.2024 till 17.04.2024 (48-days) it is ordered that same shall be treated as leave of kind due (with pay).



(SAIMA SAEED)
SECRETARY to

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore, the
October 15th /2024

No. & Date Even:

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

1. Accountant General, Punjab, Lahore.
2. Director General Special Education, Punjab, Lahore.
3. District Education Officer (Special Education), Multan.
4. Accused Officer concerned / **Ms. Farooha Urooj**, Junior Special Education Teacher (H.I field / BS-16), Govt. Special Education Centre, Lodhran.
5. PS to Secretary Special Education Department.
6. Master file.



SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT