

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER OF INQUIRY

No. SO(Estt)1-20/2006: **WHEREAS**, disciplinary proceedings through a regular inquiry under the Section 5 read with Section 9 of the PEEDA Act, 2006 were initiated against **Mr. Mehmood Sohail**, Senior Special Education Teacher (PD Field / BS-17), present Incharge Headmaster, Govt. Special Education Centre, Rojhan ('**accused officer No.1**'), **Ms. Afreen Khan**, Junior Special Education Teacher, (PD Field / BS-16), Govt. Special Education Centre, Rojhan ('**accused Officer No.2**'), **Mr. Ammad-Ud-Din Farooqi**, Junior Special Education Teacher, (MC Field / BS-16), Govt. Special Education Centre, Rojhan ('**accused Officer No.3**'), **Mr. Muhammad Bilal**, Junior Special Education Teacher, (MC Field /BS-16), Govt. Special Education Centre, Rojhan ('**accused No. 4**'), and **Mr. Abdul Majid**, Music Teacher, Govt. Special Education Centre, Rojhan ('**accused officer No. 5**') (**all the accused officers are jointly referred as 'accused officers'**) vide order dated 21.03.2024 by appointing **Mr. Zeeshan Ahmad** (BS-18), District Education Officer (Spl. Edu.), Multan as Inquiry Officer on the following charges of inefficiency and misconduct:

CHARGES AGAINST MR. MEHMOOD SOHAIL

- i. Mr. Mehmood Sohail, in his capacity as the Incharge, has demonstrated a failure to manage the affairs of the Government Special Education Centre, Rojhan, effectively. His deficient administrative skills, absence of leadership acumen, and failure to exercise due diligence have contributed to the decline in educational and rehabilitative activities within the Centre. The substandard condition of the premises, infrastructure, and overall environment presents a troubling assessment of the Center's operations.
- ii. Under the leadership of Mr. Mehmood Sohail, inadequate administration has resulted in the Government Special Education Centre becoming a detrimental representation of administrative competence. The accused officer has disregarded directives from the Directorate General of Special Education Punjab concerning the maintenance of premises, implementation of Anti-Dengue measures, and ensuring the safety and security of students. Additionally, the failure to promptly record biometric data indicates a lack of commitment to transparency and staff punctuality. Furthermore, the delayed depiction of the school's status on December 15, 2023, posed a significant threat to the safety and security of special needs students.
- iii. Mr. Mehmood Sohail's failure to notify the superior office about the prolonged absence of Ms. Afreen Khan, JSET-PD, despite explicit

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directives, casts doubt on his ability to effectively manage staff attendance and accurately report information. Moreover, the Government Special Education Centre's bus, designated for repairs with a budget of Rs. 611,370, has remained inoperative since its acquisition, indicating mismanagement and irregular expenditure. Additionally, Mr. Mehmood Sohail's facilitation of teaching staff to evade their duties, as evidenced by significant disparities between manual and electronic attendance records, raises concerns about his dedication to maintaining a disciplined and responsible teaching staff.

- iv. An unusual attendance pattern observed during summer vacations, with recorded "in" and "out" timings falling outside standard hours, reveals irregularities. Mr. Mehmood Sohail's failure to address the poor condition of the building, infrastructure, and unhealthy environment not only jeopardizes the overall well-being of the students but also suggests a lack of commitment to maintaining a conducive learning environment. Additionally, the delayed implementation of biometric attendance for staff until May 31, 2023, despite clear directives issued by the Directorate General of Special Education Punjab in 2022, underscores Mr. Mehmood Sohail's hesitance to promptly adhere to implementing biometric attendance in his Centre.
- v. An expenditure of Rs. 242,845/- has been documented in the petrol account. However, upon examination of the biometric attendance data of Mr. Hussain Buxh, the driver, it has come to light that the bus is not genuinely providing pick-and-drop services to special students. Rather, it seems that fabricated entries have been included in the logbook. This suspicion is supported by the implausibility of covering the bus route within the recorded attendance timings of the driver on the biometric machine.

CHARGES AGAINST MS. AFREEN KHAN

- i. Ms. Afreen Khan, pursuant to order No. 4318 dated 17-09-2022 from the then DEO (Special Education) Dera Ghazi Khan, was deputed to perform her duty at Govt. Institute of Slow Learners Rajanpur. Subsequently, she was directed to perform her duty at her actual place of posting vide order No. 2290 dated 01-11-2023. However, she failed to adhere to these directives, displaying a blatant disregard for official orders. Scrutiny of her attendance records, shows that she proceeded on medical leave without obtaining approval from the competent authority and neglected to complete the requisite codal formalities. She manipulated attendance entries, designating them as either casual or medical leaves which shows a deliberate attempt to avoid fulfilling her duties at the designated place of posting and a willful violation of the orders issued by the DEO (Special Education) DG Khan. Conduct exhibited by Ms. Afreen Khan shows lack of commitment to teaching differently-abled students at her place of posting.

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CHARGES AGAINST MR. AMMAD UD DIN FAROOQI

- i. His conduct while he performed duties as Incharge Headmaster of the Government Special Education Centre, Rojhan, demonstrated shortcomings in efficiently managing the affairs of the Centre. He neglected to communicate Ms. Afreen Khan, JSET-PD's medical or casual leaves to the DEO Office. Analysis of his attendance records shows discrepancies emerged through Biometric machine data, revealing a consistent pattern of tardiness. Furthermore, there were instances where he falsely recorded attendance in the register for days when he was not present at the Centre e.g., in the month of November, the official register indicated his presence throughout the entire month, excluding November 21, 2023. However, the biometric data revealed irregular attendance patterns, indicating his presence on only specific dates — 6th, 8th, 11th, 13th, 14th, 15th, 17th, 20th, 24th, 25th, 27th, and 30th November. On the remaining days, the biometric data indicated his absence, contradicting the attendance register's information that he was present throughout the month of November, 2023.

CHARGES AGAINST MR. MUHAMMAD BILAL

- i. Scrutinizing the attendance records as per biometric machine data shows that the accused officer consistently arrived late to the Centre. Furthermore, discrepancies emerge as the attendance register indicates his presence on days when he was absent. Analysis of his attendance in the month of November, 2023 reveals that he was marked present throughout the month, except on 21-11-2023. However, the biometric data unveils an irregular pattern, with attendance recorded on the machine only on the 6th, 8th, 11th, 13th, 14th, 15th, 17th, 20th, 24th, 25th, 27th, and 30th of November, 2023. On the remaining days, the biometric data indicates absence, in stark contrast to register's entries, which portray him as present for the entire month.

CHARGES AGAINST MR. ABDUL MAJID

- i. The behaviour of the accused officer towards performance of his official duties is not only detrimental to the standards of good service but are also unbecoming of an officer. There are serious concerns about the integrity of his actions, especially when marking attendance manually, as the recorded time of arrival and departure consistently deviates significantly from the electronic attendance record.

2. **AND WHEREAS**, the Inquiry Officer after conducting inquiry proceedings submitted inquiry report which has been examined in light of Section 13(1) and (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. Findings of the Inquiry

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Officer are not based on cogent, convincing and confidence inspiring evidence. 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 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 did not provide opportunity of cross examination to the accused officers. Moreover, Inquiry Officer also did not cross-examine the statements of accused officers and has conducted the inquiry in a slipshod manner. The Inquiry Officer, while finalizing his recommendations, proposed imposition of penalties which are vague in nature e.g., for the charge of inefficiency penalty of Fine and recovery of pay (*without specifying the quantum of proposed penalty*) has been recommended. It is observed that sufficient incriminating material surfaced to substantiate the charges against the accused officers but the Inquiry Officer has not given any value to them. It is also worth mentioning here that the Inquiry Officer has recommended imposition of penalty to an employee who has not been charge sheeted and not an accused officer in this case, this recommendation of imposition of penalties is sheer violation of procedure provided in PEEDA Act, 2006.

3. **AND WHEREAS**, for reasons stated hereinabove, it was proved that there are sufficient grounds to initiate *de novo inquiry* against the accused officers. Therefore, the undersigned being Competent Authority vide order dated 11.10.2024 initiated *de novo* disciplinary proceedings against the accused officers under Section 13(6) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by appointing **Ms. Anila Chohan, Headmistress (BS-18), Govt. Shadab Institute for MCC, Bahawalpur** as Inquiry Officer to proceed against the accused officers in terms of Section 5 read with Section 9 of the Act *ibid*. Later on, it was communicated that the Departmental Representative appointed through order dated 11.10.2024 has been nominated to attend the pre-promotion training course at the Management and Professional Development Department, Lahore and he is unable to discharge duties as Departmental Representative. Now therefore, in order to resolve this discrepancy, through this substituted order of inquiry, **Mr. Mumtaz UI Hassan**, Superintendent (BS-17), Govt. Degree College of Special Education, Multan is hereby appointed as Departmental Representative to perform duties in terms of Section 12 of the Act *ibid*.

4. The Inquiry Officer / **Ms. Anila Chohan**, Headmistress (BS-18), Govt. Shadab Institute for MCC, Bahawalpur shall proceed against the accused officers on the above said charges of inefficiency and misconduct.

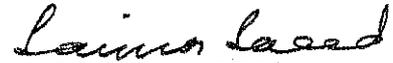
5. The accused officers are directed to submit their written defence to the Inquiry Officer, within **07** days of the receipt of this order. If they fail to submit their written defence within the prescribed period, it shall be presumed that either they have no defence to offer or they have declined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

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6. **Mr. Mumtaz Ul 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 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.

8. The Inquiry Officer will submit her 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
November 08th, 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. **Ms. Anila Chohan**, Headmistress (BS-18), Govt. Shadab Institute for MCC, Bahawalpur / **Inquiry Officer**.
4. **Mr. Mumtaz Ul Hassan**, Superintendent (BS-17), Govt. Degree College of Special Education, Multan / **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. **Mr. Mehmood Sohail**, Senior Special Education Teacher (PD Field / BS-17), present Incharge Headmaster, Govt. Special Education Centre, Rojhan.
6. **Ms. Afreen Khan**, Junior Special Education Teacher, (PD Field / BS-16), Govt. Special Education Centre, Rojhan.
7. **Mr. Ammad-Ud-Din Farooqi**, Junior Special Education Teacher, (MC Field / BS-16), Govt. Special Education Centre, Rojhan.
8. **Mr. Muhammad Bilal**, Junior Special Education Teacher, (MC Field / BS-16), Govt. Special Education Centre, Rojhan.
9. **Mr. Abdul Majid**, Music Teacher, Govt. Special Education Centre, Rojhan.
10. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT