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**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**

ORDER

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No. SO(Estt) 3-506/2022. WHEREAS, Ms. Rahat Sultana, Headmistress (BS-18) previously posted at Government Special Education Center, Chichawatni, District Sahiwal presently posted at Govt. Special Education Centre, Arifwala, District Pakpattan (**'accused officer No.1'**) and **Syed Azhar Abbas**, Senior Special Education Teacher (H.I Filed BS-17), previously posted at Govt. Special Education Centre, Chichawatni, District Sahiwal, presently under suspension and reported to department (**'accused officer No. 2'**) lodged complaints against each other levelling therein different allegations of serious nature. To proceed further in the matter, a probe was got conducted by appointing a probe officer. The probe officer submitted the report which was forwarded by Deputy Director (Admn.) Directorate General of Special Education, Punjab, Lahore stating therein that Ms. Rahat Sultana (*while she was posted at Govt. Special Education Centre, Chichawatni*) and Syed Azhar Abbas were involved in spoiling the environment of the institute by making groups. As per report, Ms. Rahat Sultana (*while she was posted at Govt. Special Education Centre, Chichawatni*) disobeyed the order of District Education Officer (Special Education), Sahiwal and did not relieve Mr. Mazhar Shahzad, Chowkidar, after issuance of his transfer order dated 27.01.2022 issued by District Education Officer (Special Education), Sahiwal. She, *while posted at Govt. Special Education Centre, Chichawatni*, made grouping in the Center and provided unnecessary protection to Mr. Mazhar Shahzad, Chowkidar being a member of her group. According to the report, Syed Azhar Abbas issued two bogus school leaving certificates on 30.09.2020 to the students namely Muhammad Ahmad Jameel s/o Muhammad Jameel, Admission No. 458 and Muhammad Ali Hussain s/o Muhammad Saleem, Admission No. 457 by affixing fake signature of Ms. Rahat Sultana, Headmistress. On 30.09.2020, as per record Syed Azhar Abbas was the Incharge of the Centre due to leave of Ms. Rahat Sultana, *the Headmistress*, when the said fake certificates were issued. It was recommended that regular inquiry may be initiated against both officers.

2. **AND WHEREAS**, upon receipt of above report and keeping in view sufficient grounds to proceed against the accused officers, joint disciplinary proceedings through a regular inquiry under the PEEDA Act, 2006 were initiated against the accused officers by appointing Mr. Muhammad Ali Gohar, Principal (BS-19), Government Higher Secondary School of Special Education for Hearing Impaired, Sheikhpura as Inquiry Officer on the following charges of misconduct and inefficiency;

CHARGES AGAINST MS. RAHAT SULTANA

1. She, *while posted at Govt. Special Education Centre, Chichawatni*, disobeyed the order of District Education Officer (Special Education), Sahiwal and did not relieve Mr.

Mazhar Shahzad, Chowkidar, after transfer order dated 27.01.2022 issued by District Education Officer (Special Education), Sahiwal.

2. She, while posted at Govt. Special Education Centre, Chichawatni, made grouping in the Center and provided unnecessary protection to Mr. Mazhar Shahzad, Chowkidar being a member of her group.

CHARGES AGAINST SYED AZHAR ABBAS

1. While he was Incharge Headmaster on 30.09.2020, he issued two bogus school leaving certificates both dated 30.09.2020 to the students namely Muhammad Ahmad Jameel s/o Muhammad Jameel, Admission No. 458 and Muhammad Ali Hussain s/o Muhammad Saleem, Admission No. 457 by affixing fake signature of Ms. Rahat Sultana, Headmistress.

3. **AND WHEREAS**, the Inquiry Officer after conducting inquiry proceedings submitted Inquiry Report, where-after Show Cause cum Personal Hearing Notice under Section 13(4) of Act *ibid* was issued and hearing opportunity was afforded by appointing a Hearing Officer. After receipt of hearing report from Hearing Officer, de novo inquiry proceedings against the accused officers were initiated vide order dated 10.07.2024, under Section 13 (6) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 by appointing **Mr. Qaiser Abbas Shah**, Principal (BS-19), Govt. Secondary School for Hearing Impaired, Jhang as Inquiry Officer to proceed against the accused officers in terms of Section 5 read with Section 9 of the Act *ibid* on the above mentioned charges of misconduct and inefficiency.

4. **AND WHEREAS**, the Inquiry Officer after conducting de-novo inquiry proceedings submitted inquiry report. wherein the Inquiry Officer recommended imposition of following penalties:

Sr. No.	Name of accused officer	Penalty Recommended
1.	Ms. Rahat Sultana , Headmistress (BS-18), Govt. Special Education Centre, Arifwala, District Pakpattan ('accused officer No.1')	"Exoneration" under section 7(e) of the PEEDA Act, 2006
2.	Syed Azhar Abbas , Senior Special Education Teacher (H.I Filed BS-17), previously posted at Govt. Special Education Centre, Chichawatni, District Sahiwal, presently under suspension and reported to department ('accused officer No.2')	Major penalty of "Forfeiture of past service for a period of 03 years" under section 4(1)(b)(iii) of the PEEDA Act, 2006.

Kaiser Abbas

5. **AND WHEREAS**, upon receipt of inquiry report, Show Cause-cum-Personal Hearing Notice under Section 13(4) of Act *ibid* was issued to the accused officers directing them to submit additional defence, *if any*, and also to appear on **03.09.2024** before the Additional Secretary, Special Education / **Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid*, for personal hearing. The Departmental Representative was also directed to appear before the undersigned along with all record under Section 13(4)(e) of the Act *ibid*.

6. **AND WHEREAS**, the Hearing Officer after granting opportunity of personal hearing to the accused officers in presence of Departmental Representative submitted report of hearing proceedings stating therein that during the hearing proceedings, accused officer No. 1 opted not to file additional defence reply and relied on the statement recorded during course of inquiry proceedings. The accused officer No. 2 filed additional defence reply. During hearing proceedings, the accused officer No.1 stated that she did not extend any benefit to Mr. Mazhar Shahzad, Chowkidar of the Centre and before receipt of his transfer order he proceeded on leave and after receipt of order he was duly communicated and after expiry of leave he reported to his new place of posting. She further stated that she never made any group and the charge to this effect is inaccurate. Lastly, she has requested that charges against her are baseless and devoid of merit, therefore, she may be exonerated from the charges.

7. **AND WHEREAS**, during the hearing, the accused officer No.2 contended that charge levelled against him is against the facts and record. He denied the charge and stated that he never issued any school leaving certificate to the students alleged in the charge. He maintained that he has been roped into this inquiry on the behest of accused officer No.1 because she was extending undue favour to Mr. Mazhar Shahzad, Chowkidar (*who on the name of his brother was running a firm (General Supplier) and providing store items to the special institutes located in Sahiwal Division*) and he pointed out the illegalities committed by him. Lastly, he has requested that the charge is baseless and devoid of merit, therefore, he may be exonerated from the charge.

8. **AND WHEREAS**, during the course of hearing proceedings, Departmental Representative stated that all record related to the charges was provided to the accused officers and inquiry proceedings were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006 and statements of all concerned were recorded and opportunity of cross examination was also granted to the accused officers. The Departmental Representative further stated that charges of inefficiency and misconduct stood proved against the accused officer No.1 and 2 but the inquiry officer failed to appreciate the evidence surfaced against accused officer No.1. He further stated that recommendations made by the Inquiry Officer do not commensurate with the guilt of accused officer No.1 and 2.

9. **AND WHEREAS**, after a thorough examination and consideration of the case-related documentation, the findings and recommendations put forth by the designated Inquiry Officer, the additional defense reply presented by the accused

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officer No. 2 and the report of the Hearing Officer, in conjunction with the comprehensive record available in the case file, it is evident that, *subject to observations recorded hereunder*, the inquiry proceedings have been conducted in accordance with the provisions of PEEDA Act, 2006, merits of the case have been appreciated by the Inquiry Officer and due process as provided under the law has been adopted by the Inquiry Officer. It is further observed that the accused officers were provided full, fair and complete opportunities to vindicate their stance and prove their innocence but they were unsuccessful in doing so. Further scrutiny of the inquiry report, in conjunction with the attached record, indicates that the accused officers failed to fulfil their assigned duties competently. It is also evident that the position taken by the accused officers during inquiry proceedings and in additional defense reply lacks any justifiable rationale. It is noteworthy that the accused officers have not placed on record any new or plausible evidence to counter the evidence already available and presented during the proceedings.

10. **AND WHEREAS**, it is observed that the accused officer No.1 has been charged with the allegation that she being Headmistress of Govt. Special Education Centre, Chichawatni disobeyed the order of District Education Officer (Special Education), Sahiwal and did not relieve Mr. Mazhar Shahzad, Chowkidar after issuance of transfer order dated 27.01.2022 by the District Education Officer (Special Education), Sahiwal, hence she has committed misconduct. She has also been charged with the allegation that being Headmistress, she made grouping in the Centre and provided unnecessary protection to Mr. Mazhar Shahzad, Chowkidar of the Centre being a member of her group. After thorough examination of record it is noticed that the charges levelled against the accused officer No.1 have force and sufficient material is available on record to connect the accused officer No.1 with the commission of alleged charges. In order to substantiate the charges, reference can be made to the fact that Mr. Mazhar Shahzad, Chowkidar (BS-02), Govt. Special Education Centre, Chichawatni, was transferred to Govt. Special Education Centre, Harappa by the DEO, Sahiwal vide order dated 27.01.2022 and as per post office receipt said order was communicated to the Govt. Special Education Centre, Chichawatni on 28.01.2022. According to the entries in attendance register of the Centre, the accused officer No. 1 was present in the Centre on 28.01.2022. As per record, the accused officer No.1, vide order No. G.S.E.C/Cci-22/57 dated 28.01.2022, accorded sanction to the grant of earned leave for 84 days w.e.f. 28.01.2022 to 21.04.2022 in favour of Mr. Mazhar Shahzad, Chowkidar but as per order No. G.S.E.C/Cci-22/58 dated 27.01.2022, Mr. Mazhar Shahzad was relieved to proceed on leave on 28.01.2022. It is noticeable that the order granting 84 days leave in respect of Mr. Mazhar Shahzad was issued on 28.01.2022, whereas, the order relieving him to proceed on the leave on 28.01.2022 was issued on 27.01.2022 i.e., one day before the issuance of order granting 84 days leave. It further established from record that accused officer No.1 had knowledge of the fact that Mr. Mazhar Shahzad, Chowkidar has been transferred by the DEO concerned but she granted him 84 days leave just to frustrate the transfer order. During the course of hearing before the Hearing Officer (*as per hearing report*), the accused officer No.1 was asked on which date it came to her knowledge that Mr. Mazhar Shahzad, Chowkidar has been transferred? In response, she stated that on 31.01.2022, when the order was received in the Centre and it was recorded in the concerned register. At this point, the accused officer No.1 was asked whether she issued any order to

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the effect that the leave granted by her is cancelled and Mr. Mazhar Shahzad was directed to report to new place of posting and seek leave from new place of posting? In response she replied in negative and stated that Mr. Mazhar Shahzad (*after availing his full leave*) was relieved from duties on 28.04.2022 and directed to report to his new place of posting. The accused officer No.1 was also asked whether it is in her knowledge that Mr. Mazhar Shahzad is running any firm in the name of his brother to which she replied in negative and stated that Mr. Mazhar Shahzad is not running any firm on his own name or in the name of his brother. At this point, the accused officer No. 1 was confronted with the letter head of M. Sadiq Traders & General Order Supplier which contained the personal numbers of Mr. Mazhar Shahzad, the accused officer No.1 failed to give any satisfactory response. It is observed that sufficient material was available on the record to substantiate the charges levelled against accused officer No. 1 but the Inquiry Officer failed to appreciate the evidence produced against the accused officer No.1. Hence, it is observed that recommendations of the Inquiry Officer do not commensurate with the gravity of guilt of the accused officer No. 1 and require revisitation.

Saima Saeed

11. **AND WHEREAS**, with regards to charge levelled against the accused officer No.2, it is observed that the charge stood fully proved during course of inquiry proceedings. The Inquiry Officer after conducting the inquiry into the charge levelled against accused officer No.2 observed that accused officer No.2 was Incharge of Admission Committee and he, on 30.09.2020, issued two bogus school leaving certificates both dated 30.09.2020 to the students namely Muhammad Ahmad Jamil son of Muhammad Jamil, Admission No. 458 and Muhammad Ali Hussain son of Muhammad Saleem, Admission No. 457 and while doing so he affixed fake signature of Ms. Rahat Sultana, Headmistress. It is observed that detail reasoning has been given by the Inquiry Officer to substantiate the charge against the accused officer No.2 and no exception can be taken from the same. In para-Nos.17 to 22 of the inquiry report, the Inquiry Officer has mentioned the complete background history and circumstances involved in this case *viz-a-viz* charge levelled against the accused officer No.2. It is an admitted position that on 30.09.2020, the Headmistress was on leave and accused officer No.2 had access to complete record of admission of the students in the Centre, hence this charge was proved by the record. However, it is further observed that penalty recommended by the Inquiry Officer does not commensurates with gravity of guilt of the accused officer No.2, hence, the same warrants modification.

12. **NOW THEREFORE**, I, **Saima Saeed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case and *for reasons stated herein above*, in exercise of powers vested in me under Section 13(5) read with Section 4 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, *while disagreeing with the recommendations of the Inquiry Officer, and still taking lenient view*, impose the following penalties upon the accused officers;

Sr. No.	Name of accused	Penalty Imposed
1.	Ms. Rahat Sultana	Minor penalty of "withholding of increment for a period of one year" under section 4(1)(a)(ii) of the PEEDA Act, 2006.

2.	Syed Azhar Abbas Shah	Minor penalty of "withholding of increment for a period of three years" under section 4(1)(a)(ii) of the PEEDA Act, 2006.
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Saima Saheed
(SAIMA SAEED)

SECRETARY SPECIAL EDUCATION /
COMPETENT AUTHORITY

Dated Lahore, the
November 11th /2024

No. & Date Even:

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

1. **Director General** Special Education, Punjab, Lahore.
2. **District Education Officer (Special Education), Sahiwal** to ensure delivery of this order to the accused officers and implementation of the penalties under intimation to this department.
3. **Headmaster / Headmistress**, Government Special Education Center, Chichawatni, District Sahiwal to ensure delivery of this order to the accused officers and implementation of the penalties under intimation to this department.
4. **Headmaster / Headmistress**, Govt. Special Education Centre, Arifwala, District Pakpattan to ensure delivery of this order to the accused officers and implementation of the penalties under intimation to this department.
5. **Ms. Rahat Sultana**, Headmistress (BS-18) previously posted at Government Special Education Center, Chichawatni, District Sahiwal presently posted at Govt. Special Education Centre, Arifwala, District Pakpattan.
6. **Syed Azhar Abbas**, Senior Special Education Teacher (H.I Filed BS-17), previously posted at Govt. Special Education Centre, Chichawatni, District Sahiwal, presently under suspension and reported to department.
7. PS to Secretary Special Education Department.

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SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT