

REGISTERED



**GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT**

**ORDER**

**No. SO(Estt)36-92/2015. WHEREAS, Ms. Afza Majeed, Junior Special Education Teacher (MC Field / BS-16), Govt. Special Education Centre, Ravi Town, Lahore ('accused officer'), was granted 27-days leave on full pay w.e.f. 20.06.2022 to 16.07.2022 and 15-days Extra Ordinary Leave (without pay) w.e.f. 17.07.2022 to 31.07.2022 to visit United Kingdom (UK) vide order dated 10.06.2022 and later on vide order dated 22.07.2022, she was directed to report to Department after expiry of leave. However, the accused officer neither reported for duty on the stipulated date nor intimated the authorities. Instead, she remained absent from her duties w.e.f 01.08.2022 till date. Furthermore, non-resumption of duties after expiry of leave constitutes a violation of office protocols and her commitments as outlined in clause 3 of the surety bond duly executed by her and clause 4 of the affidavit submitted by her in seeking sanction of leave. Clause 3 of the surety bond and clause 4 of the affidavit expressly state that upon the expiration of her leave, she will return to Pakistan and resume her duties within the Department but she opted disappearance.**

**2. AND WHEREAS, keeping in view the willful absence of the accused officer from duty, other ancillary and related facts of the case and on account of availability of sufficient documentary evidence on record, while dispensing with regular inquiry, disciplinary proceedings were initiated against the accused officer vide Show Cause Notice dated 06.08.2024 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 on the following charge of misconduct:**

***"You were granted 42 days leave w.e.f. 20.06.2022 to 31.07.2022 (27-days leave on full pay w.e.f. 20.06.2022 to 16.07.2022 and 15-days Extra Ordinary Leave (without pay) w.e.f. 17.07.2022 to 31.07.2022) to visit United Kingdom (UK) vide order dated 10.06.2022 and later on, vide order dated 22.07.2022 you were directed to report to Department after expiry of said leave. However, you neither reported for duty on the stipulated date nor intimated the authorities and remained willfully absent from your duties w.e.f 01.08.2022 till date. Furthermore, by not resuming your duties after expiry of leave, you also violated the commitments made by you as outlined in Clause 3 of the Surety Bond duly executed by you and Clause 4 of the Affidavit submitted by you while seeking sanction of leave. Clause 3 of the Surety Bond and Clause 4 of the Affidavit expressly state that upon the expiration of your leave, you will return to Pakistan and resume your duties within the department. Hence you have been found guilty of misconduct on account of being willfully absent from duty w.e.f. 01.08.2022 to date without any intimation or prior permission of the Competent Authority and violating the terms/clauses of Surety Bond and Affidavit."***

3. **AND WHEREAS**, through the above said Show Cause Notice, the accused officer was directed to submit her defense reply within 07-days but she did not do so. Therefore, in order to finalize the disciplinary proceedings, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the Act *ibid* and for said purpose vide letter dated 02.10.2023, she was directed to appear before Deputy Secretary Special Education / Hearing Officer appointed under Section 7(d) of the Act *ibid* on 09.10.2024.

4. **AND WHEREAS**, the Hearing Officer submitted hearing report stating therein that the accused officer did not appear on the date fixed for personal hearing i.e., 09.10.2024 despite service of notice of personal hearing on her residential address. For the sake of justice and to complete the hearing proceedings, the accused officer was afforded 2<sup>nd</sup> opportunity of personal hearing and she was directed to appear on 22.10.2024 but again she did not appear. In the interest of justice, 3<sup>rd</sup> opportunity of personal hearing was granted to the accused officer and she was directed to appear on 01.11.2024 but she again failed to appear. The Hearing Officer further stated that as per record, the hearing notices were served to the accused officer on her residential address and copies were also sent to District Education Officer (Special Education) concerned and Headmistress concerned to ensure the delivery of notice to the accused officer. The Hearing Officer stated that hearing notices have also been sent to the accused officer on her official email address. The Hearing Officer stated that despite observing all just, legal and codal formalities and proper intimation the accused officer did not attend the personal hearing proceedings. The Hearing Officer was of the view that the accused officer has been found guilty of misconduct on account of absence from duty and the charge stood proved against her. Wilful and intentional non-appearance of the accused officer for personal hearing shows that she is avoiding to appear for personal hearing and is delaying the finalization of disciplinary proceedings.

5. **AND WHEREAS**, after having considered all aspects and material related to the case and report of Hearing Officer, it has been noticed that the accused officer was granted a total of 42 days leave from June 20, 2022, to July 31, 2022, with specific instructions to resume her duties upon its expiry. However, despite the Department's directive, she willfully absented herself from duty w.e.f., 01.08.2022 to date (**approx. 830 days**) without any intimation or approval of leave from the Competent Authority. The accused officer's failure to resume her duties also constitutes a clear breach of the commitments outlined in Clause 3 of the Surety Bond and Clause 4 of the Affidavit, both of which she duly signed prior to her leave. These clauses obligated her to return to Pakistan and report back to her duties immediately following her sanctioned leave period. As per record, since 01.08.2022, the accused officer has remained willfully absent from her duty without prior intimation, leave approval, or valid justification. Such unauthorized absence undermines departmental discipline and contravenes the duties expected from a Senior Special Education Teacher.

6. **AND WHEREAS**, the accused officer failed to furnish her written reply in response to the show caused notice dated 06.08.2024. Clause 5 of the Show Cause Notice reads as under;

Laini Saad

*"5. Your reply to Show Cause Notice should reach the undersigned, within the said period failing which it shall be presumed that you have no defence to offer and you have admitted the charge."*

In view of above quoted clause of Show Cause Notice, failure on the part of accused officer to file reply to Show Cause Notice tantamount to admission of charge, hence the charge leveled against the accused officer stood proved. It is further noted that if the available record, which shows the willful absence of the accused officer from duty w.e.f. 01.08.2022 till date (**for a period which is more than two years**), is examined keeping in view the conduct of the accused officer, it can safely be inferred that the conduct of the accused officer towards performance of her official duty remained highly prejudicial to good service discipline, unbecoming of an officer and tantamounts to gross misconduct. Significantly, the accused officer was provided with ample opportunities of personal hearing, with explicit instructions to appear before the Hearing Officer, but she repeatedly failed to attend the scheduled personal hearing proceedings, indicating a lack of supporting documentation to substantiate her defence. It is further noted that Section 7(f) of the PEEDA Act, 2006 provides as under;

*(f) impose any one or more penalties mentioned in section 4, by an order in writing, if the charge or charges are proved against the accused:*

*Provided that-*

- (i) where charge or charges of grave corruption are proved against an accused, the penalty of dismissal from service shall be imposed, in addition to the penalty of recovery, if any; and*
- (ii) where charge of absence from duty for a period of more than one year is proved against the accused, the penalty of compulsory retirement or removal or dismissal from service shall be imposed upon the accused.*

7. **AND WHEREAS**, after a thorough examination of the record, it is observed that no extenuating circumstances exist in favor of the accused officer to suggest that her absence from duty was due to factors beyond her control. It is an established principle that absence from duty without obtaining prior approval or leave from the Competent Authority constitutes misconduct as defined under Section 2(n)(vii) of the Act *ibid* and amounts to culpable wrongdoing. The record unequivocally establishes that the accused officer has been found guilty of remaining absent from duty without prior approval or permission from the Competent Authority for the period commencing 01.08.2022 and continuing to date (**spanning over more than two years**).

8. **NOW THEREFORE**, I, Saima Saeed, Secretary Special Education / Competent Authority in the instant case, after careful consideration of all aspects and materials relevant to the case, am of the view that the record conclusively establishes the guilt of the accused officer for misconduct due to her continuous absence from duty from 01.08.2022 to date. The conduct and indifferent attitude of the accused officer toward her official responsibilities clearly indicate a lack of interest in fulfilling the obligations of Government service. It is evident that her continued retention in

Saima Saeed

Government service would serve no beneficial purpose for the department or the special students under its care. In view of the gravity of the proven charge and in exercise of the powers conferred upon me under the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, and for the reasons recorded above, major penalty of "**Removal from Service**" under Section 4(1)(b)(v) of the Act *ibid* is hereby imposed upon the accused officer.

Dated Lahore the  
November 01<sup>st</sup>, 2024



(SAIMA SAEED)  
SECRETARY to

GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

**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. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Lahore **to ensure delivery of this order to the accused officer on her official and residential address under intimation to this department.**
5. Headmaster / Headmistress, Govt. Special Education Centre, Ravi Town, Lahore **to ensure deliver of this order to the accused officer on her official and residential address under intimation to this department.**
6. Accused officer concerned / **Ms. Afza Majeed**, Junior Special Education Teacher (MC Field / BS-16), Govt. Special Education Centre, Ravi Town, Lahore. **Resident of House No. 5, Sultan Street, Mohallah Islampura, Lahore. AND 4-C, Mansoor Street, Clifton Colony, Wahdat Road, Lahore.** Email Address: afzamajeed@gmail.com
7. P.S. to Secretary Special Education Department.
8. Office File.



SECTION OFFICER (ESTT.-I)  
SPECIAL EDUCATION DEPARTMENT