



ORDER

No. SO(ESTT)1-133/2005. WHEREAS, upon receipt of complaint against **Mr. Ali Faizan**, Junior Special Education Teacher (HI Field / BS-16), Incharge Headmaster, Govt. Special Education Centre, Khushab ('accused officer'), Blind Teacher, Driver, Sweeper and Chowkidar of Govt. Special Education Centre, Khushab on multiple allegations by the parents of students, Directorate General of Special Education, Punjab, Lahore was directed to take cognizance of the issue and submit report based on factual position vide letter dated 06.03.2024. In response thereto, Deputy Director (Admn), Directorate General of Special Education Punjab forwarded probe report conducted by District Education Officer (Special Education), Sargodha wherein he recommended initiation of regular inquiry under PEEDA Act, 2006 against the accused officer on the charges of inefficiency, misconduct and corruption.

2. **AND WHEREAS**, after receipt of report, disciplinary proceedings through a regular inquiry under the Section 5 read with Section 9 of the PEEDA Act, 2006 ('Act') were initiated against the accused officer vide order dated 19.08.2024 by appointing **Ms. Nazia Jabeen**, Headmistress (BS-18), Govt. Shadab Institute for MCC, Faisalabad as Inquiry Officer on the following charges of inefficiency, misconduct and corruption:

1. The accused officer embezzled funds available for purchase of 200 KG of coal during the winter of 2022. During probe proceedings, the purchase made by the accused officer was found to be irregular and without proper justification, which indicates potential financial mismanagement, embezzlement and misuse of school funds.
2. The accused officer being Incharge Headmaster failed to justify the expenditure of an amount of Rs. 64,487/- withdrawn for organizing an event in connection with children's result day celebrations on 31.03.2023. The absence of proper record keeping and justification for expenditures during event further indicates inefficiency in managing resources and proper utilization of school funds under his supervision.
3. The uniforms purchased during the financial year 2022-23 were not distributed to the students and during probe proceedings found to be placed in the school. The accused officer in his justification stated that since 40 students were not attending the school therefore, said uniforms could not be distributed. The justification advanced by the accused officer shows his inefficiency that despite being aware of the fact that 40 students were not attending school since long, he purchased excess uniforms for them. Due to his inefficiency in managing the affairs of the school, public funds were mis-utilized. This also augments the inefficiency of the accused officer that he, *being Incharge Headmaster instead of taking steps for enhancement of*

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enrolment of the school, failed to report that 40 students under his supervision were not attending classes.

3. **AND WHEREAS**, the Inquiry Officer after conducting inquiry proceedings, strictly in accordance with the mandate of Act *ibid*, submitted inquiry report and recommended imposition of minor penalty of '**Censure**' under Section 4(1)(a)(i) of the PEEDA Act, 2006.

4. **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 officer directing him to submit additional defence, *if any*, and also to appear before **Deputy 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 Hearing Officer alongwith all record under Section 13(4)(e) of the Act *ibid*.

5. **AND WHEREAS**, the Hearing Officer submitted report of hearing proceedings stating therein that during the hearing proceedings, the accused officer submitted additional defense reply and contended that charges levelled against him are against the facts and record. He denied the charges and stated that he rebutted the veracity of the charges before the Inquiry Officer and the Inquiry Officer also failed to give any persuasive reason in the inquiry report for award of proposed penalty to him. Lastly, he requested that the charges are baseless and devoid of merit, therefore, he may be exonerated from the charges. The Hearing Officer further stated in the report that during the course of hearing proceedings, the Departmental Representative stated that all record related to the charges was provided to the accused officer and inquiry proceedings have been conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006 and statements of all concerned have been recorded. The Departmental Representative further stated that charges levelled against the accused officer stood proved. He further stated that the arguments of the accused officer are fallacious and carry no weight. He further stated that penalty proposed by the Inquiry Officer commensurates with the guilt of accused officer.

6. **AND WHEREAS**, the Hearing Officer after considering the material related to the case available in the shape of inquiry report and keeping in view the findings and recommendations of the Inquiry Officer and hearing all concerned observed that the recommendations of the Inquiry Officer for imposing minor penalty of '**Censure**' under Section 4(1)(a)(i) of the PEEDA Act, 2006 upon the accused officer is in accordance with law and also commensurates with gravity/severity of guilt of the accused officer.

7. **AND WHEREAS**, perusal of findings and recommendations of the Inquiry Officer, additional defence reply submitted by accused officer and report of Hearing Officer coupled with record available in file shows that the inquiry proceedings have been conducted by the Inquiry Officer in accordance with the provisions of PEEDA Act, 2006 and due process as provided under the law has been adopted by the Inquiry Officer. During inquiry proceedings, the accused officer was provided ample opportunity to vindicate his stance and prove his innocence. It is

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observed that the findings and recommendations of the Inquiry Officer to substantiate the charges are based on record, made after considering all aspects of the case and taking into consideration the entire circumstances involved in the case. It is further observed that recommendations of the Inquiry Officer are substantiated with reasons / findings and no exception can be taken from the same. It transpires from perusal of record that Inquiry Officer after applying judicious mind and fulfilling all requirements of law has recommended imposition of penalty. *Prima facie*, the same are in consonance with the record and spirit of the law.

8. **AND WHEREAS**, after a comprehensive evaluation of record, it is evident that the defense presented by the accused officer in response to the show-cause notice is neither persuasive nor supported by substantial justification. The explanation provided fails to address or negate the allegations under charge No. 3, pertaining to the distribution of uniforms, which has been found to be partially substantiated. In contrast, charge No. 1 and 2, relating to alleged embezzlement and unjustified expenditure without proper documentation, were not proved during the inquiry proceedings. The Inquiry Officer and Hearing Officer afforded the accused officer ample opportunities to present his case and defence against the charges. Despite this, he was unable to provide a credible rebuttal or acceptable evidence to refute charge No. 3, thereby confirming his responsibility for the misconduct established under this partially proven charge. Based on the above, while charge No. 1 and 2 remained unsubstantiated, the partial substantiation of charge No. 3 warrants the imposition of the penalty as recommended by the Inquiry Officer, which is proportionate to the severity of the misconduct established.

9. **NOW THEREFORE**, I, **Saima Saeed**, Secretary, Special Education Department being Competent Authority, *for reasons recorded herein above*, hold the view that the penalty recommended by the Inquiry Officer commensurates with the gravity of the guilt of the accused officer, therefore, *while agreeing with the recommendations of the Inquiry Officer*, in exercise of powers vested upon me under Section 13(5)(ii) read with Section 4 of the PEEDA Act, 2006, minor penalty of '**Censure**' under Section 4(1)(a)(i) of the PEEDA Act, 2006 is hereby imposed upon the accused officer.

Saima Saeed
(SAIMA SAEED)
SECRETARY to

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore, the
December 05, 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), Sargodha to ensure delivery of this order to the accused officer under intimation to this department.
4. Headmaster, Govt. Special Education Centre, Khushab to ensure delivery of this order to the accused under intimation to this department.

5. Accused officer concerned / **Mr. Ali Faizan**, Junior Special Education Teacher (HI Field / BS-16), Incharge Headmaster, Govt. Special Education Centre, Khushab.
6. PS to Secretary Special Education Department.



**SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT**