

REGISTERED



ORDER

**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT
31-Sher Shah Block New Garden Town, Lahore**

SO(Estt)40-565/2021. WHEREAS, Ammara Amjad, ex-Junior Special Education Teacher (contract employee) (H.I Field/BS-16), Government Special Education Centre, Sarai Alamgir filed appeal against the order dated 14.07.2023 passed by the Secretary Special Education / Competent Authority whereby the penalty of "Removal from Service / Termination of Contract" was imposed upon the appellant.

2. AND WHEREAS, comments were obtained from the Administrative Department. **Mr. Nasir Ahmad Malik, Secretary (Archives), S&GAD** was appointed as Hearing Officer to afford personal hearing to the appellant and submit a detailed report to arrive at a definitive decision.

3. AND WHEREAS, the Secretary (Archives), S&GAD after affording personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department submitted hearing report stating therein that the appellant reiterated the points already raised in her appeal. She contended that she was suffering from some peculiar disease and could not travel to Sara-i-Alamgir and that travelling such a long way could have serious threat to her life. The former Secretary, Special Education, Department, while appreciating the situation, was kind enough to adjust her at Lahore but the current Secretary refused to extend this arrangement / adjustment and removed her from service under PEEDA Act, 2006 besides terminating her contract under the Contract Appointment Policy, 2004. She prayed that she be exonerated from the charges levelled against her and reinstated into the service.

4. AND WHEREAS, on the other hand, the Departmental Representative stated that the Deputy Director (Admn), Directorate General of Special Education, Punjab, Lahore, *vide* letter dated 24.02.2023, forwarded a letter of District Education Officer (Special Education), Gujranwala, dated 07.02.2023, and a letter of Headmaster, Govt. Special Education Centre, Sarai Alamgir, District Gujrat, dated 02.02.2023, coupled with explanation letters issued to the appellant and extracts of attendance register and ancillary documents, whereby it was intimated that the appellant had been found absent from duty w.e.f. 14.12.2022 till date without prior approval of the Competent Authority. Keeping in view the willful and unauthorized absence of the appellant from duty, the Secretary Special Education / Competent Authority while dispensing with the regular inquiry, issued her Show Cause Notice dated 12.05.2023. Through the above said Show Cause Notice, the appellant was directed to submit her defence reply within 07 days and the Deputy Secretary, Special Education was appointed as Hearing Officer. The appellant was afforded an opportunity of the personal hearing on 12.06.2023 and the written reply submitted by the appellant was examined and found unsatisfactory. The Hearing Officer after affording opportunity of personal hearing to the appellant, submitted hearing report and recommended that the major penalty of "removal from service / termination" of her contract might be imposed upon her. Therefore, the Secretary Special Education / Competent Authority agreed to the

recommendations of the Hearing Officer and imposed the impugned penalty upon the appellant, in accordance with law.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering appeal of the appellant and the report of the Hearing Officer, it is observed that the appellant failed to produce any additional material to rebut the evidence already available on record. The willful absence from duty of the contract employee w.e.f. 14.12.2022 to 12.05.2023 cannot be condoned under the Contract Appointment Policy. Thus, the Secretary Special Education / Competent Authority has rightly imposed the impugned penalty on the appellant, in accordance with law. The appellant failed to make out a case. Thus, the appeal of the appellant is liable to be rejected.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, do hereby **reject** the appeal of **Ammara Amjad**, being devoid of merit and contrary to the law/rules.

-sd-

(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 16th November, 2023

No. & Date Even.

A copy is forwarded to the:

1. **Accountant General**, Punjab, Lahore.
2. **Director General**, Directorate General of Special Education, Punjab, Lahore.
3. **Deputy Secretary (Service Matters)** to Chief Secretary, Punjab w.r. to Note dated 07.11.2023.
4. **District Education Officer (Special Education), Gujranwala** to ensure delivery of this order to the appellant through all possible means under intimation to this department.
5. **Headmaster / Headmistress, Govt. Special Education Centre, Sarai Alamgir, District Gujrat** to ensure delivery of this order to the appellant at her residential address under intimation to this department.
6. **Appellant concerned / Ms. Amara Amjad**, ex-Junior Special Education Teacher (BS-16), Govt. Special Education Centre, Sarai Alamgir District Gujrat Resident of House No. 35, Street No.3, Block-B, Eden Value Homes, Near Thokar Niaz Baig, Lahore.
7. PS to Secretary Special Education Department.


(GHULAM FATIMA BANDIAL)
SECTION OFFICER (ESTT.)