



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER OF INQUIRY

No. SO(Estt)42-58/2019: WHEREAS, District Education Officer, Special Education, Lahore, communicated to the Director General of Special Education, Punjab, Lahore, regarding complaints received from various sources alleging unauthorized agricultural activities on the state-owned land of Govt. Shadab Village at Sharaqpur Sharif. In response to this communication, the Director General, Special Education, Punjab, Lahore, issued instructions to the Director (Monitoring), Directorate General of Special Education to conduct an on-site inspection and subsequently provide a report.

2. AND WHEREAS, Director (Monitoring), Directorate General of Special Education after visiting the site submitted inspection report alongwith pictorial evidence stating therein that land measuring 104 Kanal reserved for construction of Govt. Shadab Village for Mentally Retarded Persons is being cultivated by **Syed Nihal Mehdi**, Assistant (BS-16), previously posted at Govt. Deaf and Defective Hearing School for Girls, Chuburji, Lahore (*previously deputed as focal person Govt. Shadab Village at Sharaqpur*) (*under suspension*), presently reported to department ('accused official') alongwith 04 associates (private persons) in violation of the Govt. policy and the proceeds generated from said cultivation is being utilized by accused official for his personal enrichment. Accordingly, Director General Special Education, Punjab, Lahore recommended that disciplinary proceedings on the charges of inefficiency, misconduct and corruption be initiated against the accused official.

3. AND WHEREAS, the undersigned being the Competent Authority, under the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 ('Act'), in due consideration of the facts of the case, is of the opinion that there are sufficient grounds to proceed against **Syed Nihal Mehdi**, Assistant (BS-16), previously posted at Govt. Deaf and Defective Hearing School for Girls, Chuburji, Lahore (*previously deputed as focal person Govt. Shadab Village at Sharaqpur*) (*under suspension*), presently reported to department on the charges of inefficiency, misconduct and corruption under Section 3 of the PEEDA Act, 2006. I, therefore, order initiation of disciplinary proceedings through a regular inquiry against the accused officers under the Act *ibid* by appointing **Mr. Faryad Hussain (BS-18), District Education Officer (Special Education), Sargodha** as Inquiry Officer to proceed against the accused official in terms of Section 5 read with Section 9 of the Act *ibid*.

4. The Inquiry Officer will proceed against the accused official on the following charges of inefficiency, misconduct and corruption:

CHARGES AGAINST SYED NIHAL MEHDI

- i. The accused official was deputed as focal person for the oversight and management of retrieved land measuring 104 Kanal 8 Marla

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situated at Chak No. 23-UCC, Tehsil Sharaqpur, District Sheikhupura earmarked for construction of Govt. Shadab Village at Sharaqpur. Furthermore, the accused official was entrusted with the duty of engaging with relevant government departments falling under the jurisdiction of the district administration, Sheikhupura in connection with this land. Moreover, the accused official was explicitly tasked with the duty of safeguarding government assets and, in the event of any unauthorized intrusion, to promptly notify both the local administration and the department. However, the accused official failed to comply with these directives and neglected the execution of the responsibilities and functions that were assigned to him in the due course of his official duties.

- ii. Being focal person, it was duty of the accused official to abide by the rules and regulations of the Govt. but the accused official failed to exercise due diligence in the discharge of his duties. In clear breach of his assigned responsibilities, the accused official, motivated by personal gain for unjust enrichment and leveraging his official position, engaged in the unauthorized cultivation of crops on government-owned land in violation of Govt. policy. The accused official, in furtherance of this unlawful and unauthorized act and in pursuit of personal interests and gains, engaged the services of private individuals to undertake cultivation activities on the government-owned land since the year 2021 onwards.
- iii. The accused official remained involved in corrupt practices as he fraudulently indulged himself in misusing Govt. property/assets and resources to secure personal gains and advantages. The funds acquired by the accused official through the harvesting of the crops cultivated on the Govt. land have been willfully, dishonestly and fraudulently misappropriated.
- iv. The accused official, without obtaining prior approval/permission from the authority, undertook the installation of a tube well on government-owned land through the services of a private individual, namely Iftikhar. This installation was solely intended for the unlawful purpose of irrigating the crops that were illegally cultivated by the accused official on the government-owned land.

5. The accused official is directed to submit his written defense to the Inquiry Officer, within 07 days of the receipt of this order. If he fails to submit his written defense within the prescribed period, it shall be presumed that either he has no defence to offer or he has declined to offer the same and he has accepted the charges.

6. Deputy Director (Development), Directorate General of Special Education, Punjab, Lahore is appointed as Departmental Representative in terms of Section 9(1)(c) read with Section 12 of the Act *ibid*.

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7. In case, the accused official desire to consult any record on which the aforesaid charges are based or is relevant to the aforesaid charges, he 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 his 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 Saheed

(SAIMA SAEED)
SECRETARY to
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore the
October 27th/2023

NO. & DATE EVEN

A copy is forwarded to: -

1. The Director General, Special Education Punjab, Lahore.
2. The District Education Officer (Special Education), Gujranwala.
3. **Mr. Faryad Hussain** (BS-18), District Education Officer (Special Education), Sargodha / **Inquiry Officer**.
4. **Deputy Director (Development)**, Directorate General of Special Education, Punjab, Lahore / **Departmental Representative** is directed to ensure delivery of this order to the accused official through all possible means, provide complete relevant record to the Inquiry Officer and to the accused official, *if so requested by him*, and assist the Inquiry Officer on each and every date of hearing proceedings.
5. PS to Secretary Special Education Department.
6. Office order file.

[Signature]
SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT