

**REGISTERED**



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

**ORDER**

**No. SO(Estt.)10-429/2011. WHEREAS, Babar Sohail, ex- Headmaster (BS-18) / PHC Field, Govt. Special Education Centre, Shorkot, District Jhang filed appeal against the order dated 15.05.2023 passed by the Secretary, Special Education Department / Competent Authority whereby major penalties of "reduction to a lower post and pay scale from the substantive post for a period of 3 years" and "recovery of house rent and conveyance allowance w.e.f. 25.01.2021 to 31.08.2022 from the pay" were imposed upon the appellant under the PEEDA Act, 2006.**

**2. AND WHEREAS,** comments were obtained from the Administrative Department. **Mr. Nasir Iqbal Malik, Secretary, (Archives), S&GAD** was appointed as Hearing Officer to afford personal hearing to the appellant and submit a comprehensive 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 his appeal. He contended that he was proceeded against on the complaints of Muhammad Akram, and Ms. Yasmin Jawad. He stated that the complainant Ms. Yasmin Jawad, remained habitually absent and managed to initiate enquiry proceedings against him with the help of her connections in the department. He claimed that she used to come late and tried to mark her attendance. When the appellant refused to oblige her, he was made to suffer for that. He prayed that the impugned order dated 15.05.2023 might be set aside and he might be exonerated from the charges levelled against him.

**4. AND WHEREAS,** on the other hand, the Departmental Representative stated that the Director General Special Education, Punjab, Lahore initiated a Note for Secretary, Special Education Department dated 28.02.2021 wherein it was proposed that the appellant might be transferred from his present place of posting and directed to report to the department for further orders. Ms. Yasmin Jawad, Psychologist (BS-18/personal), Govt. Special Education Centre, Shorkot, District Jhang filed complaint dated 22.08.2022 against the appellant wherein allegations of unethical, irresponsible, non-professional behaviour and harassment were levelled against the appellant. Upon receipt of the said complaint, the Director General Special Education, Punjab, Lahore again initiated a Note for Secretary Special Education Department dated 19.09.2022 wherein it was proposed that the appellant might be transferred and a regular inquiry initiated against him on the charges of misconduct. In the meanwhile, another person, Mr. Muhammad Akram filed complaint against the appellant containing allegations of non-provision of stipend to the special children for last 02 years and misbehaviour with parents of the special children, illegal residence of the appellant on the premises of the centre since the date of his posting without prior permission / deduction of monthly house rent as well as conveyance allowance and use of air conditioner after office hours for personal use by the appellant. Upon receipt of the complaint, a probe was conducted

by the District Education Officer (Spl. Edu.), Faisalabad through a committee comprising Mr. Zahid Imran, Principal, Govt. Degree College of Special Education, Faisalabad as Convener and Mrs. Misbah Khursheed, Headmistress, Govt. Special Education Centre, Toba Tek Singh as Member but due to non-cooperative behaviour of the appellant with the Probe Committee, the District Education Officer (Spl. Edu.), Faisalabad, *vide* letter dated 28.09.2022, requested that regular inquiry proceedings might be initiated against the appellant. Subsequently, the Director General Special Education, Punjab, Lahore initiated a Note for Secretary, Special Education Department dated 14.10.2022 for initiation of the disciplinary action against the appellant under PEEDA Act, 2006 on the charges of misconduct and inefficiency and further recommended that the appellant might be transferred on administrative grounds and directed to report to the department. Afterwards, the Secretary Special Education, *vide* order dated 02.12.2022, directed the appellant to report to department on administrative grounds and *vide* order dated 16.12.2022, substituted *vide* order dated 10.01.2023, initiated disciplinary proceedings against the appellant on the charges of misconduct and inefficiency under Section 5 read with Section 9 of the PEEDA Act, 2006 by appointing Mr. Muhammad Ali Gohar, Principal (BS-19), Government Higher Secondary School of Special Education for Hearing Impaired, Sheikhpura as Inquiry Officer. The Inquiry Officer concluded that all the charges stood fully proved. A Show Cause-cum Personal Hearing Notice was issued to the appellant with the direction to submit his additional defence and appear for personal hearing on 10.04.2023. After following the due process, the Secretary Special Education imposed the impugned penalties on the appellant *vide* order dated 15.05.2023.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering arguments presented by the appellant and report of the Hearing officer, it is observed that the appellant did not perform his duties efficiently. The quantum of his offences is huge. The Secretary Special Education Department / Competent Authority has therefore rightly imposed the impugned penalty upon the appellant, on proven charges of inefficiency and misconduct. The appellant could not produce any material to rebut the evidence already available on record. Thus, he failed to substantiate his stance in the appeal.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, do hereby **reject** the appeal of **Babar Sohail**, being devoid of merit and substance.

-sd-

**(ZAHID AKHTAR ZAMAN)**  
**CHIEF SECRETARY, PUNJAB**

Dated: Lahore the 7<sup>th</sup> 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 03.11.2023.

4. **District Education Officer (Special Education), Faisalabad** 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, Shorkot, District Jhang** to ensure delivery of this order to the appellant at his residential address under intimation to this department.
6. **Appellant concerned / Mr. Babar Sohail**, Headmaster (BS-17+10%) (PD Field), previously posted at Govt. Special Education Centre, Shorkot, District Jhang, presently reported to department. **Resident of House No. 176 HA, Number 5, Hussainabad, Mian Channu, District Khanewal and Basti Shadyana Chabutra Aada, PO Rang Pur, Tehsil and District Muzaffargarh.**
7. PS to Secretary Special Education Department.

  
(GHULAM FATIMA BANDIAL)  
SECTION OFFICER (ESTT.)

**REGISTERED**



**ORDER**

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

**No. SO(Estt.)20-192/2020. WHEREAS, Arooj Fatima, ex-Speech Therapist (Contract), Govt. Special Education Center, Attock filed appeal against order dated 31.07.2023 passed by the Secretary, Special Education / Competent Authority whereby major penalty of "removal from service" was imposed upon the appellant under the PEEDA Act 2006, read with Clause 3(XVIII)(8) of the Contract Appointment Policy, 2004.**

**2. AND WHEREAS,** comments were obtained from the Administrative Department. **Mr. Mubashar Ahmad Khan, Member-III (Inquiries), S&GAD** was appointed as Hearing Officer to afford personal hearing to the appellant and submit a comprehensive report to arrive at a definitive decision.

**3. AND WHEREAS,** the Member-III (Inquiries), 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 and contended that she applied for extra-ordinary leave having gynae and medical problems through application dated 24.02.2022, which was not approved. She resumed her duties on 23.05.2022. The pregnancy issues created hurdles in her way, therefore, she again applied for casual leave on 30.05.2022 as doctors advised her complete bed rest. She further contended that due to high risk of pre-mature birth of her baby, she applied for maternity leave w.e.f. 02.09.2022 but the Headmistress called her back on duties. She joined duties after the delivery but the Headmistress did not let her mark the attendance and the department proceeded against her on the allegation of willful absence from duty. The appellant prayed that the impugned order dated 31.07.2023 might be set aside and she be reinstated into service with all consequential benefits. She further prayed that her service might be regularized from the date of her initial appointment.

**4. AND WHEREAS,** on the other hand, the Departmental Representative stated that the appellant despite the rejection of the leave application for 69 days w.e.f. 14.03.2022 to 21.05.2022, remained absent from duty unauthorizedly. The appellant joined her duties on 21.05.2022 and attended the Center till 29.05.2022. She again absented herself without prior approval of the Competent Authority w.e.f. 30.05.2022 to 26.10.2022 and joined duties on 27.10.2022. The Secretary, Special Education / Competent Authority initiated disciplinary proceedings against the appellant under the PEEDA Act 2006 and issued the show-cause notice dated 28.10.2022. The appellant did not submit a reply, however, she was afforded a personal hearing by the Additional Secretary of Special Education. Subsequently, she submitted a reply on 31.11.2022, which was found unsatisfactory. The Hearing Officer submitted a report that it was difficult to reach a logical conclusion. Therefore, a regular inquiry was initiated on the charge of misconduct, and Mr. Muhammad Mushtaq, Principal, Government Secondary School for Hearing Impaired (Boys), Mianwali was appointed as Inquiry Officer. The Inquiry Officer submitted the report to the effect that the charges stood fully proved and recommended imposition of the impugned penalty. The Secretary, Special Education /

Competent Authority issued a show cause-cum personal hearing notice dated 20.06.2023 and after affording a personal hearing, imposed the impugned penalty upon the appellant, vide order dated 31.07.2023.

5. **AND WHEREAS**, after examining the record/material available in the case file, considering the arguments presented by the appellant and the report of the Hearing Officer, it is observed that the appellant was appointed on a contract basis for five years and her services were governed under the Contract Appointment Policy, 2004. The terms and conditions contained in the offer of appointment, dated 04.12.2020, were duly accepted by the appellant at the time of joining service. She remained absent from duty for more than seven months unauthorizedly. According to the Contract Appointment Policy 2004, "leave on medical grounds without pay shall be admissible on the production of medical certificate by the Competent Authority as per Punjab Medical Attendance Rules, 1959, however, if medical leave continues beyond 03 months, her contract shall be liable to be terminated." Therefore, the Secretary, Special Education / Competent Authority rightly imposed the impugned penalty upon the appellant, under the law. The appellant could not produce any material to rebut the evidence already available on record. Thus, she failed to substantiate her stance in the appeal.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, in exercise of powers conferred upon me under Section 16 of the PEEDA Act 2006, do hereby **reject** the appeal of **Arooj Fatima**, being devoid of merit and substance.

-sd-

**(ZAHID AKHTAR ZAMAN)**  
**CHIEF SECRETARY, PUNJAB**

Dated: Lahore the 7th 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 03.11.2023.
4. **District Education Officer (Special Education) Rawalpindi** to ensure delivery of this order to the appellant under intimation to this department.
5. **Incharge Headmistress, Govt. Special Education Centre, Mansar, District Attock** to ensure deliver of this order to the appellant under intimation to this department.
6. **Appellant / Ms. Arooj Fatima**, Speech Therapist (BS-17), previously posted at Govt. Special Education Centre, Mansar, District Attock. Resident of House No. 180, Q-Block, Extension, Model Town, Lahore.
7. **PS to Secretary Special Education Department.**

**(GHULAM FATIMA BANDIAL)**  
**SECTION OFFICER (ESTT.)**