

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt)40-581/2021. WHEREAS, through this order, representation filed by Ms. Aneeta Zulfiqar, Junior Special Education Teacher (H.I Field / BS-16), Govt. Special Education Centre, Phalia, District Mandi Baha-ud-Din ('representationist') for expunction of adverse remarks recorded in her Performance Evaluation Reports ('PERs') for the period w.e.f. 13.02.2021 to 31.12.2021 and 01.01.2022 to 29.04.2022 shall be decided.

2. AND WHEREAS, Syeda Sanya Arshad, Senior Special Education Teacher (BS-17 / H.I Field), ex-Incharge Headmistress, Govt. Special Education Centre, Phalia, District Mandi Baha-ud-Din presently posted at Govt. Special Education Centre, Malakwal, District Mandi Baha-ud-Din ('Reporting Officer') recorded the following adverse remarks in Part-I, Part-II & Part-III of the PERs in respect of representationist for the following periods in her capacity as Reporting Officer:

| Sr. No. | Period | Remarks |
|---------|--------------------------|---|
| 1. | 13.02.2021 to 31.12.2021 | Part-I <u>Integrity</u> "Reported to be corrupt" Part-II <u>Overall Grading</u> "Below Average" Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful" |
| 2. | 01.01.2022 to 29.04.2022 | Part-I <u>Integrity</u> "Reported to be corrupt" Part-II <u>Overall Grading</u> "Below Average" Part-III <u>Usefulness for Retention / Extension in Service</u> "Not useful" |

3. AND WHEREAS, the above referred adverse remarks alongwith a copy of PERs were communicated to the representationist vide letter dated 24.10.2024, for filing representation for expunction of the said adverse remarks, *if deemed necessary*.

Subsequently, the representationist filed representation dated 21.11.2024 with the request to expunge the adverse remarks recorded in her PERs.

4. **AND WHEREAS**, the Reporting Officer was directed vide letter dated 24.10.2024 to submit reasons / justifications alongwith documentary evidences for recording adverse remarks in the PERs of the representationist. Accordingly, the Reporting Officer vide letter dated 01.11.2024 submitted reasons / justifications leading to recording of such adverse remarks.

5. **AND WHEREAS**, in order to decide the representation, it was decided to afford an opportunity of personal hearing to the representationist in presence of all concerned and for said purpose, **Deputy Secretary, Special Education** was appointed as **Hearing Officer**. The Hearing Officer after affording opportunities of personal hearing to the representationist in presence of all concerned submitted report of hearing proceedings stating therein that during the course of personal hearing PERs record of the representationist was thoroughly examined in presence of all concerned and it has been observed that the representationist was appointed in the year 2021 on contract basis for a term of five years and posted at Govt. Special Education Centre, Phalia District Mandi Baha-ud-Din. The PERs for the periods from 13.02.2021 to 31.12.2021 and 01.01.2022 to 29.04.2022 contains adverse remarks. Whereas as per PERs for the period from 30.04.2022 to 31.08.2022, 01.09.2022 to 31.12.2022, 01.01.2023 to 31.12.2023 and 01.01.2024 to 31.03.2024, the performance of the representationist is satisfactory. The Reporting Officer contends that these adverse remarks were due to the representationist's conduct, performance, attitude towards official duties, and behaviour. During the course of personal hearing, the Reporting Officer acknowledged the representationist's punctuality and diligent performance of assigned duties. Furthermore, there is no indication in the record that any counseling or warning was issued to the representationist to address the alleged misconduct.

6. **AND WHEREAS**, after examining/considering the record, representation of the representationist, reply filed by Reporting Officer and report of Hearing Officer, it is noted that adverse remarks serve to highlight deficiencies or shortcomings in an employee's work quality, performance, or conduct. These remarks can significantly impact the reputation and overall perception of the individual. It has been observed that the recording of adverse remarks in an officer's PER necessitates robust justifications, which are lacking in this case. The adverse remarks documented in the

representationist's PERs are deemed unreasonable, irrelevant, and influenced by extraneous factors, failing to align with the available record. The Reporting Officer herself does not contest the representationist's punctuality or her diligent execution of assigned duties. Analysis of the existing record indicates a shortage of sufficient documentary evidence against the representationist that would warrant the inclusion of such adverse remarks by the Reporting Officer.

7. **AND WHEREAS**, upon reviewing the adverse remarks and the justifications provided by the Reporting Officer, it is observed that the adverse remarks recorded by the Reporting Officer are generic, vague and lack specific instances to justify the opinions formed. Therefore, they do not meet the test of reasonableness. Record shows that the Reporting Officer awarded Ms. Aneeta Zulfiqar the "**Best Teacher Award**" on 03.12.2021 for her exemplary performance. This recognition contradicts the adverse remarks recorded in the PERs for the same period, which label her as "corrupt," "below average," and "not useful" for retention. Such inconsistency raises questions about the credibility and objectivity of the Reporting Officer's evaluation. The representationist has alleged that the adverse remarks were recorded due to a personal grudge. This allegation is supported by the fact that the Reporting Officer was under inquiry for inefficiency, misconduct and misappropriation of funds, and representationist had provided statements against her during the inquiry. Moreover, the Reporting Officer failed to provide any concrete documentary evidence to substantiate the adverse remarks, such as complaints from parents, students, or colleagues, or any disciplinary actions proposed to be taken against the representationist during her tenure. The absence of such evidence undermines the validity of the remarks.

8. **AND WHEREAS**, it is further observed that as per hearing report, during the personal hearing, the Reporting Officer made general statements about Ms. Aneeta Zulfiqar's "non-professional conduct" and alleged involvement in private business and corporal punishment but failed to provide any supporting documentation or specific incidents. Analysis of the available record shows that sufficient documentary material was not available against the representationist which could compel the Reporting Officer to record such adverse remarks. The Reporting Officer without any proof has recorded the integrity of the representationist as "reported to be corrupt". Whereas, the representationist role as a Junior Special Education Teacher is strictly limited to teaching responsibilities, with no financial or Drawing and Disbursing Officer (DDO) powers. Therefore, allegations of "corruption" in her role lack a foundational basis, as

she does not have access to funds or fiscal authority that could be misused. Based on the above findings, it is evident that the adverse remarks recorded in Ms. Aneeta Zulfiqar's PERs lack credibility, objectivity, and supporting evidence. The contradictions in the Reporting Officer's conduct, the absence of documentary evidence, and the procedural irregularities collectively indicate that the remarks were influenced by personal bias and not based on factual grounds.

9. **NOW, THEREFORE, I, Shahida Farrukh Naveed**, Secretary Special Education / Competent Authority in this case, *for reasons stated herein above*, am of the view that the afore-referred adverse remarks are un-justified, contrary to the record and not sustainable, as the available record does not provide basis or direct evidence for recording of such adverse remarks by the Reporting Officer. Neither has the Reporting Officer been able to substantiate the same with any reasoning or evidence nor any justifiable document or evidence has been put forth by the Reporting Officer to agree with his assessment. Therefore, the representation of the representationist for expunction of adverse remarks recorded in her PERs is hereby **allowed / accepted**. Consequently, impugned adverse remarks recorded in the PERs of the representationist for the period w.e.f. 13.02.2021 to 31.12.2021 and 01.01.2022 to 29.04.2022 stand expunged and scored out as to render these illegible.

Dated Lahore the
March 25 /2025

Shahida 25/3/25
(SHAHIDA FARRUKH NAVEED)
SECRETARY to
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

No. & Date even:

A copy is forwarded for information and necessary action to:-

1. The Director General, Special Education, Punjab, Lahore.
2. The District Education Officer (Special Education), Gujranwala.
3. Headmaster/Headmistress, Govt. Special Education Centre, Phalia.
4. Ms. Aneeta Zulfiqar, Junior Special Education Teacher (H.I Field / BS-16), Govt. Special Education Centre, Phalia, District Mandi Baha-ud-Din.
5. Syeda Sanya Arshad, Senior Special Education Teacher (BS-17 / HI Field), ex-Incharge Headmistress, Govt. Special Education Centre, Phalia, District Mandi Baha-ud-Din presently posted at Govt. Special Education Centre, Malakwal, District Mandi Baha-ud-Din
6. PS to Secretary, Special Education Department.

Shahida 25/3/25
SECTION OFFICER (ESTT.-II)
SPECIAL EDUCATION DEPARTMENT