

**PENALTY ORDER**

No. SO(ESTT)10-341/10. WHEREAS, Deputy Director (Monitoring), Directorate General of Special Education, Punjab, Lahore, forwarded a probe report dated 22.12.2023, concerning an incident at the Government Secondary School of Special Education for Hearing Impaired, Jalalpur Pirwala, involving damage to the biometric attendance machine. Resultant to the probe, conducted by the District Education Officer (Special Education), Multan, it was found that staff conflicts among the staff and personal grudges had created an unhealthy environment within the institution. Staff members accused one another of the damage. The school's CCTV system had been non-functional for 15 days due to a faulty DVR charger, and no footage was available to assist the probe. **Mr. Muhammad Tayyab**, Senior Special Education Teacher (Hearing Impaired Field / BS-17) / Incharge Principal, Govt. Secondary School of Special Education for Hearing Impaired, Jalalpur Pirwala (**'accused officer'**) failure to address this issue, despite the lack of screen display, was deemed negligent. Furthermore, irregularities in the attendance register were discovered, including granting casual leaves beyond the prescribed limit and possible malpractice in leave administration. In light of these findings, it was recommended that disciplinary action under the PEEDA Act, 2006, against the accused officer for misconduct and inefficiency.

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 of inquiry dated 05.12.2024 by appointing **Ms. Ghazia Sehar**, Headmistress, Govt. Special Education Centre, Mian Channu, District Khanewal as Inquiry Officer on the following charges of inefficiency and misconduct:

- i. During the tenure of the accused officer as Incharge Principal of the Centre, the biometric attendance machine of the Centre, was damaged. The officer failed to ensure its safe custody and protection, which was a fundamental aspect of his responsibility. This negligence in safeguarding vital institutional equipment directly contributed to its damage and reflects inefficiency in the accused officer's performance of duties. The accused officer's failure to take appropriate measures to prevent this damage constitutes a serious lapse in maintaining the integrity of the Center's operational infrastructure.
- ii. The accused officer failed to ensure the operational status of CCTV cameras and security system within the institution and CCTV cameras remained nonfunctional for 15 days. Despite being aware of their malfunction, the accused officer neglected to take timely corrective actions, thereby compromising the security of both the

students and the institution. This negligence directly contributed to the failure in identifying the individual responsible for damaging the biometric attendance machine, as the CCTV footage was unavailable for review due to non-operational cameras. The accused officer's failure to uphold these critical security measures represents a serious breach of duty.

- iii. Under the supervision of the accused officer, there have been multiple instances of casual leave being granted beyond the prescribed annual limit. For example, Ms. Hubab Malik, Psychologist, was granted more than 25 casual leaves, exceeding the admissible limit. Moreover, discrepancies in attendance records have been noted, including blank entries in the register (e.g., the cell for 27.10.2023), suggesting potential malpractice or deliberate omissions in the leave management system. These actions, or lack thereof, indicate poor oversight and mismanagement of administrative processes concerning staff attendance, which falls under the direct responsibility of the accused officer.
- iv. The accused officer failed to adequately manage official responsibilities related to the administrative functioning of the Center. Specifically, the officer did not take appropriate steps to resolve ongoing conflicts among staff members, which contributed to a toxic and unhealthy work environment. This inability to foster a collaborative and professional atmosphere negatively impacted the overall functioning of the institution and undermined the well-being and morale of its staff. The accused officer's lack of leadership and failure to mediate or resolve conflicts is a serious dereliction of duty, directly affecting the institution's operational integrity.

3. **AND WHEREAS**, the Inquiry Officer after conducting thorough inquiry proceedings, strictly in accordance with the mandate of Act *ibid*, submitted inquiry report and recommended imposition of minor penalty of "**withholding of annual increments for a period of two years**" under Section 4(1)(a)(ii) of the PEEDA Act, 2006 upon the accused officer.

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 her to submit additional defence, *if any*, and also to appear before Additional 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 before the hearing proceedings the accused officer submitted additional defense reply and, during the hearing proceedings, while reiterating the stance taken by him during inquiry proceedings and in additional defense replies *inter alia*, contended that the charges levelled against him are against the facts and record. During the course of personal hearing proceedings, he stated that he had taken charge only one month before the incident and was mainly

focused on maintaining the cleanliness of the school. Because of this, he couldn't pay attention to the biometric machine, which had stopped working. He also stated that he was not aware that the security cameras were not working and further maintained that it was not intentional. He also added that he had installed three more cameras, but since he did not have technical knowledge, he couldn't realize that they were not functioning properly. Moreover, the accused officer admitted that there was a mistake in granting casual leaves. He accepted that a blank entry was found in the register for 27.10.2023, but said the mistake was not done on purpose. He also explained that when the total number of casual leaves was calculated at the end, it crossed the allowed limit of 25. Lastly, he stated that he tried his best to manage his official duties, but some mistakes happened. He apologized for those and requested that 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 were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006 and statements of all concerned were recorded. The Departmental Representative further stated that charges of inefficiency & misconduct stood proved against the accused officer. He further stated that the accused officer has admitted charges and justifications provided are not plausible, hence carry no weight. He further stated that penalty proposed by the Inquiry Officer commensurates with the guilt of the 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 "withholding of annual increments for a period of two years" under Section 4(1)(a)(ii) of the PEEDA Act, 2006 upon the accused officer is in accordance with law and also commensurates with magnitude of guilt of the accused officer.

7. **AND WHEREAS**, upon careful examination of the findings and recommendations of the Inquiry Officer, the additional defense reply submitted by the accused officer, the report of the Hearing Officer, and the available record on file, it is evident that as per findings of Inquiry Officer the charges levelled against the accused officer stood proved. Pertinently perusal of findings of the Inquiry Officer shows that same are based on cogent, convincing and confidence inspiring evidence, credibility of which has not been questioned by the accused officer during hearing proceedings. After thorough examination of record and after evaluating the statements of all concerned recorded during course of inquiry proceedings it is found that the accused officer failed to perform his duties efficiently and diligently.

8. **AND WHEREAS**, with regards to the charges levelled against the accused officer, it is observed that the evidence establishes beyond doubt that the biometric attendance machine, a *critical piece of institutional infrastructure*, was damaged during the tenure of the accused officer. The accused officer's failure to ensure its protection and secure operation represents gross negligence. His defense, blaming a predecessor and citing his short tenure, lacks merit and is legally untenable. The doctrine of vicarious responsibility mandates that a serving Principal bears ultimate administrative accountability for assets under his direct supervision.

His failure to report, investigate, or seek repair not only confirms a breach of duty but demonstrates a wilful disregard for institutional protocols and administrative prudence. The charge No. 1 is, therefore, proven.

9. **AND WHEREAS**, in view of findings of the Inquiry Officer, it is deeply alarming that the CCTV system, *a first line of defense in ensuring campus safety*, remained non-functional for over two weeks. The accused officer admitted ignorance of this fact and pleaded lack of technical knowledge. However, such a plea of ignorance is neither reasonable nor excusable for a person holding a supervisory and administrative position. Ignorance of one's professional obligations does not mitigate liability, it compounds it. His admitted failure to ensure functionality of newly installed cameras, or to undertake remedial measures, underscores administrative laxity and systemic inefficiency. The consequences of such neglect are profound, particularly in an institution meant for vulnerable children requiring special protection. The charge No. 2 is, accordingly, proved. It is also established during the inquiry proceedings through credible documentation, and admitted by the accused officer, that casual leaves exceeding statutory limits were allowed to certain staff members. The blank entry in the register dated 27.10.2023 and overall leave mismanagement strongly point to dereliction of duty. These are not minor clerical oversights but symptoms of systemic administrative decay that occurred under his watch. His admission of "mistakes" without corrective action, or institutional checks, further validates the allegation. The charge No. 3 stands proved on both documentary and admission-based evidence.

10. **AND WHEREAS**, with regards to charge No. 4, it is observed that the findings of the Inquiry Officer confirm that the institution under the accused officer's charge was plagued by personal grudges and groupings among staff, creating an unhealthy, conflict-ridden environment. His inability to mediate or address the grievances reflects a stark absence of leadership capacity. An administrator's primary duty is to maintain functional cohesion among staff; failure to do so undermines institutional efficacy and morale. The accused officer's plea of being helpless due to a pressure group, rather than mitigating his liability, exposes a complete abdication of administrative responsibility. The charge No. 4 is, therefore, fully proved.

11. **AND WHEREAS**, it is further observed that the accused officer's defense throughout the hearing proceedings, and in the additional defense reply, amounts to generalized denials, unsubstantiated excuses, and pleas of ignorance and helplessness. None of these rises to the level of a plausible or legally sufficient rebuttal of the specific charges. The accused officer has not presented contrary evidence but have asserted that many remedial actions have been taken by him for rectification of the issues. His admission to key failings only strengthens the case against him but the efforts put forth by him are mitigating factors.

12. **NOW THEREFORE**, I, **Shahida Farrukh Naveed**, 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 magnitude 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

Shahida

Act, 2006, minor penalty of "withholding of annual increments for a period of two years" under Section 4(1)(a)(ii) of the PEEDA Act, 2006 is hereby imposed upon the accused officer.

Shahida 30/4/2025

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

Dated Lahore, the
April 30th, 2025

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 Accounts Officer, Multan.
4. District Education Officer (Special Education), Multan to ensure delivery of this order to the accused officer and implementation of the penalty under intimation to this department.
5. Principal, Govt. Secondary School of Special Education for Hearing Impaired, Jalalpur Pirwala to ensure delivery of this order to the accused officer and implementation of the penalty under intimation to this department.
6. Accused officer concerned / **Mr. Muhammad Tayyab**, Senior Special Education Teacher (Hearing Impaired Field / BS-17) / Incharge Principal, Govt. Secondary School of Special Education for Hearing Impaired, Jalalpur Pirwala.
7. PS to Secretary Special Education Department.

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