

**ORDER**

SO(Estt)10-391/2010: WHEREAS, Ms. Sidra Munib, Senior Special Education Teacher (MC Field / BS-17), previously posted at Government Shadab Training Institute for MCC, Lahore, and resident of House No. 2-A, Street No. 14, Sanat Nagar, Dev Samaj Road, Lahore ("accused officer"), was granted 365 days of ex-Pakistan Study Leave vide order dated 14.10.2022. The said leave was subsequently extended for an additional period of 270 days, covering 16.10.2023 to 31.07.2024, through order dated 11.03.2024, with explicit directions to report back to the Special Education Department immediately upon the expiry of the approved leave. Upon the conclusion of the extended leave period, the accused officer was under an unequivocal obligation to resume duty on 01.08.2024. However, instead of complying with these instructions, she submitted an application seeking 365 days of Extraordinary Leave (EOL) without pay, for the period from 01.08.2024 to 31.07.2025. Said request for EOL was duly examined and regretted vide letter dated 01.11.2024 and directed the accused officer to immediately report for duty. In the same communication, she was categorically informed that non-compliance with the directive would not only attract disciplinary action under applicable laws but also render her liable to refund Rs. 200,000/- to the Government Treasury in accordance with the terms and conditions of the agreement executed at the time of availing study leave. Despite issuance of four (04) formal reminders, the accused officer failed to submit any compliance report or join her duties. Instead, she submitted her resignation directly to the department without providing the requisite supporting documents, particularly no dues clearance and reporting back to duty as mandated under the prevailing rules. It is pertinent to refer to Paragraphs 5 and 6 of the Guidelines regarding acceptance of resignation, issued by the Regulation Wing, Services & General Administration Department (S&GAD), vide letter dated 10.10.2013, which clearly stipulate that an official availing leave of any kind, whether within or outside the province, must first resume duty, clear all financial and administrative liabilities, and only thereafter may tender resignation for consideration. Resignation submitted in deviation of these conditions shall not be tenable or acceptable. In light of the above, the resignation submitted by the accused officer was not entertainable. Moreover, her failure to resume duties upon expiry of sanctioned leave, despite repeated instructions and warnings, constitutes unauthorized absence from duty.

2. AND WHEREAS, keeping in view willful absence of the accused officer and on account of sufficient documentary evidence on record, *while dispensing with regular inquiry under Section 5(1)(b) of PEEDA Act, 2006 ('Act')*, disciplinary proceedings were initiated against the accused under Section 7(b) read with Section 5(1)(a) of the Act *ibid* vide Show Cause Notice dated 27.02.2025 on the following charge of misconduct on account of absence from duty;

***"You were allowed 365 days Ex-Pakistan Leave vide order dated 14.10.2022. The Ex-Pakistan Leave was subsequently extended for 270 days w.e.f. 16.10.2023 to 31.07.2024 with the direction to report to***

*this Department after expiry of leave vide order dated 11.03.2024. After the expiration of the said leave, you were bound to report to Special Education Department on 01.08.2024 but you failed to do so. Hence, you have been found willfully absent from your duties w.e.f. 01.08.2024 till to date without any intimation or prior permission / approval of leave by the Competent Authority."*

3. **AND WHEREAS**, through Show Cause Notice dated 27.02.2025, the accused officer was directed to submit her written reply within seven (07) days. In compliance, the accused officer submitted her written reply, which was duly examined but found unsatisfactory and unconvincing. Accordingly, in order to proceed further in accordance with law, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the PEEDA Act, 2006, with the direction to appear before the Competent Authority on 13.05.2025. However, the accused officer failed to appear on the said date. In the interest of justice and fair play, a second opportunity of personal hearing was extended to the accused officer, directing her to appear on 09.07.2025. Despite due service of personal hearing notices at her residential address and electronic communication through her official email address, the accused officer once again failed to appear and did not offer any justification for her non-appearance.

4. **AND WHEREAS**, after having considered all aspects and material available on record, it is observed that the accused officer, Ms. Sidra Munib, was initially appointed as Senior Special Education Teacher (BS-17) on contract basis for a period of five years and was posted at Government Shadab Training Institute for M.R., Lahore, vide order dated 04.01.2011. Her services were subsequently regularized. The record reveals that the accused officer was granted 365 days of ex-Pakistan Study Leave vide order dated 14.10.2022, which was later extended for an additional period of 270 days (from 16.10.2023 to 31.07.2024) through order dated 11.03.2024, with explicit instructions to report back to the Special Education Department immediately upon the expiry of the sanctioned leave. Upon conclusion of the extended leave period, the accused officer was under a clear and binding obligation to resume her duties on 01.08.2024. However, instead of complying with this directive, she submitted an application for the grant of 365 days of Extraordinary Leave (EOL) without pay, covering the period 01.08.2024 to 31.07.2025. Said request for EOL was duly examined and regretted by the Competent Authority vide letter dated 01.11.2024, whereby she was categorically directed to immediately resume duty. She was also informed that failure to comply would result in disciplinary action under the applicable laws and would further render her liable to refund Rs. 200,000/- to the Government treasury, in accordance with the terms and conditions of the executed study leave agreement. Despite the issuance of four (04) formal reminders, the accused officer neither submitted any compliance report nor resumed her duties. Her persistent defiance and non-responsiveness clearly reflect a willful disregard of official directives. The record unequivocally establishes that the accused officer has remained unauthorizedly and willfully absent from duty for a continuous period of over eleven (11) months. Her conduct, characterized by prolonged unauthorized absence, blatant disregard for departmental instructions, and failure to discharge her official obligations, is not only grossly irresponsible but also prejudicial to public service discipline. Such behavior is unbecoming of a Government servant and constitutes gross misconduct, squarely falling within the ambit of Section 2(n)(vii) of the PEEDA Act, 2006.

5. **AND WHEREAS**, the accused officer was afforded multiple opportunities of personal hearing, with specific directions to appear before the undersigned on 13.05.2025 and 09.07.2025. Despite service of hearing notices at her residential address, uploading on the official department website, transmission via official email, and delivery through the concerned District Education Officer (Special Education) and Headmistress, the accused officer failed to appear on all scheduled dates. This conduct indicated an intentional avoidance of the proceedings and lack of any justifiable defence. The record further reveals that instead of complying with official directions or rejoining duty, the accused officer tendered her resignation, *while being on unauthorized absence*, in this regard, reference is made to the instructions issued by the Services & General Administration Department (S&GAD), Government of the Punjab, vide Circular No. SORI(S&GAD)2-2/2012 dated 10.10.2013, which, in Paragraph 6, categorically stipulate that resignation of an employee availing leave can only be accepted if:

- i. *Where the employee tendering resignation addresses his application to the authority, competent to accept his resignation.*
- ii. *The resignation is not tendered as a protest. The officer / official expresses his own sweet to resign from service.*
- iii. *There is no financial or any disciplinary liability against the official tendering the resignation.*
- iv. **An official availing leave of any kind within or outside the province will have to come back and then tender his resignation after clearing the accounts.**
- v. *An official who is on deputation to some other organization or a foreign country should submit his resignation after reporting back to the parent department."*

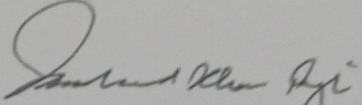
In the present case, the resignation tendered by the accused officer fails to satisfy the above conditions, particularly Clauses (iii) and (iv). The accused officer has not resumed duty after availing leave, and disciplinary liability exists against her. Therefore, her resignation is not tenable under the prescribed rules and cannot be accepted.

6. **AND WHEREAS**, upon careful examination of the entire record, it is observed that although the accused officer has deposited an amount of Rs. 200,000/- into the Government Treasury, in accordance with the terms and conditions of the agreement executed at the time of availing study leave, such deposit does not exonerate her from the charge of misconduct arising out of her unauthorized absence from duty, which otherwise stands fully established on the basis of the available record. It is further noted that no extenuating or mitigating circumstances have been presented by the accused officer, nor do any such circumstances exist on record, which could justify or explain her failure to resume duty upon the expiry of sanctioned leave. It is a settled principle that absence from duty without the prior approval or sanction of the Competent Authority amounts to misconduct, as envisaged under Section 2(n)(vii) of the PEEDA Act, 2006, and constitutes culpable and willful misconduct warranting disciplinary action.

7. **NOW THEREFORE**, I, **Muhammad Khan Ranjha**, Secretary Special Education / Competent Authority in the instant case, having considered all facts, the relevant provisions of law, and the conduct of the accused officer, do hereby hold that the charge of misconduct stands fully **proved** against the accused officer, on account of

unauthorized absence from duty w.e.f. 01.08.2024 to date, spanning more than eleven (11) months. Her indifferent and non-serious approach toward her official responsibilities, repeated non-compliance with departmental directions, and avoidance of disciplinary proceedings clearly indicate that she has no intent to continue in government service. Her continued retention is not only undesirable but also detrimental to the interests of the department and the special students she was employed to serve. Therefore, *keeping in view the gravity of proven charge and in exercise of powers vested upon me under the PEEDA Act, 2006 and for reasons recorded hereinabove*, major penalty of "**Removal from service**" in terms of Section 4(1)(b)(v) of the Act *ibid* is hereby imposed upon the accused officer.

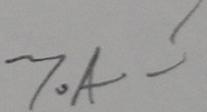
Dated Lahore the  
August, 08, 2025

  
(MUHAMMAD KHAN RANJHA)  
SECRETARY  
GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

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. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Lahore to ensure delivery of this order to the accused officer on her official and residential address under intimation to this department.
5. Principal / Headmaster / Headmistress, Govt. Shadab Training Institute of Special Education (M.C), Lahore to ensure deliver of this order to the accused officer on her official and residential address under intimation to this department.
6. Accused officer concerned / Ms. Sidra Munib, Senior Special Education Teacher (MC Field / BS-17), previously posted at Government Shadab Training Institute for MCC, Lahore, and resident of House No. 2-A, Street No. 14, Sanat Nagar, Dev Samaj Road, Lahore.
7. P.S. to Secretary Special Education Department.
8. Office File.

  
SECTION OFFICER (ESTT.-I)  
SPECIAL EDUCATION DEPARTMENT