

**ORDER**

No. SO(Estt)3-506/2022. WHEREAS, Director General Special Education, Punjab, Lahore vide Note dated 26.12.2023 apprised that Ms. Shumaila Khan, (BS-18), District Education Officer (SE), Rawalpindi ('accused officer No.1') informed on 08<sup>th</sup> December, 2023 that guardian of a visually impaired student of Govt. Qandeel Secondary Special School for Visually Impaired, Rawalpindi ('school') alleged molestation of her nephew namely Moiz Arshad, who was studying in class 9<sup>th</sup> in the aforementioned school. As per Note, accused officer No. 1 further informed that she handled the matter and the guardians of student Moiz Arshad, will not report this issue in police station or in media. However, as per her report dated 11.12.2023, student Moiz Arshad was involved in immoral activities. Whereas, as per report of Mr. Pervaiz Akhtar, Headmaster (BS-18), presently posted as Incharge Principal, Govt. Qandeel School for Visually Impaired, Rawalpindi ('accused officer No. 2'), he did not send admission for annual examinations of 03 students of class 9<sup>th</sup> namely Moiz Arshad, Zain and Muhammad Sudais due to poor performance and consequent thereof guardians of student namely Moiz Arshad alleged molestation. As per accused officer No. 2 he expelled these students. Through Note, Director General Special Education, Punjab further apprised that the matter is of sensitive nature and both accused officers did not report the issue promptly and they tried to conceal facts. Lastly it was recommended that stern disciplinary action under PEEDA Act, 2006 may be initiated against the accused officers on the charges of inefficiency and misconduct.

2. AND WHEREAS, upon receipt of recommendations of Directorate General, Special Education, Punjab, Lahore, vide order dated 02.02.2024 disciplinary proceedings against the accused officers were initiated under the enabling provisions of the PEEDA Act, 2006 ('Act') on the following charges of inefficiency and misconduct by appointing by constituting an Inquiry Committee comprising following:

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| 1. | Mr. Ghulam Murtaza, Director (Admn) (BS-19), Directorate General of Special Education, Punjab, Lahore              | (Convener) |
| 2. | Ms. Khaula Munawar, Deputy Director (Curriculum) (BS-18), Directorate General of Special Education Punjab, Lahore. | (Member)   |

**CHARGES AGAINST MS. SHUMAILA KHAN**

1. The accused officer remained inefficient in discharging her official duties, as assigned to her, in befitting manner. Her monitoring remained very poor and she did not report the matter of molestation of student within the premises of the school promptly to higher authorities.

This is attributable to her failure to fulfill her responsibilities in a manner consistent with established standards.

2. The accused officer ordered to install camera in washroom after happening of the incidence of molestation of student which is against the ethical values. This act also tantamounts to gross misconduct.
3. The accused officer alongwith her statement also submitted written statement of guardian of student Moiz Arshad and thereby tried to establish that she has convinced the guardian of the student to hide the incidence of molestation. She did not bother to submit fact finding report despite clear instructions issued by Directorate General of Special Education. But upon strict directions of Director (Administration), she reported the incidence in writing mentioning contradictory events of matter. This act also depicts her inefficiency and misconduct.
4. The accused officer despite having knowledge of happening of incidence of molestation of student within the premises of school, with intention to safe guard the accused officer No. 2 did not recommend disciplinary action against him on account of his negligence.

#### **CHARGES AGAINST MR. PERVAIZ AKHTAR**

1. The accused officer has failed to devise a mechanism through which feedback could be obtained regarding safety of the Special Students during school hours and/or within the premises of the school.
2. The accused officer has shown poor administration, as he remained unable to monitor activities of special students within the premises of the school which reflects his sheer negligence and inefficiency.
3. The accused officer failed to fulfill responsibilities as Incharge Principal of the school as he tried to deliberately conceal real facts pertaining to the incident of molestation of special student and did not report the matter before the higher authorities well in time which tantamounts to grave misconduct.
4. Being Incharge Principal of the school, the accused officer had to lead from the front by setting compelling goals and expectations, align the resources for achieving those goals, lead for imparting quality education and rehabilitation services, build team and ensure an orderly and safe learning environment in the school but due to his loose administrative control, he failed on all fronts. Due to his inefficiency, conducive and safe environment for the special students could not be provided.
5. The performance of the accused officer remained subpar because he did not carry out his responsibilities in a suitable manner, *in accordance with applicable standards*, and failed to discharge his official duties. If the written stance submitted by the accused officer, that he expelled three students of 9<sup>th</sup> class from the school due to poor performance and did not send their admission due to their poor performance is taken as his statement even then he committed misconduct because he acted in violation of the policy of the department. The accused officer, *while violating the policy*, did not

send the admission of three students for annual examination of 9<sup>th</sup> class, assigning unjustifiable reason of poor academic performance. The accused officer also did not hold responsible any teaching staff for poor performance of three students which shows his mala fide.

3. **AND WHEREAS**, the Inquiry Committee after conducting inquiry into the charges submitted inquiry report. Following which, Show Cause-Cum Personal Hearing Notice was issued to the accused officers under Section 13(4) of the PEEDA Act, 2006 directing them to submit additional defense, if any, and also to appear for personal hearing before Additional Secretary, Special Education Department / Hearing officer nominated under Section 13 (4)(c) of the Act *ibid*. After hearing the accused officers in presence of Departmental Representative, Hearing Officer submitted report of hearing proceedings after which the case was remanded to the Inquiry Committee vide order dated 14.04.2025 for further proceedings.

4. **AND WHEREAS**, the Inquiry Committee, after conducting post-remand proceedings in accordance with the directions contained in the order dated 14.04.2025, submitted the inquiry report wherein it was concluded that all the charges of inefficiency and misconduct levelled against the accused officer No. 1 through the order of inquiry dated 02.02.2024 remained unsubstantiated. Accordingly, the Inquiry Committee recommended that the accused officer No. 1 may be exonerated of the charges. Whereas, with regard to accused officer No. 2, the Inquiry Committee was of the view that the charges against the accused officer No.2 have been substantiated, it is recommended that the major penalty of **'forfeiture of past 02 years' service** under Section 4(1)(b)(iii) of the PEEDA Act, 2006 may be imposed upon him.

5. **AND WHEREAS**, upon receipt of the inquiry report, Show Cause-cum-Personal Hearing Notice was issued to accused officer No. 2 under Section 13(4) of the PEEDA Act, 2006, directing him to submit additional written defence, *if any*, and to appear for personal hearing before the undersigned on 19.08.2025. In compliance, the accused officer No. 2 appeared and submitted an additional defence reply. During the course of hearing, while reiterating the stance already taken by him in his earlier replies and during inquiry proceedings, he, *inter alia*, contended that the charges levelled against him were contrary to the record, denied any mala fide on his part, and asserted that he had produced all relevant documents before the Inquiry Committee. He further argued that he had rebutted the allegations with cogent evidence, yet the Inquiry Committee failed to advance any persuasive reasoning for recommending the proposed penalty. He, therefore, prayed for exoneration from the charges being baseless and devoid of merit. On the other hand, the Departmental Representative submitted that the entire record relevant to the charges was duly provided to accused officer No. 2; that inquiry proceedings were conducted strictly in accordance with the provisions of the PEEDA Act, 2006; that statements of all concerned witnesses were recorded in presence of the accused officers; and that the charges of inefficiency and misconduct stood fully proved against accused officer No. 2. The Departmental Representative maintained that the penalty proposed by the Inquiry Committee commensurate with the guilt established, and that all contentions raised by the accused officer No. 2, both in writing and during hearing,

were meritless, fallacious, and stood rebutted by the record.

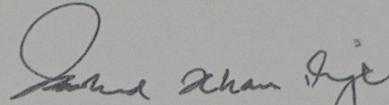
6. **AND WHEREAS**, after hearing the submissions of accused officer No. 2 and the Departmental Representative, and upon careful examination of the additional defence reply, the annexed documents, the inquiry report, and the recommendations of the Inquiry Committee, it has been observed that the inquiry was conducted in accordance with the provisions of the PEEDA Act, 2006; that due process of law was scrupulously followed; and that the accused officers were afforded full, fair, and adequate opportunity to present their defence. The findings of the Inquiry Committee are based on cogent, convincing, and confidence-inspiring evidence. On thorough perusal of the record and evaluation of witness statements, the charges of inefficiency and misconduct against accused officer No. 2 stand proved. It is further observed that no new or plausible evidence has been adduced by him during the personal hearing to dislodge or rebut the material already available on record. However, upon careful appraisal of the circumstances, it is noted that the penalty proposed by the Inquiry Committee is disproportionate and does not commensurate with the gravity of the established charges.

7. **AND WHEREAS**, as regards accused officer No. 1, Ms. Shumaila Khan, the Inquiry Committee, upon thorough scrutiny of the record and examination of witnesses, concluded that the charges against her remained unsubstantiated. The findings are duly supported by documentary evidence as well as oral testimony recorded during the inquiry proceedings. It is evident that despite a comprehensive examination of the record and statements of all concerned, nothing adverse was found to connect her with the commission of the alleged misconduct. The findings of the Inquiry Committee are consistent with the record and the recommendations made are in consonance therewith. Accordingly, the Committee has recommended her exoneration from the charges.

8. **AND WHEREAS**, with respect to accused officer No. 2, Mr. Pervaiz Akhtar, it is observed that the charges against him stood duly proved during the inquiry proceedings, supported by sufficient evidence. Nonetheless, the Inquiry Committee did not take into consideration his performance during his present posting, wherein he claimed to have significantly enhanced enrolment, contributed to the welfare of visually impaired students, and improved hostel facilities. While the guilt of the accused officer stands established, the penalty recommended by the Inquiry Committee appears unduly harsh and disproportionate to the misconduct proved. It is a settled principle of service jurisprudence that punishment should be proportionate, serving both deterrent and reformative purposes. Therefore, the proposed penalty warrants modification in order to ensure conformity with the principle of proportionality.

9. **NOW THEREFORE**, I, Muhammad Khan Ranjha, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case and recommendations of the Inquiry Committee, *for reasons stated herein above*, and in exercise of powers conferred under Section 13(5) of the PEEDA Act, 2006, do hereby order as follows:

- I. The charges of inefficiency and misconduct against accused officer No. 1, Ms. Shumaila Khan (BS-18), District Education Officer (SE), Rawalpindi, are held unproved. Accordingly, while concurring with the recommendations of the Inquiry Committee, she is hereby **exonerated** of all charges levelled against her vide Order of Inquiry dated 02.02.2024 under Section 13(3) of the PEEDA Act, 2006.
- II. The charges of inefficiency and misconduct against accused officer No. 2, Mr. Pervaiz Akhtar, Headmaster (BS-18), presently serving as Incharge Principal, Govt. Qandeel School for Visually Impaired, Rawalpindi, stand **fully proved**. However, while disagreeing with the recommendation of the Inquiry Committee on the quantum of penalty, and in exercise of powers vested in me under Section 13(5) read with Section 4 of the PEEDA Act, 2006, I hereby impose the minor penalty of **'withholding of increment for a period of one year'** under Section 4(1)(a)(ii) of the PEEDA Act, 2006.



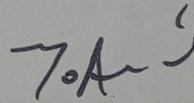
(MUHAMMAD KHAN RANJHA)  
SECRETARY  
GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
COMPETENT AUTHORITY

Dated Lahore, the  
August 28 /2025

No. & Date Even:

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

1. Director General, Special Education Punjab, Lahore.
2. District Accounts Officer, Rawalpindi.
3. District Education Officer (Special Education), Rawalpindi.
4. Accused officer No. 1 / Ms. Shumaila Khan, (BS-18), District Education Officer (SE), Rawalpindi.
5. Accused officer No. 2 / Mr. Pervaiz Akhtar, Headmaster (BS-18), presently posted as Incharge Principal, Govt. Qandeel School for Visually Impaired, Rawalpindi
6. PS to Secretary Special Education Department.



SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT

28/8/2025