

ORDER

No. SO(Estt)2-40/2008. WHEREAS, Ms. Kiran Ilyas, Instructor Physical Education (BS-17), Govt. Shadab Training Institute of Special Education (M.C), Lahore ('accused officer') was granted 64-days earned leave (on half pay) and 333-days of Extra Ordinary Leave (without pay) vide order dated 31.08.2022. Meanwhile, she submitted another application requesting therein for extension of Extra Ordinary Leave w.e.f 01.09.2023 to 31.08.2024 (365 days) which was allowed and she was granted 365-day extension in Extra Ordinary Leave (without pay) vide order dated 24.08.2023, with instructions to report to the Special Education Department after the expiry of said Leave. There-after, she again submitted an application for a grant of extension in EOL from 01.09.2024, to 31.08.2025 (365 days) (without pay) due to her health condition deteriorating daily. During the process, she was directed to provide the medical reports/supporting documents vide letter dated 19.09.2024 and subsequent reminders dated 07.10.2024, 30.10.2024, 14.11.2024, 03.12.2024, 15.01.2025 & 30.01.2025 but she failed to submit the medical documents and no response was received from her side. Hence, she was found willfully absent from duties w.e.f. 01.09.2024 to till-date.

2. **AND WHEREAS**, keeping in view the willful absence of the accused officer from duty w.e.f. 01.09.2024 till date, other ancillary and related facts of the case and on account of availability of sufficient documentary evidence on record, while dispensing with regular inquiry, disciplinary proceedings were initiated against the accused officer vide Show Cause Notice dated 03.04.2025 under Section 7(b) read with Section 5(1)(a) of the PEEDA Act, 2006 on the following charge of misconduct:

"You have been found willfully absent from your duties w.e.f. 01.09.2024 till to date without prior permission / approval of leave by the Competent Authority".

3. **AND WHEREAS**, through the above said Show Cause Notice, the accused officer was directed to submit written reply within 07-days but she did not do so. Therefore, in order to finalize the disciplinary proceedings, the accused officer was afforded an opportunity of personal hearing under Section 7(d) of the Act *ibid* and for said purpose directed to appear before **Mr. Sajjad Ahmad Khan, Additional Secretary Special Education / Hearing Officer** appointed under Section 7(d) of the Act *ibid* on 13.05.2025.

4. **AND WHEREAS**, the Hearing Officer submitted a detailed hearing report wherein it was stated that the accused officer failed to appear on the scheduled date of personal hearing, i.e., 13.05.2025, despite due service of notice at her residential

address. In the interest of justice and to ensure completion of hearing proceedings in accordance with law, a second opportunity of personal hearing was granted to the accused officer, directing her to appear on 29.05.2025. However, she again failed to appear. The Hearing Officer further reported that, in order to afford every possible opportunity, a final and last chance was granted by fixing the personal hearing for 12.06.2025, but the accused officer did not present herself on the said date as well. It was further stated that the notices of personal hearing were duly served at the accused officer's residential address, and copies thereof were also forwarded to the concerned District Education Officer (Special Education) and the Headmistress of her institution to ensure their delivery. In addition, the notices were uploaded on the official website of the department and were also sent to the official email address of the accused officer. The Hearing Officer observed that, despite compliance with all requisite legal, procedural, and codal formalities, the accused officer wilfully abstained from attending the hearing proceedings. Accordingly, the Hearing Officer concluded that the accused officer has been found guilty of misconduct on account of unauthorized absence from duty, and that the charge stands established. The Hearing Officer further opined that the deliberate and wilful non-appearance of the accused officer reflects her intent to evade the disciplinary process and cause undue delay in the conclusion of proceedings.

5. **AND WHEREAS**, after having considered all aspects and material available on record, including the report of the Hearing Officer, it is observed that the accused officer was initially appointed as Instructor Physical Education (BS-17) on contract basis for a period of five years and posted at Government Shadab Training Institute for M.R., Lahore, vide order dated 01.12.2008. Her services were subsequently regularized. The record reveals that the accused officer was granted 64 days earned leave (on half pay) and 333 days of Extra Ordinary Leave (EOL) without pay, vide order dated 31.08.2022. Thereafter, she submitted a request for further extension of EOL for the period 01.09.2023 to 31.08.2024 (365 days), which was allowed vide order dated 24.08.2023, with explicit instructions to report back to the Special Education Department upon the expiry of said leave. Subsequently, the accused submitted yet another application for extension of EOL for the period 01.09.2024 to 31.08.2025 (365 days), without pay. During the process of consideration, she was repeatedly directed to furnish updated medical documentation in support of her request through official letters dated 19.09.2024, and reminders issued on 07.10.2024, 30.10.2024, 14.11.2024, 03.12.2024, 15.01.2025, and 30.01.2025. Despite these formal communications, the accused officer failed to provide any supporting medical documents or respond to the department, and hence, was deemed willfully absent from duty w.e.f. 01.09.2024 to date. It is further observed that the accused officer failed to submit a written reply to the Show Cause Notice dated 03.04.2025. Clause 5 of the said notice explicitly stated:

"5. Your reply to Show Cause Notice should reach the undersigned, within the said period failing which it shall be presumed that you have no defence to offer and you have admitted the charge."

In light of the above clause and her failure to submit any defence, the charge against the accused officer stands admitted and proven. Furthermore, the record establishes

that the accused officer has remained willfully absent from duty for a period exceeding **eleven (11) months**, and her conduct has been found to be grossly irresponsible and prejudicial to service discipline. Her prolonged unauthorized absence and indifferent attitude toward her official duties is unbecoming of a government officer and constitutes gross misconduct.

6. **AND WHEREAS**, the accused officer was afforded multiple opportunities of personal hearing, with specific directions to appear before the Hearing Officer on 13.05.2025, 29.05.2025, and 12.06.2025. Despite service of hearing notices at her residential address, uploading on the official departmental 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. The Hearing Officer rightly concluded that 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 on 13.05.2025, during the pendency of disciplinary proceedings and 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:

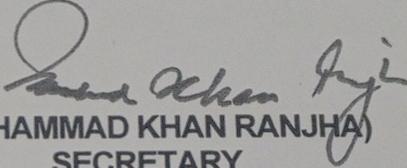
- i. *Where the employee tendering resignation addresses his application to the authority, competent to accept his resignation.*
- ii. *The resignation is not tendered as a protest. The officer / official expresses his own sweet will to resign from service.*
- iii. *There is no financial or any disciplinary 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.

7. **AND WHEREAS**, after careful scrutiny of the entire record, it is evident that no extenuating or mitigating circumstances have been presented or exist on record to justify the unauthorized absence. There is no cavil to the proposition that absence from duty without sanctioned leave from the Competent Authority amounts to misconduct, as defined under Section 2(n)(vii) of the PEEDA Act, 2006, and constitutes culpable and willful wrongdoing.

8. **NOW THEREFORE, I, Muhammad Khan Ranjha**, Secretary Special Education / Competent Authority in the instant case, having considered all facts, the findings of the Hearing Officer, 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. 01.09.2024 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.

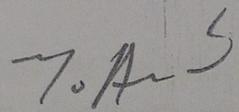
Dated Lahore the
July 15th, 2025


(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. Kiran Ilyas**, Instructor Physical Education (BS-17), Govt. Shadab Training Institute of Special Education (M.C), Lahore. **Resident of House No. 27, Street No.2, Siraj din Park Shadbagh, Lahore. Mobile No: 0345-4761038**
7. P.S. to Secretary Special Education Department.
8. Office File.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT

15/7/2025