

REGISTERED



ORDER

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT
31-Sher Shah Block New Garden Town, Lahore

No. SO(Estt.) 43-3/12. WHEREAS, Irshad Hussain Khan, Deputy Director (BS-18), Government Bahauddin Zakariya School for Special Education (MCC), Multan filed appeal against order dated 02.01.2025 passed by the **Secretary, Special Education Department** / Competent Authority whereby major penalty of "compulsory retirement" was imposed upon him under the **PEEDA Act, 2006**.

2. **AND WHEREAS**, comments were obtained from the Administrative Department. **Mr. Muhammad Khan Ranjha**, Secretary (Archives), S&GAD was appointed as Hearing Officer to afford personal hearing to the appellant and submit a detailed report to arrive at a definitive decision.

3. **AND WHEREAS**, the Secretary (Archives), S&GAD afforded personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department and submitted hearing report concluding that imposition of major penalty of compulsory retirement is not proportionate to the guilt of the appellant as it has been awarded without conducting a regular inquiry. Another opportunity of personal hearing was afforded to the appellant by appointing **Mr. Mubashar Ahmad Khan**, Member-III (Inquiries), S&GAD as Hearing Officer. During hearing, the appellant contended that he granted casual leave for 03 days w.e.f. 31.10.2024 to 02.11.2024 to Mr. Saif-ur-Rehman, School Bus Driver on account of family emergency. The driver's father-in-law was critically ill and passed away on 01.11.2024. The death certificate substantiated the family emergency, was overlooked by the authorities. This crucial fact was not properly considered in the penalty decision. Given the circumstances, the imposition of compulsory retirement is disproportionate. The penalty order disregarded the reality that providing alternate transport for the students, particularly for special education students, was physically impossible. No clear policy for arranging substitute transport was available, and the institution only had one sanctioned driver post. Despite the appellant's efforts to communicate the issue to the higher authorities (DEO Special Education, Multan), the situation could not be rectified due to these constraints. The appellant prayed that the impugned order may be set aside having no legal force and he be reinstated into service with all benefits.

4. **AND WHEREAS**, on the other hand, the Administrative Department submitted in the Note that the Deputy Director (Admn), Directorate General of Special Education Punjab Lahore *vide* letter dated 06.11.2024 forwarded a report wherein it was apprised that the Special Assistant to Chief Minister made a surprise visit of Government Bahauddin Zakariya School for Special Education, Multan on 02.11.2024. During the visit, it was found that no special student was attending the school on the said day. The District Education Officer (Spl. Edu.), Sahiwal was appointed as Probe Officer who submitted report and recommended initiation of disciplinary proceedings against the appellant on the charges of inefficiency and misconduct. Therefore, disciplinary proceedings against the appellant were initiated *vide* Show Cause Notice dated 07.11.2024. The appellant submitted written reply of the Show Cause Notice on 02.12.2024 which was found unsatisfactory. He was afforded personal hearing by the

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Additional Secretary, Special Education / Hearing Officer on 16.12.2024, who submitted report which establishes the charges of inefficiency and misconduct against the appellant. After fulfilling all codal formalities, the impugned penalty was imposed upon him vide order dated 02.01.2025. The Administrative Department proposed that the appeal may be dismissed being devoid of merit.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering the appeal of the appellant and the report of the Hearing Officer, it is observed that the charges against the appellant primarily relate to his failure to ensure continuity of transportation services for special needs students from 30.10.2024 to 02.11.2024. He sanctioned leave to the sole school bus driver on humanitarian grounds, supported by valid documentation including a death certificate of his father in law and travel tickets. The inability to arrange an alternative driver was due to unavailability of drivers in the pool and departmental restrictions against assigning other officials to drive government vehicles, as per the circular dated 12.01.2022. Further, due to lack of School Management Funds, evident through the bank statement and unavailability of diesel on 30.10.2024, the school bus remained non-operational. Although procedural gaps existed, the appellant's actions do not reflect deliberate misconduct but administrative inefficiency under constrained circumstances. Therefore, imposition of major penalty of compulsory retirement is not proportional to the guilt of the appellant.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, in exercise of powers conferred upon me under Section 16 of the PEEDA Act, 2006, do hereby **partially accept** the appeal of **Irshad Hussain Khan**, by modifying the impugned penalty of "compulsory retirement" into "fine equal to one-month basic pay".

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(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 03rd September, 2025

No. & Date Even.

A copy is forwarded to the:

1. **Accountant General**, Punjab, Lahore.
2. **Director General**, Directorate General of Special Education, Punjab, Lahore.
3. **Deputy Secretary (Service Matters)** to Chief Secretary, Punjab w.r. to Note bearing No. 83727 dated 27.08.2025.
4. **District Education Officer** (Special Education), Multan to ensure delivery of this order to the appellant under intimation to this department.
5. **Principal**, Govt. Bahauddin Zakariya School for Special Education, Multan to ensure delivery of this order to the appellant under intimation to this department.
6. **Mr. Muhammad Irshad Hussain Khan**, ex-Deputy Director (BS-18), Govt. Bahauddin Zakariya School for Special Education, Multan.
7. **PS to Secretary** Special Education Department.

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SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT

03/9/2025