

REGISTERED



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

ORDER

No.SO(Estt)1-54/2006. WHEREAS, Fozia Samila, Psychologist, Saima Nazir, Therapist, Farhana Saba & Samina Aslam, Junior Special Education Teachers, Govt. Special Education Centre, Taxila filed appeals against order dated 26.09.2024 passed by the **Secretary Special Education** / Competent Authority whereby the minor penalty of "Withholding of increments for a period of two years" was imposed upon them under the PEEDA Act, 2006.

2. **AND WHEREAS**, comments were obtained from the Administrative Department. **Mr. Zubair Waheed**, Member-II (Inquiries), S&GAD was appointed as Hearing Officer to afford personal hearing to the appellants and submit a comprehensive report to arrive at a definitive decision.

3. **AND WHEREAS**, the Member-II (Inquiries), S&GAD afforded personal hearing to the appellants in the presence of the Departmental Representative of Special Education Department and submitted hearing report stating therein that Fozia Samila while reiterating her assertions taken in her appeal contended that Inquiry Officer recommended withholding of two increments. The Competent Authority upheld these recommendations which is a result of misreading and non-reading of crucial evidence. She further stated that the Competent Authority appears to rely on generalized allegations related to "grouping," which does not meet the legal standards. Saima Nazir reiterating her stance taken in her appeal stated that penalty was imposed upon her contrary to the recommendations of the Inquiry Officer without substantial evidence to support the charges against her. She further stated that the Competent Authority relied on the Inquiry Officer recommendations which lack at solid evidentiary basis, resulting from a misreading and non-reading of critical evidence. Farhana Saba reiterated her stance taken in her appeal contended that the Inquiry Officer, after a thorough review of the facts, charges and evidence, found that the charges against her were not proved. She argued that the inquiry report clearly exonerated her of all 15 charges leveled against her on the basis of substantial evidence that she presented during the inquiry process. The committee found no malice or misconduct on her part and recommended her exoneration under the PEEDA Act, 2006. Samina Aslam reiterating her assertions taken in her appeal contended that this penalty was imposed upon her contrary to the recommendations of the Inquiry Officer, which did not find substantial evidence to support the charges against her. She stated that the Inquiry Officer, after an extensive and thorough investigation concluded that all charges against her were "Not Proved". She averred that the Inquiry Officer evaluated the school records, CCTV footage, witness testimonies, and performance assessments and ultimately recommended her exoneration. They prayed that the impugned order may be set aside and they be exonerated from the charges levelled against them.

4. **AND WHEREAS**, on the other hand, the Departmental Representative controverted stance of the appellants and argued that the legal / codal / procedural formalities as provided under the law / rules / policies were adhered to while passing the

impugned order. He stated that penalty order has been passed after thorough examination of all relevant record and is completely supported by material facts. He further argued that the Inquiry Officer found that the charges of inefficiency and misconduct leveled against them were unproved but it was overlooked by the Inquiry Officer. He requested that departmental appeals of the appellants may be dismissed being devoid of merit. In the Note, the Administrative Department submitted that necessary facts for adjudication of instant departmental appeals are that appellants while being posted at Govt. Special Education Centre, Taxila filed complaint against Mr. Aurang Zaib Bhatti, Headmaster, Govt. Special Education Centre, Taxila alleging therein that he was involved in malpractices of victimization, harassment, misuse of authority, diversion of responsibilities, misuse of CCTV cameras, incitement of parents and teachers conflicts, exploitation and blackmailing, humiliating staff, forcing staff to leave the Centre and has previous service record of misconduct and harassment. On the other hand, Mr. Aurang Zaib Bhatti, Headmaster, Govt. Special Education Centre, Taxila also filed report against appellants and others previously posted at Government Special Education Centre, Taxila, District Rawalpindi alleging therein that appellants were inefficient in performance of their duties and due to their defiance rehabilitation and academic activities have been ignored and still suffering / affecting badly. The appellant No.1 to 4 and Mr. Shahid Suleman misbehaved with him and this attitude is a usual matter and such kind of atmosphere in the institute has caused hurdles to run the administrative matters smoothly. Since assumption of charge of Headmaster by him, appellants started spoiling the atmosphere of the institute and remained busy in knitting conspiracies to destroy his reputation. They also started grouping and instigated the other teaching staff to disobey the instructions issued from time to time. They made a group of some teachers and non-teaching staff being likeminded and politicized the atmosphere of the Center.

5. **AND WHEREAS**, in order to proceed further in the matter and to probe the complaint, Directorate General of Special Education, Punjab, Lahore was asked to get the matter probed and submit report. In response, the Director General, Special Education, Punjab, Lahore, issued instructions to the Director (Monitoring), Directorate General of Special Education to conduct probe and submit a report. Accordingly, Director (Monitoring), Directorate General of Special Education after visiting Govt. Special Education Centre, Taxila and recording statements of all concerned submitted report and recommended that disciplinary proceedings on the charges of inefficiency and misconduct be initiated against the appellants under PEEDA Act, 2006.

6. **AND WHEREAS**, on a complaint filed by the appellants, Deputy Commissioner, Rawalpindi was requested to conduct preliminary probe. On directions of Deputy Commissioner, Rawalpindi, Additional Deputy Commissioner (HQ), Rawalpindi after hearing all concerned, scrutinizing the record pertaining to the case and conducting thorough probe into the matter submitted report vide letter dated 01.06.2024, wherein it was recommended that disciplinary proceedings under PEEDA Act, 2006 may be initiated against the appellants on the charges of inefficiency and misconduct.

7. **AND WHEREAS**, accordingly, joint disciplinary proceedings were initiated against the appellants *vide* order dated 05.06.2024 by appointing Mr. Qaiser Abbas Shah, Principal (BS-19), Govt. Secondary School for Hearing Impaired, Jhang as Inquiry Officer. The Inquiry Officer after conducting thorough inquiry submitted inquiry report and recommended imposition of the penalties. Upon receipt of inquiry report,

Show Cause cum Personal Hearing Notice was issued to the appellants directing them to submit additional defence and also to appear on 16.08.2024 before Additional Secretary Special Education / Hearing Officer for personal hearing. The Hearing Officer after affording personal hearing to the appellants submitted report. After considering entire facts of the case, findings and recommendations of the Inquiry Officer, impugned penalties were imposed upon the appellants *vide* order dated 26.09.2024. The Administrative Department proposed to reject the appeals being devoid of merit.

8. **AND WHEREAS**, after examining the record / material available in the case file, considering the appeals of the appellants and the report of the Hearing Officer, it is observed that the conduct and performance of the appellants during their tenure at Govt. Special Education Center, Taxila remained below average. They failed to fulfill their responsibilities in a manner with established standards. They have consistently engaged themselves in the formation of alliances with fellow female staff members in the center. They were exhibiting an intention to interfere in the administrative affairs of center. Such conduct adversely impacted the seamless execution of administrative procedures. The appellants instead of working for the welfare of special students of the centre, remained busy in lobbying for getting Mr. Aurangzeb Bhatti removed from position of Headmaster for their personal motives. Therefore, the Secretary Special Education / Competent Authority has rightly imposed the impugned penalties upon the appellants in accordance with law. The appellants could not produce any material to rebut the evidence available on record to prove their innocence. Thus, they failed to substantiate their stance in the appeals.

9. **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 **reject** the appeals of **Fozia Samila, Saima Nazir, Farhana Saba & Samina Aslam**, being devoid of merit and substance.

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(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 27th May, 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. 73691 dated 19.05.2025.
4. **District Education Officer** (Special Education), Rawalpindi to ensure delivery of this order to the appellant under intimation to this department.
5. **Appellants concerned /**
 - i. **Ms. Fozia Samila**, Psychologist (BS-18/Personal), Govt. Special Education Centre, Pindi Gheb, District Attock.
 - ii. **Ms. Saima Nazir**, Speech Therapist (BS-18/Personal), Govt. Special Education Centre, Mianwali.

- iii. **Ms. Farhana Saba**, Junior Special Education Teacher, (MC Field /BS-16),
Govt. Special Education Centre, Fateh Jang, District Attock.
- iv. **Ms. Samina Aslam**, Junior Special Education Teacher (MC Field /BS-16),
Govt. Special Education Centre, Taxila, District Rawalpindi.
6. PS to Secretary Special Education Department.


27/5/25
SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT