

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt)26-8/2010. **WHEREAS**, a Show Cause Notice dated 31.10.2018 under Section 7(b) read with Section 5(1)(a) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 was served upon the accused officer / Imran Liaqat, Computer Teacher Govt. Institute for Slow Learners, Sheikhpura on the following charge of misconduct:

“The accused officer was directed to report to Special Education Department vide order dated 25.09.2018. Instead of complying with the order of Competent Authority, he filed Appeal No. 3488/2018 before the Punjab Service Tribunal, Lahore. The PST vide order dated 02.10.2018 disposed of the Appeal while suspending order dated 25.09.2018 and directed the Chief Secretary Punjab to decide the representation filed by him. Subsequently, Chief Secretary Punjab after affording an opportunity of personal hearing rejected his representation vide order dated 18.07.2019. After rejection of his Departmental Appeal, he was bound to join Special Education Department in compliance with order dated 25.09.2018 but he failed to do so”.

2. **AND WHEREAS**, the accused officer submitted his written reply to the Show Cause Notice dated 19.08.2020. In his defence reply, he stated that had been working at Govt. Institute for Slow Learners, Sheikhpura since 17.08.2016. He further stated that being the only male staff member of said institute, he was made incharge of cleanliness by the Headmistress concerned. He further stated that Class-IV employees of the said institute created a lobby against him and lodged a complaint before the Director General, Special Education against him. He further stated that he was transferred to Govt. Institute for Slow Learners, Hafizabad vide order dated 12.09.2018 but the order was withdrawn and he was directed to report to Special Education Department vide order dated 25.09.2018. The accused officer further stated that he failed to report to the department due to severe illness of his single son. He was mentally upset and attending various doctors of Lahore and Sheikhpura for medical relief of his infant son. He prayed that Show Cause Notice dated 19.08.2020 may be withdrawn and he may be exonerated from the charges on compassionate grounds.

3. **AND WHEREAS**, the defence reply of the accused officer was considered and found unsatisfactory. Therefore, in order to meet the ends of justice, he was afforded an opportunity of personal hearing and directed to appear in-person

before Secretary Special Education / Competent Authority on 16.09.2020 vide letter dated 31.08.2020. The accused officer appeared before the Secretary Special Education on the fixed date. During personal hearing, he reiterated the grounds taken in his defence reply.

4. **AND WHEREAS**, perusal of record reveals that the accused officer was appointed as Computer Teacher (BS-16) on contract basis for a period of five years vide order dated 07.12.2010 and posted at Govt. Institute for Slow Learners, Faisalabad. He was transferred to Government Institute for Slow Learners, Sheikhpura vide order dated 09.08.2016 on his own request. During his stay there, the staff of Govt. Institute for Slow Learners, Sheikhpura lodged a complaint dated 29.08.2018 regarding corruption and ill behavior of Headmistress concerned and unnecessary influence / interference of her husband Imran Liaqat, Computer Teacher / accused officer. The complainants also alleged that the accused officer forced the Christian employees of Govt. Institute for Slow Learners, Sheikhpura to embrace Islam and threatened them of dire consequences for non compliance of his command.

5. **AND WHEREAS**, Secretary Special Education Department took serious view of allegations leveled against the accused officer and transferred him from Govt. Institute for Slow Learners, Sheikhpura to Govt. Institute for Slow Learners, Hafizabad vide order dated 12.09.2018. However, keeping in view the ban on transfer / posting imposed by the Election Commission of Pakistan vide its order dated 03.09.2018, the Competent Authority / Secretary Special Education withdrew his earlier order dated 12.09.2018 and directed the accused officer to report to Special Education Department immediately vide order dated 25.09.2018.

6. **AND WHEREAS**, the accused officer instead of complying with the order of Secretary Special Education / Competent Authority, filed a Departmental Appeal before the Chief Secretary / Appellate Authority under Section 21 of the Punjab Civil Servants Act, 1974, against the above mentioned order. Subsequently, he also filed an Appeal No. 3488/2018 in the Honourable Punjab Service Tribunal (PST) for cancellation of order dated 25.09.2018. The Punjab Service Tribunal disposed of the same Appeal vide order dated 02.10.2018 with the following directions:

“xxxx. Departmental Appellate Authority/Chief Secretary, Punjab is directed to decide the departmental appeal pending before him, after hearing the Petitioner departmental representative and all concerned and pass a self-explanatory order”

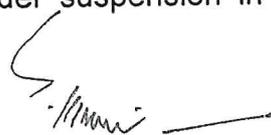
7. **AND WHEREAS**, the Chief Secretary obtained comments on Appeal of the accused officer from the Administrative Department, afforded him an opportunity of personal hearing on 13.06.2019 and rejected his Appeal being devoid of merit and

not covered under the law/rules. The formal order regarding rejection of Appeal of the accused officer was issued by Secretary Special Education on 18.07.2019. Even after rejection of his Departmental Appeal, the accused officer did not report to this department. Therefore, Secretary Special Education placed him under suspension for a period of 90-days in terms of Section 6 of the PEEDA Act, 2006 vide order dated 12.08.2020.

8. **AND WHEREAS**, the accused officer did not comply with the direction of Secretary Special Education / Competent Authority and remained willfully absent from duty w.e.f 25.09.2018 till date. In this regard section 7(f)(ii) of the PEEDA Act, 2006 provides that:

“Where charge of absence from duty for a period of more than one year is proved against the accused, the penalty of compulsory retirement or removal or dismissal from service shall be imposed upon the accused”

9. **NOW THEREFORE**, I, Syed Javed Iqbal Bokhari, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case, reply submitted by accused officer, verbal submission of the accused officer, am of considered view that charges of misconduct leveled against the accused officer stands proved. Therefore, in exercise of powers vested upon me under Section 7(f) of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, I, hereby impose major penalty of “removal from service” in terms of Section 4(1)(b)(v) of the Act ibid upon the accused officer / Imran Liaqat, Computer Teacher (BS-16), presently under suspension in Special Education Department.


(SYED JAVED IQBAL BOKHARI)
SECRETARY SPECIAL EDUCATION/
COMPETENT AUTHORITY

Dated Lahore, the
October 23rd / 2020

No. & Date Even:

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

1. Accountant General, Punjab, Lahore.
2. District Education Officer (Special Education), Lahore.
3. District Accounts Officer, Sheikhpura.
4. Accused officer concerned.
5. Head of Institution concerned.
6. PS to Secretary Special Education Department.



SECTION OFFICER (Estt.)

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26/10/2020