

**REGISTERED**



**GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT**

**ORDER**

*Laini Saad*

**No. SO(Estt.)10-484/2016. WHEREAS, Ms. Iram Shabbir**, Headmistress (BS-18), Government Institute for the Blind, Gujranwala (**'accused officer No. 1'**) and **Mr. Muhammad Tahir**, Counsellor (BS-18/Personal), previously posted at Government Institute for the Blind, Gujranwala, presently posted at Government Secondary School for Blind (Boys) Sargodha (**'accused officer No. 2'**) (Jointly referred as **'accused officers'**), filed complaints against each other, levelling serious allegations of varying nature. In order to address this matter comprehensively, initial probe was initiated by appointing a probe officer. The findings of probe proceedings were subsequently submitted and forwarded by the Deputy Director (Admn.), Directorate General of Special Education, Punjab, Lahore, stating therein that both Ms. Iram Shabbir / accused officer No. 1 and Mr. Muhammad Tahir / accused officer No. 2 were contributing to a disruptive environment within the institution by forming factions or groups. The report highlighted that Ms. Iram Shabbir / accused officer No. 1 had been involved in corrupt practices and had abused her authority. According to the records, discrepancies were noted in the disbursement of monthly stipends to the children, as there were no corresponding bank account numbers on record. Cash payments had also been made to the children, and inconsistencies were evident in financial records spanning multiple fiscal years, specifically from 2017-2018 to 2022-2023; that for the purchase of hostel food items, Ms. Iram Shabbir / accused officer No. 1 made bogus bills and no entry was available on the stock register. These transactions were not duly recorded in the stock register, as stated by Mr. Imran Qaiser Butt, the Store Keeper. According to the report, it was observed that Mr. Muhammad Tahir / accused officer No. 2 was also involved in unethical and political activities. Initially, he had been transferred from Gujranwala to Faisalabad based on a report from the former principal, Ms. Riffat Jameel. The father of Mr. Muhammad Tahir / accused officer No. 2 expressed regret over his son's actions to Ms. Iram Shabbir / accused officer No. 1 and pledged that he would refrain from interfering in the administrative affairs of the institute in future but he did not change himself. It is also noted by the probe officer that Mr. Muhammad Tahir / accused officer No. 2 exerted pressure on Mr. Zaeem Abbas, Senior Clerk, and Mr. Faisal Rehman, Attendant, to disregard the orders of Ms. Iram Shabbir / accused officer No. 1. Furthermore, the probe proceedings uncovered that Mr. Muhammad Tahir / accused officer No. 2 was residing in the hostel premises unauthorizedly. The probe officer

further stated that Mr. Muhammad Tahir / accused officer No. 2 often remains absent from the institute and tampered the attendance register to mark his attendance. He has also made group of Zaeem Abbas, Senior Clerk, Imran Qaiser Butt, Store Keeper and Faisal Rehman, Attendant, to oppose Ms. Iram Shabbir / accused officer No. 1 and forced them to go against her. In the light of record and statements provided by probe officer, Mr. Muhammad Tahir / accused officer No. 2 failed to fulfil his duties and instead engaged in gossip with fellow staff members, which tantamounts to obstructing administrative processes and negatively impacting the institute's overall atmosphere. This situation represents a substantial detriment to both the educational welfare of the children and the well-being of the institution.

2. **AND WHEREAS**, in the year 2021, certain complaints were filed against Ms. Iram Shabbir/ accused No. 1 before Deputy Commissioner, Gujranwala, whereupon a probe was conducted by Assistant Commissioner (Headquarters), Gujranwala. The probe officer after completing the probe proceedings found that fake / fabricated / fictitious bills have been made by the contractor with active connivance of Ms. Iram Shabbir / accused No. 1 and funds have been embezzled, no corresponding entries in the stock register are available for the items purchased. In the year 2020, the institute remained closed for almost one year due to Covid-19 but expenditures have been made for repair of vehicles, machinery and furniture and for diet of the children. Lastly, it was recommended that regular inquiry may be got conducted.

3. **AND WHEREAS**, upon receipt of the probe report and keeping in view sufficient grounds to proceed against the accused officers, disciplinary proceedings through a regular inquiry against the accused officers under the Act *ibid* was initiated against the accused officers by appointing **Mr. Qaiser Abbas Shah**, Principal (BS-19), Govt. Secondary School for Hearing Impaired, Jhang as Inquiry Officer to proceed against the accused officers in terms of Section 5 read with Section 9 of the Act *ibid*, on the following charges of misconduct and inefficiency;

**CHARGES AGAINST MS. IRAM SHABBIR**

- i. *Ms. Iram Shabbir engaged herself in corrupt practices within the institution and abused her authority for personal gain.*
- ii. *For the financial year 2020, Ms. Iram Shabbir spent following amounts against each head.*
  - *Under the head of stationary an amount of Rs. 69,233/- was charged.*

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- Under the head of printing an amount of Rs. 9,830/- was charged.
- Under the head of newspaper an amount of Rs. 5,000/- was charged.
- Under the head of uniform an amount of Rs. 11,620/- was charged.
- Under the head of advertisement an amount of Rs. Rs. 9,997/- was charged.
- Under the head of function an amount of Rs. 7,312/- was charged.
- Under the head of cost of others an amount of Rs. 225,467/- was charged.
- Under the head of others an amount of Rs. 277,424/- was charged.
- Under the head of educational material an amount of Rs. 58,664/- was charged.
- Under the head of repair of vehicles an amount of Rs. 193,310/- was charged.
- Under the head of repair and maintenance of machinery an amount of Rs. 84,694/-
- Under the head of repair of furniture an amount of Rs. 49,080/- was charged.

The corresponding entries of the above said expenditure / items were not found in the stock and other related registers. Moreover, the institute remained closed in the year 2020 for almost one year, due to Covid-19, but expenditures under the heads of repair of vehicles, machinery and furniture and for diet of the children for this closure period were found to be incurred which, prima facie, shows that the expense was incurred and funds were claimed through bogus, fake and fictitious bills.

- iii. Ms. Iram Shabbir misappropriated / embezzled funds allocated for payment of monthly stipends to the children as payment were made but no corresponding bank account numbers were found on record. Moreover, cash payments of stipend were made in violation of instructions issued from time to time.
- iv. Ms. Iram Shabbir involved herself in fraudulent activities, including creation of bogus bills for the purchase of hostel food items and failed to maintain accurate records in the stock register.
- v. Due to inefficiency of Ms. Iram Shabbir and on account of lack of due diligence and good governance, groups were made amongst the teaching and non-teaching staff of the institute which negatively impacted the institution's atmosphere and welfare / educational activities of the special students.

#### **CHARGES AGAINST MR. MUHAMMAD TAHIR**

- i. Mr. Muhammad Tahir involved himself in unethical and political activities within the institution. He resided in the

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hostel premises without proper authorization, which violated the institute's rules and regulations.

- ii. Mr. Muhammad Tahir tampered the attendance register; falsely marked his attendance of absence days from duties.
- iii. Mr. Muhammad Tahir was in the habit of pressuring the staff members specifically Mr. Zaeem Abbas, Senior Clerk, and Mr. Faisal Rehman, an Attendant, to disregard the orders of Ms. Iram Shabbir.
- iv. Mr. Muhammad Tahir failed to perform his duties and responsibilities rather with intention to interfere in the administrative affairs of the institute, remained engaged in making groups with fellow staff members, which created obstructions in administrative processes.

4. **AND WHEREAS**, the Inquiry Officer after conducting inquiry proceedings submitted Inquiry Report, wherein the Inquiry Officer concluded that out of 05 charges levelled against the accused officer No. 1, 03 remained unproved and only 02 charges stood proved. Albeit, all the charges levelled against the accused officer No.2 stood fully proved. He rerecommended imposition of following penalties upon the accused officers:

Sr. No.	Name of accused	Recommendations of Inquiry Officer
01	<b>Ms. Iram Shabbir</b> , Headmistress (BS-18) Govt. Institute for the Blind, Gujranwala	"Since the charges stands partially proved, hence she may be awarded Minor Penalty of <b>"CENSURE"</b> under section 4(1)(a)(i) of the PEEDA Act, 2006.
02	<b>Mr. Muhammad Tahir</b> , Counsellor (BS-18/Personal), Government Secondary School for Blind (Boys), Sargodha.	"Since the charges proved, hence he may be awarded Minor Penalty of <b>"WITHHOLDING OF INCREMENTS FOR A PERIOD OF THREE YEARS"</b> under section 4(1)(a)(ii) of the PEEDA Act, 2006.

5. **AND WHEREAS**, upon receipt of inquiry report, Show Cause cum Personal Hearing Notice under Section 13(4) of Act *ibid* was issued to the accused officers directing them to submit additional defense, *if any*, and also to appear on 14.12.2023 before **Additional Secretary** Special Education / **Hearing Officer** appointed under Section 13(4)(c) of the Act *ibid*, for personal hearing. The Departmental Representative was also directed to appear before the Hearing Officer alongwith all record under Section 13(4)(e) of the Act *ibid*.

6. **AND WHEREAS**, the Hearing Officer after granting opportunities of personal hearings to the accused officers in presence of Departmental Representative submitted report of hearing proceedings stating therein that during

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the hearing proceedings, accused officer No. 1 submitted additional defense reply. On the other hand, the accused officer No. 2 opted not to file any additional defense reply and relied on the statement recorded during course of inquiry proceedings. During hearing proceedings, the accused officer No. 1 while reiterating the points raised in her additional defense reply and stance already taken by her during inquiry proceedings, *inter alia*, contended that charges levelled against her are against the facts and record. She denied the charges and maintained that she produced all the record before the Inquiry Officer and rebutted the veracity of the charges with cogent evidence and Inquiry Officer also failed to give any persuasive reason in the inquiry report for award of proposed penalty to her. Lastly, she requested that the charges are baseless and devoid of merit, therefore, she may be exonerated from the charges.

7. **AND WHEREAS**, during the course of hearing proceedings, the accused officer No. 2 while reiterating the stance already taken by him during inquiry proceedings, *inter alia*, contended that he is visually impaired person and the charges levelled against him are against the facts and record. He further stated that he was obedient towards his immediate boss and he never misused his authority. He never marked fake attendance because being visually impaired person he never marked attendance himself rather some other person deputed for said purpose by the Headmistress used to mark his attendance. He while denying the charges stated that he never resided in the hostel premises and the charge is wrong to that extent. He further maintained that he produced all the record before the Inquiry Officer and rebutted the veracity of the charges with proper documents and Inquiry Officer also failed to give any persuasive reason in the inquiry report for award of proposed penalty to him. He further stated that he was never provided any record pertaining to charges. Lastly, he requested that the charges are baseless and devoid of merit, therefore, he may be exonerated from the charges.

8. **AND WHEREAS**, the Departmental Representative stated that all record related to the charges was provided to the accused officer No. 1, whereas, accused officer No. 2 never applied for provision of any document/record. He further stated that stance of the accused officer No.2 is devoid of any force because the accused officer No.2 has not presented any application that was filed and on which he was refused any document. He further asserted that inquiry proceedings were conducted by the Inquiry Officer in accordance with the provisions of PEEDA, Act, 2006, all record was thoroughly scrutinized and statements of all concerned were recorded. The Departmental Representative further stated that charges of

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inefficiency & misconduct stood proved against the accused officers. He further stated that the arguments of the accused officers are fallacious and carry no weight.

9. **AND WHEREAS**, after hearing the accused officers, Departmental Representative, examining the additional defense of the accused officer No. 1 and documents annexed therewith, considering the material related to the case available in shape of inquiry report and keeping in view the findings and recommendations of the Inquiry Officer, the Hearing Officer observed that the inquiry proceedings have been conducted in accordance with the provisions of PEEDA Act, 2006, merits of the case have been appreciated by the Inquiry Officer and due process as provided under the law has been adopted by the Inquiry Officer. During the course of inquiry proceedings, the accused officers were provided full, fair and complete opportunities to vindicate their stance and prove their innocence. As per findings of Inquiry Officer all the charges levelled against the accused officer No. 2 stood fully proved. Whereas, 02 charges stood proved against the accused officer No.1. Pertinently, perusal of findings of the Inquiry Officer shows that same are based on cogent, convincing and confidence inspiring evidence, credibility of which has not been questioned by the accused officers during hearing proceedings. The Hearing Officer observed that no new and/or plausible piece of evidence has been brought on record by the accused officers, *through additional defense reply and verbal submissions*, to rebut the evidence already available on record. After thorough examination of record, the Hearing Officer observed that if the penalties recommended by the Inquiry Officer are adjudged on the basis of the findings recorded in the inquiry report, the same *prima facie* seem to be disproportionate to the gravity of guilt of accused officers. Therefore, the Hearing Officer was of the view that the penalties recommended by the Inquiry Officer being not proportionate to the guilt of the accused officers require revisitation.

10. **AND WHEREAS**, after a thorough examination and consideration of the case-related documentation, the findings and recommendations put forth by the designated Inquiry Officer, the supplementary defense response presented by the accused officer No. 1, and the report of the Hearing Officer, in conjunction with the comprehensive record available in the case file, it is evident that the inquiry proceedings have been carried out by the Inquiry Officer in accordance with the stipulations outlined in the PEEDA Act, 2006. Furthermore, it is affirmed that due process, as prescribed by law, has been adhered to by the Inquiry Officer. Throughout the course of the inquiry proceedings, the accused officers were afforded ample opportunities to articulate their positions and substantiate their

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innocence but they were unsuccessful in doing so. The conclusion arrived by the Inquiry Officer on the basis of findings contained in the inquiry report reveal that they are grounded in compelling, convincing, and confidence-inspiring evidence, the credibility of which has not been contested by the accused officers during the hearing proceedings. Further scrutiny of the inquiry report, in conjunction with the attached record, indicates that the accused officers failed to fulfill their assigned duties competently, and their behaviour remained detrimental to the proper functioning of the service. It is also evident that the position taken by the accused officers lacks any justifiable rationale. Additionally, it is noteworthy that the accused officers have not placed on record any new or plausible evidence to counter the evidence already available and presented during the proceedings.

11. **AND WHEREAS**, regarding the charges levelled against accused officer No.1, it is noted that Charge Nos. 1, 2, and 4 remained unsubstantiated throughout the course of the inquiry proceedings. A review of the record reveals that these charges had previously been investigated by various entities, including the Anticorruption Establishment and the office of the Deputy Commissioner Gujranwala, and remained unproven. Concerning Charge No. 3, the Inquiry Officer observed that there was misappropriation of the stipend amount, and certain other expenses were incurred under the Head of account A06101 (for the purchase of a biometric machine amounting to Rs. 29,490). This indicates financial indiscipline on the part of accused officer No.1 acting as the Drawing and Disbursing Officer (DDO). The failure to adhere to a fundamental principle of financial discipline resulted in the misclassification of expenditure, highlighting the inefficiency of accused officer No.1. The assertion by accused officer No.1 that she submitted the bill related to the purchase of the Bio-metric machine under the Head of account (A09601), plant and machinery, but the bill was erroneously recorded under the Head of account (A06101) and that this discrepancy was brought to the attention of higher authorities has been noted. However, it is observed that no documentary evidence has been presented to demonstrate that this matter or irregularity was formally communicated to any higher authority for the regularization of the transaction. Consequently, in the absence of any supporting documentary evidence, the argument presented by accused officer No.1 does not qualify the threshold of reasonableness. The records submitted during the inquiry proceedings did not reveal evidence of misappropriation of public funds for personal gains, and it was established that stipends were disbursed in accordance with the record, hence this charge is deemed partially proven. As per record, the accused officer No.1 exhibited inefficiency by failing to adhere to established financial practices and regulations. The accused officer No.1,

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during the personal hearing before the Hearing Officer, acknowledged this fact and was unable to provide justifiable reasons to challenge the findings of the Inquiry Officer in this regard. Concerning charge No. 5, the accused officer admitted to the formation of groups among the teaching and non-teaching staff and expressed her commitment to exercise caution in the future. This charge was also partially substantiated during the inquiry proceedings. The accused officer No.1 has not presented anything on record to contest the findings of the Inquiry Officer. Upon meticulous examination of the record, it is determined that charges No. 3 and 5 against the accused officer have been proven. However, the recommended penalty by the Inquiry Officer does not adequately align with the severity of the accused officer No. 1's culpability. As the individual Incharge and being a supervisory officer, accused officer No. 1 failed to fulfill her duties with efficiency and diligence. Given the gravity of the proven/partially proven charges, a re-evaluation of the penalty recommended by the Inquiry Officer is necessary, as it currently appears disproportionate to the culpability of accused officer No. 1.

12. **AND WHEREAS**, with regards to charges levelled against the accused officer No.2, it is observed that all the charges stood proved during course of inquiry proceedings. The Inquiry Officer after conducting the inquiry into the charges levelled against accused officer No.2 observed that accused officer No.2 does not enjoy a good reputation due to which the Principal and other officers requested that his services might be withdrawn as he was involved in spoiling the peaceful academic environment of the institute, that he is in a habit to remain absent and to avoid performance of his duty, that he is habitual late comer, and he indulged himself in creating groups for carrying out such activities which adversely affected the atmosphere of the Institute and also created hurdles in discharge of administrative procedures. The accused officer No.2 during course of personal hearing before the Hearing Officer failed to rebut the findings of the Inquiry Officer and to place on record any such evidence / record which could suggest that conduct of the accused officer No.2 remained remarkably good. The stance of the accused officer No.2 that he never resided in hostel premises is also negated by the statements of Mr. Jahangir (Cook), Mr. Nauman Maqsood (Naib Qasid), and Ms. Samina Zahid (House Mother). The statements recorded during the course of inquiry proceedings also lead to the inference that the behaviour of the accused officer No.2 was not good with the Incharge Principal and other staff of the Institute. After thorough examination of record, it is observed that sufficient material surfaced during inquiry proceedings, *including extract of attendance register which contains tampering*, which suggest that accused officer No.2 tampered the attendance register; falsely marked his

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attendance of the absence days, hence this charge was also proved by the record. However, it is further observed that penalty recommended by the Inquiry Officer does not commensurate with gravity of guilt of the accused officer No.2, hence the same warrants modification.

13. **NOW THEREFORE, I, Saima Saeed**, 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 Officer, *for reasons stated herein above*, hold the considered view that the penalties recommended by the Inquiry Officer are not proportionate to the gravity or severity of the culpability demonstrated by the accused officers. Therefore, in exercise of powers vested in me under Section 13(5) read with Section 4 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, *while disagreeing with the recommendations of the Inquiry Officer and still taking lenient view*, following penalties are hereby imposed upon the accused officers;

Sr. No.	Name of accused	Proposed Penalty
1.	<b>Ms. Iram Shabbir</b> , Headmistress (BS-18) Govt. Institute for the Blind, Gujranwala	Minor penalty of <b>"withholding of increment for a period of one year"</b> under section 4(1)(a)(ii) of the PEEDA Act, 2006.
2.	<b>Mr. Muhammad Tahir</b> , Counsellor (BS-18/Personal), Government Secondary School for Blind (Boys), Sargodha.	Minor penalty of <b>"withholding of increment for a period of two years"</b> under section 4(1)(a)(ii) of the PEEDA Act, 2006.

*Saima Saeed*

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SECRETARY SPECIAL EDUCATION /  
COMPETENT AUTHORITY

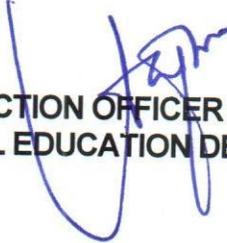
Dated Lahore, the  
January 17<sup>th</sup> /2024

**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**, Gujranwala and Sargodha.
3. **District Education Officer (Special Education)**, Gujranwala and Sargodha to ensure delivery of this order to the accused officer and implementation of the penalties under intimation to this department.
4. **Principal / Headmaster / Headmistress, Government Institute for the Blind, Gujranwala** to ensure delivery of this order to the accused officer and implementation of the penalties under intimation to this department.
5. **Principal / Headmaster / Headmistress, Government Secondary School for Blind (Boys) Sargodha** to ensure delivery of this order to the accused officer and implementation of the penalties under intimation to this department.

6. Accused Officer / **Ms. Iram Shabbir**, Headmistress (BS-18), Government Institute for the Blind, Gujranwala
7. **Accused Officer / Mr. Muhammad Tahir**, Counsellor (BS-18/Personal), Government Secondary School for Blind (Boys) Sargodha.
8. PS to Secretary Special Education Department.

  
**SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT**