

**ORDER**

No.SO(Estt)10-418/2011. WHEREAS, Director General Special Education, Punjab, Lahore (the "DGSE") vide Note dated 12.04.2023 informed that she visited the Government Institute for Slow Learners, Kasur, on March 15, 2023. During the visit, **Ms. Naveera Zafar**, Headmistress (BS-17 + 10% Special Pay), Govt. Institute for Slow Learners, Kasur (**'accused officer'**) was found to have been absent without receiving prior permission from the Competent Authority. She also failed to carry out her responsibilities in a professional manner. As a result of the accused officer's inefficiency, the Govt. Institute for Slow Learners, Kasur, suffered in terms of cleanliness at the school premises, staff management, building condition, and non-provision of uniforms to the special students, among other administrative issues. It has further been brought into notice that an explanation was issued to the accused officer to explain her position but she failed to file reply of the same which shows her callous attitude and also depicts that her conduct is unbecoming of an officer.

2. **AND WHEREAS**, given the circumstances and facts of the case and on account of existence of adequate documentary evidence on file, *while dispensing regular inquiry*, disciplinary proceedings against the accused officer were initiated vide Show Cause Notice dated 06.06.2023 under Section 7(b) read with Section 5(1)(a) of the Act *ibid* on the following charges of misconduct and inefficiency:

- i. *You have been found absent from your duty on 15.03.2023 without prior permission / approval of leave by the Competent Authority.*
- ii. *Due to your inefficiency uniform was not being provided to students since last three years.*
- iii. *Multipurpose resource room cum library cum assessment room was very untidy with scattered material.*
- iv. *Classrooms were dark and need more lighting arrangement.*
- v. *Your explanation was called but you did not pay any heed and failed to file reply.*

3. **AND WHEREAS**, the aforementioned Show Cause Notice instructed the accused officer to provide her defense reply within seven days. As a result, she submitted a written reply which was reviewed and found to be unsatisfactory. Hence, in order to conclude the disciplinary proceedings, vide letter dated 21.06.2023, **Additional Secretary**, Special Education was appointed Hearing Officer, *under Section 7 (d) of the Act ibid*, to provide the accused officer with a chance of a personal hearing and the accused officer was summoned to appear before the Hearing Officer on 13.07.2023 for hearing proceeding.

4. **AND WHEREAS**, the Hearing Officer after affording opportunities of personal hearing to the accused officer on 13.07.2023 and 19.07.2023, submitted report of hearing proceedings stating therein that during the course of hearing, the accused officer reiterated the stance she had previously made in her written defense and requested that she may be exonerated from the charges. The Departmental Representative, in contrast, presented all the relevant documentation for the case and asserted that, with the exception of accusations No. 1 and 5, every charge had been established by the record, making the accused officer accountable for delinquent acts.

5. **AND WHEREAS**, after hearing the accused officer and Departmental Representative, reviewing the accused officer's response, the pertinent documents in the file, as well as the evidence provided by the accused officer, the Hearing Officer observed as under;

“Charge No. 1:

It is admitted position that the accused officer was not present in the institute on the day of visit but alongwith the written reply, the accused officer has attached screen shot of conversation with District Education Officer (Special Education), Lahore dated 14.03.2023 through which the accused officer tried to substantiate that she applied for leave and in support thereof copy of leave application has also been attached. Even though, the extract of conversation does not show that any approval was granted to the accused officer but she has taken the stance that she got the approval of leave through phone call. In light of these documents, it is concluded that the accused officer was on leave which was approved by the authority concerned. Hence, the charge is not proved.

Charge No. 2:

Reply of the accused officer shows that she is mindful of the fact that it is first and foremost duty to ensure delivery of uniform to the special students. But due to financial constraints, non-release of budget by CEO (DEA), Kasur and centralized procurement, the uniform could not be distributed for last three years. It is observed that attention of DGSE is required in this issue for necessary directions to all concerned for taking appropriate measures in this regard.

Charge No. 3:

It is observed that the justification accorded by the accused officer in reply to this charge is nothing more than a story built to cover-up the gaps. It was observed by the DGSE on the day of visit that cleanliness condition of the institute was not up to the mark and the scattered material was present. It is also not denied by the accused officer that multipurpose resource room cum library cum assessment room was untidy, response of the accused officer is as under;

*“Regarding the issue of haphazard conditions in the multi-purpose activity room for Slow Learner’ children, it has come to our attention that the room has not been maintained in an orderly manner as expected. **The room is under the supervision of a psychologist who is primarily responsible for ensuring the proper upkeep and improvement of the space. However, we have taken immediate action to address this matter. The undersigned, upon noticing the substandard conditions, promptly -requested an explanation from, the psychologist regarding her position and the reasons for the deteriorating state of the activity room.** A copy of the psychologist's explanation has been enclosed as Annexure-B to provide a comprehensive understanding of the situation. In light of the psychologist's response and after careful consideration, appropriate measures have been taken to rectify the issues and incorporate necessary improvements. The undersigned, along with the support of the administrative staff, has diligently worked to enhance the conditions of the activity room, ensuring that it aligns with the standards expected for a conducive learning environment for slow learners.”*

Saima Saeed

Perusal of above extract of reply of the accused officer sufficiently proves that the accused officer has admitted the charge. It is further observed that the accused officer failed to give any plausible justification.

Charge No. 4:

The reply of the accused officer to this charge is as under;

“Regarding the issue of poor lighting conditions in the classrooms of the institute, it is important to note that the prevailing weather conditions during the previous months were characterized by frequent electrical breakdowns. These unforeseen disruptions adversely affected the functionality of various electrical appliances, including the lighting fixtures. However, we are pleased to inform you that prompt measures were taken to address this concern. The institute promptly mobilized its technical team to rectify the electrical faults and restore the lighting system to optimal working conditions. Subsequently, new lighting installations were carried out to ensure a well-illuminated learning environment for the students. We assure you that the necessary steps have been taken to prevent similar incidents in the future. Regular maintenance and monitoring of the electrical systems have been implemented to ensure their continued functionality and to promptly address any issues that may arise.”

The above quoted reply shows that the charge is based on facts and the same is proved. It is also observed with great concern that on one hand the accused officer states that she always remains present at the institute all the time and on the other hand the accused officer came to know about lighting issue and mobilized the technical team for its rectification, once concerns were raised by DGSE. This state of affairs shows lack of interest of the accused officer towards performance of her duties.

Charge No. 5:

As per record and statement of Director (Admn), Directorate General of Special Education, no explanation of the accused officer was called instead she was served with displeasure notice and was directed to submit report after rectifying all the issues highlighted and stated therein but the accused officer did not file any reply/report.”

6. **AND WHEREAS**, examination of written response submitted by the accused officer and findings of the Hearing Officer, along with the record that is available on file, reveals that the accused officer was on leave on the day of visit but her leave application was not available in the institute. It is also noted that no staff of the institute was able to present approved leave or extract of communication before DGSE. The accused officer also failed to give plausible reasons with regards to cleanliness condition of the institute and as to why scattered material was present in multipurpose resource room cum library cum assessment room. It is further observed that reply of the accused officer with regards to charge No. 4 is an after-thought and reasons accorded by her in defense are not supported by record. Record fully corroborates that the accused officer being supervisory officer failed to discharge her duties in a befitting manner.

7. **NOW THEREFORE**, I, **Saima Saeed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects and material relating to the case, *for reasons recorded herein above*, in exercise of powers vested upon me under Section 7(f) read with Section 4 of the Act *ibid* do

Saima Saeed

hereby impose minor penalty of "Censure" in terms of Section 4(1)(a)(i) upon the accused officer.

Saima Saheed

(SAIMA SAEED)
SECRETARY to

GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT /
COMPETENT AUTHORITY

Dated Lahore, the
August 17th /2023

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. District Education Officer (Special Education) Lahore.
4. Accused Officer concerned.
5. PS to Secretary Special Education Department.
6. Master file.


SECTION OFFICER (ESTT.)
SPECIAL EDUCATION DEPARTMENT