

GOVERNMENT OF THE PUNJAB
SCHOOL EDUCATION DEPARTMENT
Dated Lahore, the 12th November, 2020



Sub *Imp: Govt. to ANPAW*
042-99214891
www.786Times.com
ORDER.

No. SO (E&D-II) 2-2/2012 WHEREAS, the Chief Minister / Competent Authority awarded the following penalties upon the accused officers as mentioned against each with immediate effect vide order of even number dated 30.10.2015:-

Sr. No.	Name of Accused	Recommendations of the Inquiry Officer.
1	Mst. Shahida Hafeez, Ex-DEO (W-EE / BS-19), Bahawalnagar.	Major penalty of "Compulsory Retirement from Service" under section 4(1)(b)(iv) of the PEEDA Act, 2006.
2	Mr. Khurshid Ahmad Javed , Ex-Sr. HM (now Retired / BS-19), Govt. Model High School, Minchinabad	Penalty of "Withholding of 20% pension" under section 4(1)(c)(i) of the PEEDA Act, 2006.
3	Mrs. Naheed Kousar, Dy. DEO (W-EE / BS-18), Minchinabad,	Major penalty of "forfeiture of past service for a period of three years" under section 4(1)(b)(iii) of the PEEDA Act, 2006.
4	Rana Muhammad Sajid (BS-17), Headmaster, Govt. High School, Chakki Faiq, Bahawalnagar.	Major penalty of "forfeiture of past service for a period of three years" under section 4(1)(b)(iii) of the PEEDA Act, 2006.

2. **AND WHEREAS**, Khurshid Ahmad Javed (Retd.), Senior Headmaster, Govt. Model High School, Minchinabad, District Bahawalnagar, (now retired) filed a Review Petition before the Chief Minister, Punjab / Review Authority against the order of the Competent Authority / Chief Minister dated 30.10.2015 whereby penalty of **"Withholding of 20% pension"** under section 4(1)(b)(iv) of the PEEDA Act, 2006 was imposed upon him.

3. **AND WHEREAS**, the Chief Minister / Review Authority designated Syed Abrar Hussain Shah (BS-20), Additional Director Public Instruction (EE), Punjab, Lahore as Hearing Officer vide order of even No. dated 14.01.2016 to provide the opportunity of personal hearing to the petitioner on his behalf as required under Section 16 of the PEEDA Act, 2006. He was provided the opportunity of personal hearing by the designated

Hearing officer, who submitted report to the Chief Minister / Review Authority through this Department;

4. **AND WHEREAS**, the Chief Minister / Review Authority, after due examination of facts of the case, record of the inquiry proceedings, contents of the review petition and averments made by the review petitioner before the Hearing Officer, concluded that the accused officer failed to point out any procedural lapse in the inquiry procedure or any new grounds to justify interference with the order of penalty dated 30.10.2015. Therefore, in exercise of powers under Section 16 of the PEEDA Act, 2006, the order of penalty dated 30.10.2015 was upheld and the review petition filed by Mr. Khurshid Ahmad Javed, ex-Sr. Headmaster, Govt. Model High School, Minchanabad now retired from service was rejected vide order dated 19.04.2016.

5. **AND WHEREAS**, Mr. Khurshid Ahmad Javed, ex-Sr. Headmaster, Govt. Model High School, Minchanabad now retired from service filed an Service Appeal No.2889/2016 in the Punjab Service Tribunal, Lahore against this Department's order dated 19.04.2016 which was accepted by the court on 14.05.2019 while giving the following judgement:-

"7. In view of the judgement passed by this Tribunal on 29.04.2016, the appellant is entitled to the same relief on the principal of consistency, hence the instant appeal is accepted / allowed and all the impugned orders are set aside. Intervening period shall be treated as leave of the kind due." www.786Times.com

6. **AND WHEREAS**, this Department requested the Solicitor's Department to file a CPLA against the judgement dated 14.05.2019 passed by the Punjab Service Tribunal, Lahore in several appeal Nos.3309/2016, 2889/2016 & 3308/2016 filed by Rana Muhammad Sajid, Khurshid Ahmad Javed and Mst. Naheed Kousar respectively and subsequently reminder was issued on 20.08.2019. The Solicitor's Department issued Instruction Letter to the Advocate General, Punjab, Lahore on 27.08.2019. The Advocate General, Punjab filed a CPLA No.2939/2019 in the Supreme Court of Pakistan. Simultaneously, the appellant filed another Writ Petition No.2370/2020/BWP in the Lahore High Court, Bahawalpur Bench, Bahawalpur and the Hon'ble Court issued an order dated 10.04.2020, operative part of the said order is as under:-

".....The request being reasonable is not opposed by the learned Law Officer.

3. Accordingly it is directed that respondent No.2 will decide the aforesaid application of the petitioner if pending, strictly in accordance with law, expeditiously, preferably

within three months from receipt of certified copy of this order.

4. Disposed of in above terms."
AND WHEREAS, in compliance with the above-said Court's directions, an opportunity of personal hearing was given to Mr. Khurshid Ahmad on 22.10.2020 by Additional Secretary (DEA), School Education Department on behalf of Secretary, School Education Department and heard him at length.

8. NOW THEREFORE, it is noted that this Department has already filed CPLA No.2939/2019 before the august Supreme Court of Pakistan. The allegations against the petitioner are of grave nature. Application of the petitioner is hereby rejected and Senior Law Officer of this Department is directed to send request to Advocate General, Punjab for filing an application for early hearing of CPLA before the Hon'ble Supreme Court of Pakistan.

www.786Times.com

Dated Lahore, the
10th November, 2020

BY ORDER OF THE CHIEF MINISTER /
COMPETENT AUTHORITY

Sarah Aslam
(SARAH ASLAM)

SECRETARY SCHOOL EDUCATION

A Copy is forwarded for information and necessary action

- to:
1. The Accountant General, Punjab, Lahore.
 2. The Deputy Commissioner / Administrator, District Education Authority, Bahawalnagar.
 3. The Director Public Instruction (SE/EE) Punjab, Lahore.
 4. The Senior Law Officer, School Education Department.
 5. The Chief Executive Officer, District Education Authority, Bahawalnagar.
 6. The District Education Officer (SE/EE), Bahawalnagar.
 7. The District Accounts Officer, Bahawalnagar.
 8. The Section Officers (SE-I, SE-II, Pension and Promotion-I), Govt. of the Punjab, School Education Department.
 9. The accused officer (Registered).
 10. Office orders file.

Muhammad Sohail 12.11.2020
(MUHAMMAD SOHAIL),
Section Officer (E&D-II)