



GOVERNMENT OF THE PUNJAB
HIGHER EDUCATION DEPARTMENT

Dated Lahore, the July, 2023

24

ORDER

NO.SO(DM)W.P.12729/2022: This order will dispose of the representation of Mr. Muhammad Naseem Akbar Chishti, ex-Senior Clerk, Govt. Associate College, Kuarey Khan, Jatoi, District Muzaffargarh resident of Mohallah Barohi ward no.2, Jatoi Shumali Tehsile Jatoi, district Muzaffargarh in pursuance of the judgment of Honourable Lahore High Court, Multan Bench, Multan passed in writ petition No.4695/2023 on 31.03.2023. The operative para is reproduced as under:

“Respondent No.02/ Secretary, Higher Education Department, is directed to redress the grievance of the petitioner by deciding his pending application one way or the other by applying its own independent judicious mind, after hearing all concerned, in accordance with the provisions of the law through a speaking and well-reasoned order.”

24

2. The petitioner prayed that he was appeared in personal hearing held in Higher Education Department but no reports were/ outcome of the hearings were provided to him.

3. **WHEREAS**, in compliance of the orders of the Honourable Court, the petitioner was afforded with an opportunity of personal hearing on 04.05.2023 vide letter dated 18.04.2023. However, the petition did not turn up. Rather, he filed Crl.Org.No.912-W/2023 in writ petition No.4695/2023. Thereafter, the petitioner was again afforded with another opportunity of personal hearing on 20.07.2023 vide letter dated 13.07.2023, but again he did not turn up. Both the hearing notices were dispatched to his home address/ Mohallah Barohi ward no.2, Jatoi Shumali Tehsile Jatoi, district Muzaffargarh.

4. **AND WHEREAS**, the brief facts of the case are that the students of Govt. Associate College, Kuarey Khan Jatoi, District Muzaffargarh lodged a complaint on

07.07.2021 in this Department wherein they alleged that the petitioner / Mr. Muhammad Naseem Akbar Chishti, Senior Clerk and Mr. Shahid Hussain Junior Clerk of the said college had collected their Board's examination fee(s) and misappropriated / embezzled the same.

5. **AND WHEREAS**, Director of Education Colleges, D.G, Khan was directed to conduct a probe into the matter vide letter dated 30.09.2021. The probe was conducted by three member's committee which recommended for initiation of regular inquiry against the petitioner and four others officers / officials of the Govt. Associate College, Kuarey Khan Jatoi, District Muzaffargarh on account of the charge of embezzlement of Rs.25, 47, 200/- in lieu of Board's Examination Fee of students of the said college.

6. **AND WHEREAS**, a regular inquiry under PEEDA Act, 2006 was initiated against the Principal, of Govt. Associate College, Kuarey Khan Jatoi, District Muzaffargarh, Abdul Ghaffar Khan Bursar, Mr. Shahid Hussain Junior Clerk, Abdul Malik, Junior Clerk including the petitioner / Mr. Muhammad Naseem Akbar Chishti Senior Clerk vide inquiry order dated 30.12.2021. The Inquiry Officer regretted to conduct the inquiry proceedings.

7. **AND WHEREAS**, the Competent Authority appointed Mr. Muhammad Ayub Alam, Associate Professor (BS-19), Govt. S.E Graduate College, Dera Nawab Sahib as new Inquiry Officer vide order dated 08.06.2022. However, the petitioner/ Mr. Muhammad Naseem Akbar Chishti and one other accused Mr. Shahid Hussain had submitted applications on 02.07.2022 whereby stating that they have no confidence upon the Inquiry Officer. The request of the petitioner was acceded to by the Competent Authority and Syed Haider Abbas Gardezi, Principal, Govt. Graduate College, Civil Lines, Multan was appointed as new Inquiry Officer to conduct the inquiry proceedings vide order dated 28.07.2022.

8. **AND WHEREAS**, The Inquiry Officer submitted inquiry report on 05.12.2022. In terms of Section 13(4) PEEDA Act, 2006, personal hearing notice was issued on 19.01.2023 and the copy of the said inquiry report was also provided to all accused including the petitioner. The personal hearing was conducted on 01.03.2023 before the designated Hearing Officer/ Special Secretary, Higher Education Department. All the accused including the petitioner were present and also submitted their written defence. After fulfilling of codal formalities as prescribed in the Act *ibid*, major penalty of "**recovery of Rs.16,87,450/- from the GP Fund of him (petitioner)**"

& Dismissal from Services" was imposed upon the accused/ petitioner; Mr. Muhammad Naseem Akbari Chishti vide order dated: 08.03.2023.

9. AND WHEREAS, in terms of Section 16 (1), PEEDA Act, 2006, the petitioner required to file departmental appeal before the Appellant Authority (Chief Secretary) against the orders dated 08.03.2023 passed by Secretary, Higher Education Department.

10. NOW THEREFORE, I, Agha Muhammad Ali Abbas, Special Secretary Higher Education Department / designated Hearing Officer, after affording an opportunity of personal hearing to the petitioner and perusal of record, do hereby dispose-off of this representation in terms as set out in paragraph 9 ante of this order.

(AGHA MUHAMMAD ALI ABBAS)
SPECIAL SECRETARY
HIGHER EDUCATION DEPARTMENT

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

1. The Assistant Registrar, Registrar, with reference to order of the Honourable Lahore High Court, Multan Bench, Multan passed in Writ Petition No. 4695/2023 dated 06.09.2022.
2. The Director Public Instructions (Colleges), Punjab, Lahore.
3. The Director of Education Colleges, D.G. Khan and Multan.
4. Senior Law Officer, Higher Education Department.
5. PS to Secretary, Higher Education Department, Lahore.
6. PS to Special Secretary, Higher Education Department, Lahore.
7. PA to Additional Secretary (E&G), Higher Education Department.
8. PA to Deputy Secretary (EM), Higher Education Department.
9. The Manager, MIS, Higher Education Department to upload on the website of the Higher Education Department.
10. The petitioner/ Mr. Muhammad Naseem Akbar Chishti s/o Muhammad Ishaq resident of Mohallah Barohi ward no.2, Jatoi Shumali Tehsile Jatoi, district Muzaffarga.

(ABDUL JABBAR)
Section Officer (Discipline Male)