



No. SORI(S&GAD)4-46/2013
GOVERNMENT OF THE PUNJAB
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT (REGULATIONS WING)

Dated Lahore, the 15th December, 2015

To

1. The Senior Member, Board of Revenue, Punjab.
2. The Chairman, Planning & Development Board, Lahore.
3. All the Administrative Secretaries in the Punjab.
4. All Heads of Attached Departments in the Punjab
5. All Divisional Commissioners in the Punjab.
6. All District Coordination Officers in the Punjab.
7. The Secretary Provincial Assembly Punjab.
8. The Chairman, TEVTA Punjab, Lahore.
9. All Heads of Autonomous Bodies in the Punjab.
10. The Secretary, Punjab Public Service Commission Lahore.
11. The Secretary Ombudsman, Punjab, Lahore
12. The Registrar, Punjab Service Tribunal, Lahore.
13. The Secretary, Chief Minister's Inspection Team, Punjab, Lahore.

SUBJECT: **EXPLANATORY GUIDELINES FOR THE HEARING OFFICERS,
DESIGNATED UNDER DISCIPLINARY STATUTES**

I am directed to refer to the S&GAD's instructions bearing No.PS/AS(G)2-24/04 dated 20.03.2004, No.SOEI.1-24/2007, dated 01.09.2008 and SORI (S&GAD) 4-46/2013 dated 09.10.2013, on the subject and to state that section 14 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, relating to the functions of the hearing officer, provides as under:

"14. Personal hearing.- (1) The authority affording personal hearing or the hearing officer on receiving an order of appointment shall, by an order in writing, call the accused and the departmental representative, along with relevant record of the case, to appear before him for personal hearing on the fixed date and time.

(2) After affording personal hearing to the accused, the authority or the hearing officer shall, in relation to the case and the connection of the accused during the hearing, record his remarks in writing and, in case hearing officer, submit a report to the authority so appointed him which shall include:

- (i) summary of the inquiry report where inquiry was conducted under section 10, or summary of the defence offered by the accused to the show cause*

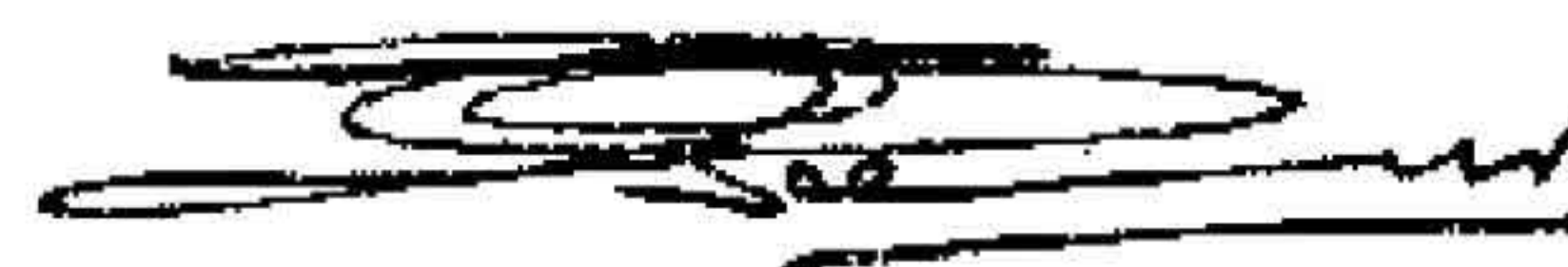
- notice under section 7, or grounds of appeal or review filed under section 16, as the case may be;
- (ii) summary of defence offered by the accused during the hearing, if any; and
- (iii) views of the departmental representative, if any.”

2. The Competent Authority has observed that the hearing officers do not generally observe the provisions of the said section 14. It may be emphasized that the role of hearing officer, under the law, is quite meaningful. Mere affording hearing to the accused or appellant and submission of the proceedings before the Competent Authority by the hearing officers does not provide any meaningful assistance to the Competent Authority or Appellate Authority.

3. The Competent Authority is pleased to direct that the report submitted by the hearing officer to the Competent Authority or Appellate Authority shall be in the form of a Summary, *inter alia*, containing the following:

- (a) the allegations leveled against the accused;
- (b) brief facts of the inquiry and the recommendations of the inquiry officer;
- (c) the grounds taken by the accused in appeal or review;
- (d) the defence offered by the accused during the hearing;
- (e) views of the departmental representative rendered before him; and
- (f) views and suggestions of the hearing officer in a meaningful manner to facilitate the Competent Authority or Appellate Authority to reach a fair decision on merits.

4. These Instructions shall supersede the Instructions issued vide No.SORI (S&GAD)4-46/2013, dated 17.09.2015.



(Dr. Muhammad Saleh Tahir)
Secretary (Regulations), S&GAD
15th December, 2015

NO & DATE EVEN:

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

- (1) The Secretary to Governor, Punjab.
- (2) The Secretary to Chief Minister, Punjab.
- (3) All Addl. Secretaries, Deputy Secretaries and Section Officers in the S&GAD.
- (4) PS to Chief Secretary / Additional Chief Secretary / Secretary (Services / I&C / Regulations / Archives), S&GAD.



(SYED ASHIQ HUSSAIN)
DEPUTY SECRETARY (REGULATIONS)