

MODULE 6 | MANAGING STAFF, SERVICE RULES AND DISCIPLINARY CASES

Conducting a Fair Disciplinary Inquiry

Practical hospital governance in Punjab, Pakistan

Test each charge against the evidence.
Record the defence, reasons and findings.

AUTHOR

Dr Qurban Hussain Khan

A fair inquiry must show how it reached its findings

An inquiry examines a stated charge, hears the employee and records whether the charge is proved. It is not a meeting to confirm a decision already made.

- Check the appointment, charges and assigned roles.
- Give a real opportunity to answer the evidence.
- Record hearings, documents and disputed facts.
- Write a clear report with findings on each charge.

OFFICIAL SOURCE

A principle tied to a named law, rule or official manual.

WORKING METHOD

A practical control or teaching format to adapt to the authorised system.

TEACHING CASE

An invented hospital example, used to practise applying the correct process.

Study output

An inquiry plan, a hearing record and a charge-by-charge findings table.

Module 6 | Presentation 5 of 6. Allow 45-60 minutes with exercises. All explanations are on the pages; check the cited sources before live use.

First confirm that this is a PEEDA inquiry

PEEDA means the Punjab Employees Efficiency, Discipline and Accountability Act 2006. This lecture explains the route where a formal inquiry has been ordered.

Before starting

- Check the employee's legal status, applicable law, competent authority and signed order. Do not infer powers from an MS designation alone.
- A preliminary fact check, a clinical review and a formal disciplinary inquiry have different purposes and authority.

Keep the route clear

- Sections 9-10 deal with an ordered inquiry. A case proceeding without an inquiry follows its own statutory route.
- An inquiry does not replace a separate criminal, professional-regulatory or other legally required process.

Confirm the correct route before issuing notices. If the order is defective, refer the defect to the competent authority.

Sources: **P1**: ss. 1-2, 5, 9-10

Keep four roles separate

The same file passes through different roles. Each role has a defined task.

Role	Main task	Important limit
Competent authority	Orders the inquiry and later decides the case under the Act.	Must hold the actual statutory authority.
Inquiry officer / committee	Examines evidence and submits findings and recommendations.	Does not impose the final penalty through the inquiry report.
Departmental representative	Assists with the department's case, records and witnesses.	Does not decide whether the charge is proved.
Hearing officer	Provides a later personal hearing when lawfully appointed.	This role is distinct from investigating the charge.

“Accused” is the Act's term for the employee facing proceedings. It does not mean the allegation has been proved.

Sources: **P1**: s. 2(a), (f), (j), (l)-(m); ss. 9-14

Check rank and appointment before accepting the role

The appointment order is the starting point for lawful inquiry work.

Legal checks

- The inquiry officer, or the committee convener, must be senior in rank to the accused. In a joint case, compare with the senior-most accused.
- An inquiry committee consists of two or more officers headed by a convener. The Act does not impose the same seniority test on every member.

Practical checks

- Check names, designations, employee identities, case number and the authority signing the order. Obtain the actual order and case record.
- If rank, membership or authority is unclear, ask for written clarification or correction before substantive hearings.

Experience, subject expertise and availability are useful selection factors; they do not replace the statutory rank requirement.

Sources: **P1**: s. 2(l); ss. 5(2), 9(1)(a)

Identify any conflict before hearing evidence

Working method: an inquiry needs an impartial assessment of the charge and defence.

Disclose the issue

- Report if you are the complainant, a material witness, personally involved in the event, or have already publicly decided the outcome.
- If an employee raises a specific objection to impartiality, record it accurately and refer it for an appropriate decision.

Obtain a decision

- Do not privately exchange roles or assume that an objection automatically cancels the appointment. Seek a written decision from the proper authority.
- Keep contact about the merits within the recorded process. A senior officer's preferred result is not evidence.

Avoid combining the task of presenting an allegation with deciding its truth. This page is a practical safeguard, not a new statutory appointment rule.

Read the inquiry order as a set of instructions

Section 9 identifies the main contents of the written inquiry order and the papers sent with it.

01 Appointment

Name the inquiry officer or committee; check required seniority.

02 Charges

State the grounds and charges clearly, with responsibility allocated.

03 Representative

Identify the departmental representative by designation.

04 Defence

Direct the employee to submit a written defence within the allowed period.

05 Case record

Send the relevant record to the inquiry officer or committee.

06 Witnesses

Send the list of witnesses, if any, with the inquiry papers.

Do not add new charges through questions at a hearing. Refer any need to change the formal case to the competent authority.

Sources: **P1**: s. 9(1)-(2)

Turn each charge into questions that can be answered

Working method. The inquiry must examine the notified charge and the responsibility alleged against this employee.

Question	What to identify	Example
What happened?	Act or omission, date, place and relevant record.	An inspection certificate allegedly signed without inspection.
What was required?	Duty, rule, order or assigned responsibility.	The officer's recorded inspection duty.
Who was responsible?	Personal action, access, authority and relevant period.	Who signed and what the signature certified.
What is disputed?	The employee's explanation and the evidence needed to test it.	Whether an authorised inspection occurred and was recorded.

A vague description such as “poor attitude” is not a substitute for a properly specified disciplinary charge.

Sources: **P1**: s. 9(1)(b)

Record service of the order and the defence deadline

The date a paper was signed is not necessarily the date it was received by the employee.

What section 9 requires

- The employee is directed to submit a written defence to the inquiry officer or committee within seven days of receipt of the order.
- The competent authority may determine an extended period. Keep the request, the decision and the revised deadline on file.

What the file should show

- Keep the issued papers, the approved method of service, delivery evidence and the actual receipt date. Record unsuccessful service attempts.
- Register the defence when received. A late or missing reply requires the correct procedural step, not an assumption that guilt is admitted.

Calculate deadlines from the event specified in the law. Do not replace “receipt” with an unverified dispatch date.

Sources: **P1**: s. 9(1)(d); s. 10(1)-(2)

Prepare a short inquiry plan

Working method: plan the evidence around the charges so that the inquiry can proceed without unnecessary delay.

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|---|-----------------------|---|
| 1 | List issues | For each charge, list what must be established and the material defence already raised. |
| 2 | Map evidence | Identify the documents, record custodians and witnesses who can answer those questions. |
| 3 | Arrange access | Set a lawful process for producing and examining records, including relevant confidential material. |
| 4 | Set the diary | Fix hearing dates, record requests and review points within the statutory timetable. |

Keep the plan open to relevant new evidence. A plan organises the inquiry; it must not predetermine its result.

WORKING METHOD | Illustrative material is identified in the text.

Use the departmental representative properly

The departmental representative is appointed to assist the process and present the departmental case.

Duties in section 12

- Be present at each hearing, fully prepared with the relevant records, and assist the inquiry, hearing officer or authority concerned.
- Cross-examine defence witnesses and, with permission, prosecution witnesses who turn hostile; respond to the employee's grounds of defence.

Practical preparation

- Prepare an indexed file, a witness list and a clear link between each document and charge. Identify missing records openly.
- Correct factual mistakes when discovered. Do not coach witnesses to change their accounts or conceal material favourable to the employee.

The inquiry officer assesses the evidence independently. The representative's assertion is not a finding of fact.

Sources: **P1**: s. 12

Ask what each document actually proves

Working method. A document can be genuine yet insufficient to prove the allegation made.

Document	Useful evidence	Limit to check
Duty roster	The assignment recorded for a date and shift.	Was it the final approved version, and was a change authorised?
Biometric log	A recorded device event for an identifier and time.	A missing event alone does not prove every form of absence.
Signed certificate	The recorded certification and apparent signatory.	Check authenticity, wording and the underlying work.
Stock register	The recorded receipts, issues and balances.	A shortage does not by itself identify who caused it.

Compare originals or verified copies, related records and witness evidence. Record any alteration, gap or dispute.

WORKING METHOD | Illustrative material is identified in the text.

Protect records while allowing a meaningful defence

Working method. Secure handling and a fair opportunity to answer the case must operate together.

Preserve the evidence

- Keep originals secure, identify the custodian, number copies and record when material is received or returned.
- For electronic evidence, preserve the original file or export and record who obtained it, from which system and when.

Provide relevant access

- Record requests for documents or inspection and the action taken. Arrange authorised access needed to answer the case.
- If patient or third-party information requires protection, arrange lawful redaction or controlled inspection without hiding the relevant allegation.

Do not circulate the file widely. Do not use “confidential” as an automatic reason to withhold evidence needed for a fair response.

Hear witnesses and allow cross-examination

Cross-examination means the other party may question a witness about the evidence given.

The statutory position

- The inquiry may examine oral or documentary evidence supporting the charge or the defence as considered necessary.
- Where one party produces a witness, the other party is entitled to cross-examine that witness. Record the opportunity and what occurred.

Practical questioning

- Ask what the witness personally saw, heard or did, and which records support the account. Separate direct knowledge from information received from others.
- Keep questions relevant. Record important answers and contradictions accurately; do not replace a witness's answer with an officer's preferred wording.

Both adverse and supporting evidence require examination. A witness's senior rank does not make an account automatically correct.

Sources: **P1**: s. 10(1); s. 12(b)

Know the inquiry officer's evidence powers

Section 11 gives specified Civil Court powers for an inquiry. It does not turn the inquiry officer into a criminal court.

Power	Purpose	Practical discipline
Attendance and oath	Summon and enforce attendance; examine a person on oath.	Record the summons, attendance and evidence taken.
Documents and affidavits	Require discovery and production of documents; receive evidence on affidavits.	Identify the source, relevance and any dispute.
Commissions	Issue a commission to examine witnesses or documents.	Use the lawful procedure and retain the resulting record.

The Act deems these judicial proceedings for Pakistan Penal Code sections 193 and 228. Exercise the listed powers for their statutory purpose.

Sources: **P1**: s. 11(1)-(2)

Make a record of every hearing

Working format. The record should let another authorised officer understand what actually happened.

01 Identity

Case, date, place, presiding officer and persons present.

02 Service

Notice and service position; reason for any absence.

03 Documents

Items received, their identifiers and any authenticity issue.

04 Evidence

Witness account, questions, answers and relevant defence.

05 Requests

Objections and requests, with the decision and reason.

06 Next step

Work directed, next hearing and any recorded adjournment reason.

Authenticate the record under the applicable procedure. Record a refusal to sign accurately; never sign on another person's behalf.

WORKING METHOD | Illustrative material is identified in the text.

Deal with disagreement through evidence

Working method. A disputed fact needs a reasoned assessment, not a vote based on seniority or popularity.

Test the accounts

- Compare each account with dated records and other evidence. Ask whether the witness could observe the event described.
- Put a material contradiction to the relevant witness or employee and record the explanation. Check whether an apparent contradiction has an innocent explanation.

Explain the finding

- State why you accept or reject the important evidence. Identify any unresolved gap instead of filling it with suspicion.
- Do not import a criminal conviction standard or a formula from another jurisdiction without checking the applicable law and binding legal guidance.

The report must show why the actual disciplinary charge is proved or not proved on the evidence examined.

Case: a missing biometric event

Invented example. The issue is alleged falsification of an attendance return; the competent authority has ordered an inquiry.

Allegation	The return records an employee as present, but no morning biometric event appears for that date.
Defence	The employee says the device failed and a supervisor recorded an authorised manual attendance entry.
Evidence to obtain	Device fault record, the original manual register, duty roster, return preparation record and the relevant witnesses.
What to test	Whether the alternative attendance entry is genuine, who prepared the return, and what the employee actually did.
Finding boundary	A missing biometric event does not alone prove that the employee knowingly falsified the return.

Examine the notified falsification charge. Do not quietly substitute a different absence charge in the report.

Case: the stock register cannot be found

Invented example. The charge alleges that a named store officer failed to maintain the required issue record.

Starting evidence	The register is missing from the record room. A shortage has also been reported.
Defence	The officer says the register was maintained and handed to the successor before transfer.
Evidence to obtain	Handover list, receipt by the successor, custody record, copies, issue vouchers and relevant witness evidence.
Separate questions	Was the register maintained? Who last held it? Was a shortage established? These are related but distinct facts.
Report boundary	A missing register is not automatic proof of personal theft. Address the specific charge and evidence of responsibility.

Record attempts to find the original. Label later reconstructions honestly; never present them as records made at the time.

Deal openly with new material and assistance requests

Keep the case within the charges, and do not make assumptions about representation rights.

New evidence or allegation

- Give a proper opportunity to answer relevant new material before relying on it adversely. Record the material, service and response.
- If a distinct new charge appears necessary, refer it to the competent authority. The inquiry officer should not invent a wider case in the final report.

Advocates and assistance

- Section 18 bars representation by an advocate in proceedings under the Act, except proceedings under section 19 before the Service Tribunal.
- This does not justify a blanket ban on obtaining advice outside the hearing. Refer requests for other assistance to the applicable law and authorised procedure.

Record the request and the reasoned response. Do not promise an advocate's appearance at an ordinary PEEDA inquiry.

Sources: **P1**: ss. 9-10, 18-19

Hear the case day to day; record each adjournment

An adjournment is a decision to move the hearing to a later date.

The statutory rule

- Section 10(3) requires hearings from day to day. An adjournment needs reasons recorded in writing.
- An adjournment under this provision must not exceed seven days. A diary entry stating only “adjourned” gives no reason.

Practical control

- Record who requested the adjournment, why it was necessary, the next date and what must be completed meanwhile.
- Arrange departmental records and witnesses in advance. Repeated avoidable absence by officials should be referred promptly to the proper authority.

A busy hospital schedule should be managed through planning and authorised arrangements, not unexplained gaps in proceedings.

Sources: **P1**: s. 10(3)

Follow the warning process for obstruction

Section 10(4) addresses an employee who hampers or attempts to hamper the inquiry.

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| 1 Identify conduct | Record the specific behaviour affecting progress. Disagreement with the allegation is not itself obstruction. |
| 2 Give a warning | Where satisfied that progress is being hampered, administer a warning and record it. |
| 3 Assess again | If the employee disregards the warning, record the finding and the conduct supporting it. |
| 4 Complete lawfully | Proceed in the manner considered expedient in the interests of justice, within the Act. Keep the reasons and evidence clear. |

Do not use an obstruction label to remove the opportunity to present a relevant defence or question a witness.

Sources: **P1**: s. 10(4)

Handle absence on medical grounds under the Act

A medical certificate and sanctioned medical leave are not the same document.

Section 10(5)

- Absence from the inquiry on medical grounds is treated as hampering progress unless applied-for medical leave is sanctioned on a Medical Board's recommendation.
- The competent authority may, in its discretion, sanction medical leave of up to seven days without a Medical Board recommendation.

Practical handling

- Place the application, medical documents and actual leave decision on the file. Check dates and the effect on the hearing schedule.
- Refer the matter promptly to the competent authority. The inquiry officer should not invent a new leave power or personally dismiss a health claim as false.

Keep sensitive medical details secure while recording enough information to explain the procedural decision.

Sources: **P1**: s. 10(5)

Understand what ex parte means

Ex parte means proceeding without the employee's participation. It does not mean that every charge is automatically proved.

The trigger in section 10(2)

- If the employee fails to furnish a reply within the stipulated or extended period, the inquiry officer or committee shall proceed ex parte.
- Before recording that step, verify the service record, allowed time, any extension and whether a reply was actually received.

The continuing duty

- Examine the evidence and record findings on the charges. A missing reply cannot repair a missing document or prove an unsupported assertion.
- Keep subsequent notices and procedural decisions on file. If the employee later appears or offers a reason, deal with the request under the applicable procedure.

Non-attendance after a reply and failure to file a reply are not identical facts. Identify the actual provision before choosing the next step.

Sources: **P1**: s. 10(1)-(4)

Control the inquiry report deadline

The inquiry timetable is separate from the later decision timetable of the competent authority.

Section 10(6)

- The inquiry report is to be submitted within sixty days of initiation of the inquiry. Keep the starting event and due date recorded.
- If completion is not possible within that time, seek an extension for a specific period from the competent authority, with reasons recorded in writing.

Practical control

- Do not wait until the report is overdue to identify missing evidence. Record work completed, work outstanding and the time actually required.
- The Act says that non-observance of the time schedule alone does not invalidate the inquiry. This is not permission to ignore deadlines or justify other defects.

Keep every extension request and decision. A request by itself is not proof that an extension was granted.

Sources: **P1**: s. 10(6)

Build the report around each charge

Section 10(6) requires clear findings and specific recommendations. This is a practical report structure.

1 Procedure	Identify the appointment, charges, notices, defence, hearings and any important procedural decisions.
2 Evidence	Summarise the relevant documents and witness evidence, including material supporting the defence.
3 Assessment	Explain disputed facts, reliability, responsibility and why important arguments are accepted or rejected.
4 Finding	State clearly whether each charge is proved or not proved, with reasons and the required recommendation.

Use document and page references. A long bundle of statements without an assessment is not a reasoned inquiry report.

Sources: **P1**: s. 10(6)

Use a charge-by-charge findings table

Invented example. Assume the stated evidence has been properly produced and tested during the inquiry.

Charge	Evidence and defence	Reasoned finding
False receipt certification	Officer admits signing receipt of 100 items before delivery; record shows 80 arrived. No authorised basis explains the certification.	Proved on these assumed facts: the record and admission support the specific false certification.
Personal theft of 20 items	No evidence establishes receipt or personal taking of those 20 items. The employee denies taking them.	Not proved on these assumed facts. The false certificate does not by itself establish personal theft.

This teaching example gives no actual penalty advice. Findings change if credible evidence changes.

Recommendations are required; the decision is separate

The inquiry report must assist the competent authority without pretending to replace it.

Inquiry report

- Section 10(6) requires specific recommendations on exoneration or the imposition of a penalty or penalties.
- State the reason for the recommendation and connect it to the findings. Avoid a vague conclusion such as “take action as deemed appropriate”.

Competent authority

- The recommendations are not binding. Under section 13 the authority examines whether the inquiry complied with the Act and assesses the case.
- The authority may follow the statutory decision process, or, for recorded reasons, remand the inquiry or order a fresh inquiry where section 13(6) permits.

Do not communicate a recommended penalty as an imposed penalty. Lecture 28 covers the decision, hearing and appeal stages.

Sources: **P1**: s. 10(6); s. 13(1)-(6)

Submit a complete, traceable inquiry file

Working checklist. Send the report through the authorised route and keep proof of submission.

01 Authority

Signed inquiry order, changes and relevant authorisation.

02 Notices

Issued papers, service evidence and deadline decisions.

03 Defence

Written defence, applications and material replies.

04 Evidence

Indexed documents, witness records and cross-examination.

05 Procedure

Hearing records, reasons, warnings and extensions.

06 Report

Authenticated findings, recommendations and annexure index.

Account for original records and their custodians. A later transfer of the inquiry officer should not leave the file unusable.

WORKING METHOD | Illustrative material is identified in the text.

Test three inquiry decisions

Write your answer and the reason before turning to the next page.

1. A witness as chair

The proposed convener signed the disputed inspection certificate and will need to explain it.

What should happen before substantive hearings?

2. An absent record

A register cannot be found. The employee says it was handed to a successor and names the receipt record.

Can the inquiry ignore the handover claim?

3. A missing scan

A biometric entry is missing. A manual register and device-fault log support an alternative account.

Can the missing scan alone prove falsification?

Answer using authority, fair procedure and the evidence needed for the actual charge.

Answers and reasons

Use the evidence, fair procedure and the actual source of authority.

1. Refer the conflict promptly

Disclose the material involvement and seek an appropriate written decision on appointment. A central witness should not simply judge the credibility of their own disputed evidence.

2. Examine the material defence

Obtain and test the handover evidence and record-custody history. If the register remains missing, explain the gap and its effect on the specific charge.

3. Test all the relevant evidence

Check the authenticity and dates of the manual register and fault log, and hear relevant witnesses. A missing scan alone does not establish that the employee knowingly falsified the return.

Fairness is visible in the record: the material defence is examined, and the finding explains the evidence.

Prepare a small inquiry practice file

Use a non-confidential real case or the invented examples in this lecture.

Inquiry plan

Use an invented certification case. List two clear charges, issues, records and relevant witnesses.

Hearing record

Prepare one dated hearing record showing evidence, questions, requests and the next step.

Findings table

For each charge, show evidence, defence, assessment, finding and recommendation.

Review: could an independent reader trace every important finding to evidence and understand how the defence was considered?

Learning exercise only. An official charge, appointment or order must come from the actual competent authority.

From the inquiry report to a lawful decision

Lecture 28: Disciplinary Decisions, Penalties and Appeals

Carry forward

- A report containing reasons, findings and recommendations for each charge.
- A complete record showing notice, evidence, defence, hearings and procedural decisions.

Next questions

- What must the competent authority check before deciding the case, and when is a further hearing required?
- How should a written order, penalty, communication record and appeal process be handled?

An inquiry report is a stage in the statutory process. Completion of the report does not by itself complete the disciplinary case.

Sources: **P1**: ss. 10, 13-14, 16-19

Sources and continued use

Select a source title or its official-source link to open the document.

P1 Punjab Employees Efficiency, Discipline and Accountability Act 2006

Act XII of 2006. Sections 2, 5 and 9-14 govern the inquiry roles, procedure, evidence, report and subsequent decision. Section 18 governs representation by an advocate. Read the current amended text.

Government of Punjab | Punjab Laws | [Official source](#) | [Official PDF](#)

P2 PEEDA Amendment Act 2026

Act XVII of 2026, Punjab Gazette, 25 February 2026. Amends section 21 on completion of retirement cases. Read with the principal Act; check dates and any authorised extension in a retirement case.

Government of Punjab | Punjab Laws | [Official source](#)

Educational material by Dr Qurban Hussain Khan. Source editions are stated; verify later amendments and applicable institutional orders before live use.