

REGISTERED



ORDER

**GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT**
31-Sher Shah Block New Garden Town, Lahore

No. SO(ESTT)33-35/2011(2546). WHEREAS, Ghulam Murtaza, Director (Administration) (BS-19), Directorate General of Special Education Punjab, Lahore filed appeal against order dated 18.05.2026 passed by the Governor of the Punjab / Competent Authority whereby he was transferred and posted as Principal, Govt. In Service Training College for the Teachers of Disabled Children, Lahore. Simultaneously, he filed **Appeal No.2050/2026** with the **Punjab Services Tribunal, Lahore**. The Tribunal disposed of the case, with the following direction, vide order dated 21.05.2026:

"...the instant appeal is disposed of with the direction to the Chief Secretary Govt. of the Punjab, Lahore to decide departmental appeal of the appellant in an expeditious manner. In the meanwhile, the operation of the impugned order dated 18.05.2026 is hereby suspended, provided that the impugned order has yet not been implemented."

2. **AND WHEREAS**, comments were obtained from the Administrative Department. Mr. Mubashar Ahmad Khan, Member-III (Inquiries), S&GAD was appointed as Hearing Officer to afford personal hearing to the appellant and submit a detailed report to arrive at a definitive decision.

3. **AND WHEREAS**, the Member-III (Inquiries), S&GAD after affording personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department submitted hearing report. The appellant contended that the impugned transfer order itself expressly invokes Clause 4(i) of the Transfer Policy - 2022 alongwith Section 9 of the Punjab Civil Servants Act, 1974. However, while relying upon one favourable clause of the policy, the department has simultaneously ignored and violated Clause-2 and the proviso appended thereto, which mandate posting strictly against cadre posts and observance of normal tenure. Such selective application of policy provisions is arbitrary, discriminatory and contrary to settled principles of administrative law. He prayed that the impugned transfer / posting order may be cancelled / revised / withdrawn.

4. **AND WHEREAS**, on the other hand, the Administrative Department submitted in the Note that the instant appeal/representation is not maintainable and liable to be dismissed on the ground that the impugned transfer/posting order dated 18.05.2026 was issued with the approval of the Competent Authority i.e. Chief Minister Punjab. Therefore, the appellant has assailed an order passed by the highest executive authority of the province in relation to matters pertaining to postings and transfers. The post of Director (BS-19) is of provincial cadre and the incumbents are to serve anywhere in Punjab. The Competent Authority can transfer an employee from one place to another and such order does not violate any right of the employee. The appellant continues to serve in BS-19 under the same department. On the recommendations of the Provincial Selection Board-II and approval of the competent authority, the appellant

was promoted to the post of Director (Administration / BS-19) vide Notification dated 25.07.2023 and posted as Director (Administration / BS-19) in the Directorate General of Special Education, Punjab, Lahore, where he continued to serve against the said post. During the year 2026, certain administrative requirements and organizational considerations necessitated rationalization of postings against various administrative positions falling under BS-19 within the department. For the prevailing administrative requirements and in exercise of powers vested under Section 9 of the Punjab Civil Servants Act, 1974, read with the applicable provisions of the Transfer Policy, 2022, the competent authority considered transfer/posting of officers against available equivalent posts within the department. Accordingly, the appellant was transferred from the post of Director (Administration), Directorate General of Special Education, Punjab, Lahore and posted as Principal, Government In-Service Training College for Teachers of Disabled Children, Lahore, against a vacant sanctioned BS-19 post vide order dated 18.05.2026. The impugned transfer order did not, in any manner whatsoever, alter, diminish or adversely affect the substantive service status of the appellant. The appellant remained posted as Director (Admn) at Directorate General of Special Education, Punjab, Lahore since 25.07.2023 up-till 18.05.2026 (almost 03 years), thus he had exhausted more than that of his normal tenure at a particular place as per Proviso to Clause 4 of Transfer Policy-2022 of Special Education Department, even otherwise, in the instant case, Section 9 of the Punjab Civil Servants Act, 1974 is applicable to the appellant and as per proviso to the Section 9 of the Act *ibid*, he is liable to serve anywhere in the province. Instead of joining at his new place of posting, the appellant challenged the transfer order through a departmental appeal/representation and simultaneously filed Appeal No.2050/2026 before the Punjab Service Tribunal, Lahore. The Administrative Department proposed to reject the appeal being devoid of merit.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering the appeal of the appellant and the report of the Hearing Officer, it is observed that in the instant case, impugned notification has been issued with the approval of the Chief Minister/Competent Authority and remedy available with the appellant is to make review petition with the Chief Minister. The instant appeal with Chief Secretary is an appeal with coram non judice and liable to be rejected having been filed before wrong forum and in illegal manner.

6. **NOW THEREFORE**, Under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, do hereby **reject** the appeal of **Ghulam Murtaza**, being devoid of merit and substance.

-sd-

(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 15th July, 2026

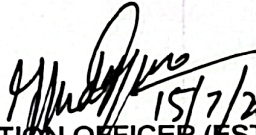
No. & Date Even.

A copy is forwarded to the:

1. **Accountant General**, Punjab, Lahore.
2. **Director General**, Directorate General of Special Education, Punjab, Lahore.
3. **Deputy Secretary (Service Matters)** to Chief Secretary, Punjab w.r. to Note bearing No. 128258 dated 14.07.2026.
4. Mr. Ghulam Murtaza, Director (Administration) (BS-19), Directorate General of Special Education, Punjab, Lahore to relinquish the charge of the post of Director (Administration), Directorate General of Special Education, Punjab, Lahore

forthwith and report for duty as Principal, Government In-Service Training College for Teachers of Disabled Children, Lahore, in pursuance of transfer/posting order dated 18.05.2026, without any further delay.

5. Mr. Masroor Hussain Naqvi, Deputy Director (BS-18) to assume the charge of the post of Director (Admn/BS-19), Directorate General of Special Education Punjab, Lahore immediately pursuant to order dated 21.05.2026 and submit report to this department.
6. PS to Secretary Special Education Department.


15/7/2026
SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT