

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

No. SO(Estt.)22-259/2024. WHEREAS, Mr. Muhammad Amir S/o Muhammad Asghar, Lecturer (Islamiat/BS-17), presently posted at Govt. Degree College of Special Education, Faisalabad ('petitioner') filed Writ Petition No. 33137/2025 in Hon'ble Lahore High Court, Lahore for early decision of his pending application. The instant Writ Petition was **disposed of** by the Hon'ble Court vide order dated 30.05.2025 with the following directions:

*"xxx.2. This petition is **disposed of** with a direction to respondent No. 2, Secretary to Government of Punjab, Special Education Department, Lahore to decide the application of the petitioner either himself or through a delegate duly authorized in this behalf. This shall be done within a period of **one month** from the receipt of a certified copy of this order."*

2. **AND WHEREAS**, pursuant to the directions of Hon'ble Lahore High Court, Lahore, the petitioner was directed to appear before Additional Secretary, Special Education Department / Hearing Officer on 02.07.2025. The Hearing Officer after granting hearing to the petitioner submitted report wherein it has been stated that the petitioner appeared on the fixed date and during hearing, the petitioner while reiterating the grounds taken by him in the applications and also in Writ Petition, *inter alia*, contended that he was recommended as a Lecturer (Islamiat) (BS-17) on contract basis for the period of five (05) years in the Special Education Department; that he qualified the above mentioned exam by "first position" vide PPSC merit / application No. 1/33701399; that he had given preference for posting in Govt. Degree College of Special Education, Lahore but he was posted in Govt. Degree College of Special Education, Faisalabad vide order dated 18.04.2025 which is totally against the merit criterion; that he is the only one to take care of his family and all responsibilities of home lies on his shoulders. Lastly, he requested that he may be transferred against a vacant post of Lecturer (Islamiat) (BS-17) at Govt. Degree College of Special Education, Lahore as per merit policy, as he stands first in PPSC merit.

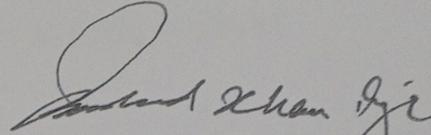
3. **AND WHEREAS**, upon careful scrutiny of the available record, it has been observed that the petitioner was recommended by the Punjab Public Service Commission (PPSC) for appointment as Lecturer (Islamiat/BS-17) on five-years contract basis in the Special Education Department, Government of the Punjab, vide letter dated 10.10.2024. Consequent to said recommendation, an offer of appointment was issued on 25.10.2024. The petitioner accepted the offer on 28.10.2024. Vide posting order dated 18.04.2025, the petitioner was posted at Govt. Degree College of Special

Education, Faisalabad. However, the petitioner submitted an application dated 21.04.2025 wherein he claimed that he stood first in merit list (PPSC Application No. 1/33701399), and had opted for posting at Lahore. He contended that his posting at Faisalabad is in disregard of merit and also cited personal hardship grounds, seeking his transfer to Lahore. A subsequent application dated 25.04.2025 was also submitted by the petitioner on similar grounds. Record reflects that he assumed charge of the post at Faisalabad on 02.05.2025. Thereafter, the petitioner approached the Hon'ble Lahore High Court through Writ Petition No. 33137/2025. The said petition was **disposed of** vide order dated 30.05.2025 with the direction to the Secretary, Special Education, to decide the petitioner's application. In compliance with the Court's directions, the petitioner submitted yet another application dated 19.06.2025 reiterating the same request and contentions.

4. **AND WHEREAS**, after considering all aspects of the case including applications filed by him, stance taken in Writ Petition and report of Hearing Officer, it has been noted that the petitioner's posting at Govt. Degree College of Special Education, Faisalabad vide order dated 18.04.2025 was made in accordance with law and departmental procedure. The petitioner has voluntarily joined and assumed charge on 02.05.2025, thereby rendering his earlier applications infructuous. The claim that his posting violates Clause XV(iii) of the Contract Appointment Policy, 2004, and merit principles is misconceived. A conjoint reading of Clause XV(iii) of the Contract Appointment Policy, 2004 and Clause 10 of the offer of appointment dated 25.10.2024, *which was unconditionally accepted by the petitioner*, clearly stipulates that the appointment is against a provincial cadre post, and the appointee is liable to serve anywhere in Punjab. No vested right accrues to an employee to seek posting at a place of personal convenience. The grievance raised by the petitioner is legally untenable and factually unfounded. Furthermore, as per record, the posting order dated 18.04.2025 was issued in conformity with the laws, policies, and the administrative discretion of the Competent Authority / Secretary Special Education. No violation of fundamental or vested rights is discernible from the record. It is further noted that the Government of the Punjab, in its 39th Cabinet meeting held on 17.12.2020, approved the Transfer Policy, 2020 of the Special Education Department, which was duly notified and later amended in 2022. The **Transfer Policy-2022**, duly notified and published in the official gazette, mandates that all transfer requests shall be entertained strictly on merit, subject to availability of vacant posts, only through the designated online portal, and only during summer or winter vacations. Manual requests are not permissible under the policy framework. At present, the e-portal is open and applications can be filed for transfer against vacant posts, hence the petitioner has an alternate remedy and he can apply for his transfer online.

5. **NOW, THEREFORE**, in the light of above stated facts, I, **Muhammad Khan Ranjha**, Secretary Special Education / Respondent No. 2, after perusing the record, material related to the case, Transfer Policy-2022 of Special Education

Department and hearing report, am of considered view that there is no illegality or perversity in order dated 18.04.2025 (which has even otherwise been complied with / implemented by the petitioner) and the same has been passed in consonance with the spirit of law, hence does not warrant any interference. Moreover, as per provisions of Transfer Policy-2022, approved by the Provincial Cabinet, transfer of teaching staff and allied professional, subject to conditions mentioned in Transfer Policy-2022, can be ordered / approved only during summer / winter vacations and through online portal only, against vacant posts and not otherwise. Therefore, applications of the petitioner are hereby **rejected** being having become infructuous after compliance of posting order dated 18.04.2025 and devoid of merits. However, the petitioner can apply for transfer online, subject to availability of vacant post in his cadre, as per provisions contained in Transfer Policy-2022.



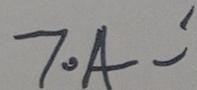
(MUHAMMAD KHAN RANJHA)
SECRETARY
GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT/
RESPONDENT NO. 2

Dated Lahore, the
20th Aug, 2025

No. & Date Even:

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

1. Deputy Registrar (Judicial), Lahore High Court, Lahore in compliance with order dated 30.05.2025 passed in Writ Petition No. 33137/2025.
2. Director General, Special Education, Punjab, Lahore.
3. District Education Officer (Special Education), Faisalabad.
4. Principal, Govt. Degree College of Special Education, Faisalabad.
5. Petitioner concerned / **Mr. Muhammad Amir** S/o Muhammad Asghar, Lecturer (Islamiat/BS-17), presently posted at Govt. Degree College of Special Education, Faisalabad.
6. P.S. to Secretary Special Education Department.



SECTION OFFICER (ESTT.-I)

20/8/2025