



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

ORDER

No. SO(Estt.)10-489/2016. WHEREAS, Sarwat Nawaz, Headmistress (BPS-18), Govt. Special Education Center, Sillanwali, Sargodha, filed appeal against order dated 28.02.2023, passed by the Secretary, Special Education Department whereby her request for promotion to the post of Principal (BS-19) was **disposed of** with the observation that case would be placed before PSB-II for consideration after fulfilling the eligibility criteria for promotion.

2. AND WHEREAS, comments were obtained from the Administrative Department. Mr. Kamran Abdullah Siddiqui, Member-II (Enquiries), 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-II (Enquiries), S&GAD after affording personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department submitted hearing report stating therein that the appellant reiterated the points already raised in her appeal. She contended that she was initially appointed as Senior Special Education Teacher (SSET)/(BS-17) in Special Education Department on 01.09.2004 on regular basis and subsequently as Headmistress (HI Field) (BS-18) on contract basis for a period of five years *vide* order dated 04.10.2016. Her services against the post of Headmistress were regularized *vide* order dated 11.12.2019. The appellant filed a representation to the Secretary Special Education dated 20.10.2022 requesting promotion in BS-19 being eligible for and entitled to it. She filed Writ Petition No.5358/2023 with the Lahore High Court, Lahore, which **disposed of** the case *vide* order dated 27.01.2023 with the direction to the Secretary Special Education to decide the pending application of the appellant in accordance with law. The Secretary Special Education after affording personal hearing to the appellant, **disposed of** her representation *vide* order dated 28.02.2023. Feeling aggrieved, the appellant filed the instant appeal.

4. AND WHEREAS, on the other hand, the Departmental Representative stated that the appellant has 12 years, 01 months and 03 days service as SSET (BS-17), whereas after appointment as Headmistress in BS-18, she remained on contract appointment for a period of 03 years, 02 months and 07 days and after regularization of services against the post of Headmistress (BS-18) *vide* order dated 11.12.2019, she has only 03 years and 02 months regular service at her credit. As per Punjab Civil Servants (Minimum Length of Service for Promotion) Rules, 2010, where initial recruitment has taken place in BS-18, as many as 7 years service against the posts in BS-18 is required for promotion to BS-19. As such, the appellant is still not eligible for promotion due to deficiency in the length of requisite service.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering arguments of the appellant and report of the Hearing Officer, I am of the view that the appellant lacks requisite length of regular service for promotion to BS-19 as service rendered on contract basis cannot be equated to that of regular service. Hence, his claim for promotion to (BS-19) is still premature. The impugned order dated 28.02.2023 passed by the Secretary Special Education does not call for any intervention being in accordance with law.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, do hereby **reject** the appeal of Sarwat Nawaz, being devoid of merit and contrary to the law / rules.

-sd-
(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 26th July, 2023

No. & Date Even.

A copy is forwarded to the:

1. The Director General, Directorate General of Special Education, Punjab, Lahore.
2. The Deputy Secretary (Service Matters) to Chief Secretary, Punjab w.r. to Note dated 19.07.2023.
3. The District Education Officer (Special Education), Sargodha with the request to ensure delivery of this order to the appellant under intimation to this department.
4. Appellant concerned / **Ms. Sarwat Nawaz**, Headmistress (BS-18), Govt. Special Education Centre, Silanwali, District Sargodha.
5. PS to Secretary Special Education Department.


(GHULAM FATIMA BANDIAL)
SECTION OFFICER (ESTT.)