

REGISTERED



ORDER

GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT

No. LO(Writ)1-10/2025. WHEREAS, **Muhammad Irfan** s/o Mushtaq Ahmad, Naib Qasid, Govt. Secondary School of Special Education for Hearing Impaired (Boys), Multan, **Muhammad Abubakar** Siddique S/o Muhammad Aslam, Braille Teacher, Govt. Institute for the Blind, Multan, **Maha Siraj** D/o Siraj Din, Braille Teacher, Govt. Institute for the Blind, Multan, **Mehran Danish** s/o Muhammad Khan, Mobility Instructor, Govt. Institute for the Blind, Multan and **Muhammad Shahzad** s/o Muhammad Aslam, Attendant, Govt. Secondary School of Special Education for Physically Disabled Children, Multan ('petitioners'), who are engaged as Daily Wagers filed Writ Petition No. 7814/2025 before Hon'ble Lahore High Court, Multan Bench, Multan with following prayer:

"In view of the foregoing, it is respectfully prayed that this Hon'ble Court may graciously be pleased to issue a writ in the nature of Mandamus directing the respondents to declare the petitioner's permanent workman in terms of Policy letter dated 29<sup>th</sup> January, 2021 without further loss of time in the larger interest of justice and the respondents may also be directed to pay all due wages/salaries to the petitioners in a timely manner in the larger interest of justice.

Any other relief which this Honourable court may deem fit and proper, may also be awarded to the petitioner against the respondent".

The Hon'ble Lahore High Court, Multan Bench, Multan vide order dated 01.07.2025, disposed of the case with following order:

"xxx. 2. Learned counsel for the petitioners contends that the petitioners have been working as daily wagers who are entitled to be treated as Permanent Workmen in terms of Policy Framework for Work Charge Employees, Daily Wagers and Contingent Paid Staff, 2021. He further contends that the petitioners would be satisfied and shall not press this petition if a copy of the titled petition alongwith its annexures is transmitted to the respondent No.1A to be treated as representation of the petitioners for decision thereon expeditiously in accordance with law.

3. Learned Law Officer has no objection to the request made by learned counsel for the petitioner.

4. Accordingly, the office is directed to transmit a copy of this petition alongwith its annexures to respondent No.1A who shall treat it as representation of the petitioners for decision thereon in accordance with law expeditiously preferably within a period of 30-days from the date of receipt of certified copy of this order after providing opportunity of hearing to the petitioners and all others concerned.

**Disposed of accordingly."**

2. **AND WHEREAS**, in order to comply with the directions of Hon'ble Court contained in order dated 01.07.2025, all the petitioners of Writ Petition alongwith all necessary parties were afforded an opportunity of personal hearing on **20.08.2025**. The petitioners instead of appearing filed an application stating therein that they are visually impaired persons and it is very difficult for them to travel, hence their contentions contained in Writ Petition may be considered as their submission for the hearing. The stance already taken by the petitioners in that they are visually impaired individuals working in capacities at Government Special Education Institutions in Multan under the administrative control of the Social Welfare & Bait-ul-Mal Department. The petitioners were initially appointed on 89-days daily wage contracts. Their contractual terms were extended from time to time and despite having rendered uninterrupted and satisfactory service for a period exceeding four years, they have not been put on the track of permanent workman to date. The petitioners fulfill all the necessary criteria as laid down under the standing orders ordinance, 1968, which governs the conditions of employment and the rights of employees in Pakistan. That the denial of giving the status of permanent workman to the petitioner's amounts to discrimination especially when similarly placed employees have been regularized in other departments and even with the same department. This violates the petitioner's rights under Articles 4,9 and 25 of the Constitution.

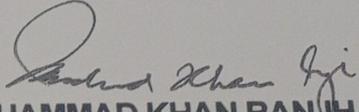
3. **AND WHEREAS**, after examining the record/material related to the case, it is observed that the petitioners were engaged as daily wager for a specific period of 89-days on the recommendations of standing committee of cabinet on Finance and Development and on the reference received from Chief Executive Officer, District Education Authority, Multan. They had been granted extension in their term of engagement only for 89-days (*from time to time*) on the recommendations of CEO (DEA), Multan. The petitioners having been engaged temporarily as daily wagers are drawing remuneration from head of account contingent paid staff. They were never hired against any sanctioned post as per procedure prescribed under the rules, nor are they drawing their remuneration against any sanctioned post. It is admitted at all hands that the petitioners were engaged on daily wage basis and they were not recruited against any sanctioned post. The jurisprudence evolved on the subject holds that there is no vested right to seek regularization for employees hired on daily wages and enrollment through daily wages, without any prescribed criteria, standards and transparent procedure, cannot be a route to become a civil servant or regular employee in Public Sector. It is imperative to observe that the process of regularization requires backing of any law, rules or policy. The applicable law regulating the regularization of services of employees i.e., the Punjab Regularization of Services Act, 2018, Section 2(c) of which expressly excludes the daily wager / persons appointed as work charged employees from the ambit of this law. Moreover, the services of the petitioners were engaged without advertisement and it is also settled by now that mere length of service or efflux of time cannot be made sole basis to seek regularization. It is also important to observe here that undersigned is not Competent nor Appointing / Hiring Authority of daily wagers. The petitioners have not filed application before the concerned appointing authority, hence representation before the undersigned is not maintainable. Moreover, the August Supreme Court of Pakistan in case reported as **PLJ 2022 SC 35** has held as under;

*"Daily Wagers cannot be regularized, untill and unless the posts, where against they were working, are advertised, as per rules--In all fairness, they may be given a maximum five percent additional marks, for their past*

service as daily Wagers, while evaluating their candidature on open merit, after public advertisement."

As far as stance of the petitioners that their services are liable to be regularized is concerned, it is noted that the same is misconceived because as per the terms and conditions contained in the engagement letters (*issued time to time*), the engagement of the petitioners was purely temporary in nature. It has further been provided therein that said engagement is only for 89-days and no right of regularization is available. It is noted that the petitioners have failed to persuade through record and also failed to place on record any law/rule/policy through which it could be established that what they are claiming through their applications is lawfully permissible.

4. **NOW, THEREFORE**, in the light of above stated facts, I, **Muhammad Khan Ranjha**, Secretary Special Education / Respondent No. 1-A in the instant case, after having considered all the aspects, material related to the case alongwith applicable laws/rules, am of considered view that I am neither Competent nor Appointing / Hiring Authority of the petitioners and they have not filed any application before the authority who is their Appointing Authority. Moreover, the petitioners are daily wagers and excluded from the definition of "employee" under the provisions of applicable law i.e., the Punjab Regularization of Services Act, 2018. The relief claimed by the petitioners through representation is contrary to the applicable law/rules/policies. Hence, the representation of the petitioners is found to be not maintainable and devoid of merits. In view thereof, same are hereby **rejected** being not maintainable, contrary to the law/rules/policies and devoid of merits, substance and legal force. However, the petitioners may file appropriate application before the competent authority for redressal of their grievance. The order dated **01.07.2025** passed by Hon'ble Lahore High Court, Multan Bench, Multan in Writ Petition No. 7814/2025 is hereby complied with in above stated terms.

  
(MUHAMMAD KHAN RANJHA)  
SECRETARY  
GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT /  
RESPONDENT NO. 1A

Dated Lahore, the  
September, 22 / 2025

**No. & Date Even:**

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

1. Deputy Registrar (Judicial), Lahore High Court, Multan Bench, Multan in compliance of order dated 01.07.2025 passed in Writ Petition No. 7814/2025.
2. Director General, Special Education, Punjab, Lahore.
3. Director (Admin), Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Multan to ensure delivery of this order to the petitioners under intimation to this department.
5. Muhammad Irfan s/o Mushtaq Ahmad, Naib Qasid, Govt. Secondary School of Special Education for Hearing Impaired (Boys), Multan.

6. Muhammad Abubakar Siddique S/o Muhammad Aslam, Braille Teacher, Govt. Institute for the Blind, Multan.
7. Maha Siraj D/o Siraj Din, Braille Teacher, Govt. Institute for the Blind, Multan.
8. Mehran Danish s/o Muhammad Khan, Mobility Instructor, Govt. Institute for the Blind, Multan.
9. Muhammad Shahzad s/o Muhammad Aslam, Attendant, Govt. Secondary School of Special Education for Physically Disabled Children, Multan.
10. Master File.

7. A - 5  
SECTION OFFICER (ESTT.)  
SPECIAL EDUCATION DEPARTMENT

22/9/2025