



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT
31-Sher Shah Block New Garden Town, Lahore
Dated Lahore the September 11, 2020

ORDER

No. SO(Estt.)40-82/2011. WHEREAS, Ms. Sidra Asghar, Junior Special Education Teacher (Hearing Impaired Field) Govt. Central High School for Hearing Impaired, Gulberg-II Lahore filed Departmental Appeal against the order dated 10.02.2020 passed by Secretary Special Education whereby the Appellant was transferred and posted at Govt. Deaf & Defective Hearing School, Sialkot. Simultaneously, she also filed Appeal No. 732/2020 before Punjab Service Tribunal. The Honourable PST disposed of the said Appeal vide order dated 13.02.2020. The operative part of said order is as under: -

“xxxx. Respondent No. 1 / Chief Secretary, Govt. of the Punjab, Lahore is directed to decide the departmental appeal, if any pending before him, within statutory period from receiving of this order after hearing the appellant as well as the other concerned and the departmental representative and pass a self-explanatory order and till then, the operation of the impugned order dated 10.02.2020 shall remain suspended, if the appellant has not relinquished the charge / not relieved from duty / if the impugned order not acted upon. ”

2. AND WHEREAS, comments on Appeal were obtained by the Chief Secretary from the Administrative Department and Secretary (Regulations), S&GAD was appointed as Hearing Officer to afford an opportunity of personal hearing to the Appellant on behalf of Appellate Authority.

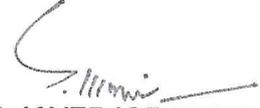
3. AND WHEREAS, Secretary (Regulations), S&GAD / Hearing Officer after affording personal hearing to the Appellant on 23.07.2020 in the presence of Departmental Representative submitted his report to Chief Secretary, Punjab stating therein that the Appellant reiterated the points raised in her appeal and contended that her minor son is a patient of hydronephrosis and under treatment in a hospital at Lahore. The Appellant prayed that the impugned order may be set aside and she may be allowed to continue at Lahore. The Departmental Representative stated that Appellant was appointed as Junior Special education Teacher (Hearing Impaired Field/BS-16) on contract basis for a period of five years vide order dated 03.02.2012 and posted at Govt. Special education Centre, Kamoki District Gujranwala vide order dated 21.05.2013. Thereafter, Appellant was transferred and posted at Govt. Central High School for Hearing Impaired, Gulberg-II, Lahore, on her own request vide order dated 24.06.2013. The Departmental Representative apprised that the Appellant has been working at Lahore since the last six years, therefore, she has been

transferred to Sialkot vide impugned order dated 10.02.2020 on administrative grounds. According to Departmental Representative, appeal of the Appellant is liable to be rejected being devoid of merit.

4. **AND WHEREAS**, after examining the record/material available in the case file, considering appeal of the Appellant and report of Hearing Officer, I am of the view that the Appellant has been transferred on administrative grounds, after the longest stay of more than six years. Section 9 of the Punjab Civil Servants act, 1974 provides that every civil servant shall be liable to serve anywhere within or outside the province against any post. Even otherwise, no civil servant has a vested right for posting of his own choice.

5. **NOW THEREFORE**, under the circumstances, I, Jawwad Rafique Malik, Chief Secretary Punjab, do hereby reject the appeal of Ms. Sidra Asghar being devoid of merit and not covered under the law/rules.

(JAWWAD RAFIQUE MALIK)
CHIEF SECRETARY PUNJAB



(SYED JAVED IQBAL BOKHARI)
SECRETARY SPECIAL EDUCATION

No. & Date Even.

A copy is forwarded to the:-

1. The Registrar, Punjab Service Tribunal w/r to Appeal No. 732/2019.
2. Personal Staff Officer to Chief Secretary, Punjab.
3. Accountant General, Punjab, Lahore.
4. Director General, Special Education, Punjab, Lahore.
5. District Education Officer (Special Education), Lahore & Sialkot.
6. Appellant concerned.
7. PS to Secretary Special Education Department.
8. Master File.



SECTION OFFICER (ESTT).