



GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT  
31-Sher Shah Block New Garden Town, Lahore  
Dated Lahore the November 18<sup>th</sup> /2021

**ORDER**

No. SO(Estt.)40-30/2011. WHEREAS, Ms. Farzana Akhtar, Junior Special Education Teacher, Govt. Secondary School of Special Education for Hearing Impaired, Chiniot filed appeal against order dated 03.03.2021 passed by the Secretary Special Education whereby the appellant was directed to join her new place of posting at Govt. Deaf & Defective Hearing School, Chiniot.

2. AND WHEREAS, comments on appeal of the appellant were obtained from the Administrative Department. Mr. Tahir Yousaf, Secretary (Archives), S&GAD was appointed as Hearing Officer to afford an opportunity of personal hearing to the appellant and submit a comprehensive report to arrive at a definitive decision.

3. AND WHEREAS, the Secretary (Archives), S&GAD after affording hearing to the appellant in the presence of Departmental Representative of Special Education Department submitted report of hearing proceedings stating therein that during proceedings, the appellant reiterated the points raised in her appeal and contended that she had been transferred from Govt. Higher Secondary School of Special Education, Faisalabad to Govt. Secondary School of Special Education, Chiniot vide order dated 15.01.2020. She filed an appeal before Chief Secretary for cancellation of mutual transfer orders on the grounds that transfer orders were issued only to adjust a contract employee who had already availed transfer within a short period of two years of her appointment on wedlock policy basis. Appeal before worthy Chief Secretary was decided on 12.02.2021 with the direction to Secretary Special Education to consider her request for posting near to her home district. Now, instead of complying with the orders of Chief Secretary, the Secretary Special Education issued her directions to join her new place of posting within 07 days, otherwise disciplinary proceedings will be initiated against her under PEEDA Act, 2006 vide impugned order dated 03.03.2021. The appellant prayed that the decision of Chief Secretary, Punjab may be implemented in true letter and spirit and she may be posted in Faisalabad and appeal period may be adjusted accordingly.

4. AND WHEREAS, the Departmental Representative stated that under Section 9 of the Punjab Civil Servants Act, 1974, "every civil servant shall be liable to serve anywhere within or outside the province in any post under the Government of the Punjab or the Federal Government or any provincial government or local authority or a corporation or a body set up or established by any such Government". The Departmental Representative denied the stance of appellant being incorrect and further stated that the appellant was transferred and posted at Govt. Deaf & Defective Hearing School, Chiniot on administrative grounds vide order dated 16.01.2020. The appellant was relieved of her duties from Govt. Girls Higher Secondary School of Special Education for Hearing

Impaired, Faisalabad on 20.01.2020. Pursuant to the directions of the Chief Secretary, Punjab the appellant was afforded an opportunity of personal hearing on 02.03.2021 and after hearing the appellant, the Secretary Special Education directed the appellant to join her duties at Govt. Deaf & Defective Hearing School, Chiniot and impugned letter dated 03.03.2021 was issued containing these directions. In compliance with the directions contained in letter dated 03.03.2021, the appellant assumed the charge of new post on 06.03.2021. The decision of Chief Secretary, Punjab has been implemented in letter and spirit and the appellant has assumed the charge of her new post on 06.03.2021. As far as decision of intervening period is concerned, the appellant has not submitted any application in this regard before the Competent Authority. According to the Departmental Representative, appeal of the appellant may be rejected being devoid of merit. The Secretary (Archives), S&GAD/Hearing Officer observed that the appellant has failed substantiate her stance in her appeal.

5. **AND WHEREAS**, after careful examination of the record/material available in the case file, considering appeal of the appellant and report of hearing officer, I am of the view that Section 9 of the Punjab Civil Servant Act, 1974 provides that every civil servant shall be liable to serve in within or outside the province in any post. Even otherwise, no civil servant has vested right for posting of his own choice.

6. **NOW THEREFORE**, under the circumstances, I, Kamran Ali Afzal, Chief Secretary, Punjab, do hereby **reject** the appeal of Farzana Akhtar, being void of merit and not covered under the law/rules.

(KAMRAN ALI AFZAL)  
CHIEF SECRETARY, PUNJAB

  
(SAIMA SAEED)

SECRETARY SPECIAL EDUCATION

**No. & Date Even.**

A copy is forwarded to the:-

1. Personal Staff Officer to Chief Secretary, Punjab.
2. Accountant General, Punjab, Lahore.
3. Director General, Directorate General of Special Education, Punjab, Lahore.
4. District Education Officer (Special Education), Faisalabad.
5. Appellant concerned.
6. PS to Secretary Special Education Department.
7. Master File.

  
SECTION OFFICER (ESTT).