

REGISTERED



GOVERNMENT OF THE PUNJAB  
SPECIAL EDUCATION DEPARTMENT

**ORDER**

No. SO (Estt.)21-93/2008. WHEREAS, Ms. Mariyam Kanwal, Psychologist (BS-17), Govt. Secondary School of Special Education for Physically Disabled, Multan filed Writ Petition No. 8290/2020 in the Honourable Lahore High Court, Multan Bench, Multan against her transfer to Govt. Special Education Centre, Abdul Hakeem, Tehsil Kabirwala, District Khanewal. The instant Writ Petition was disposed of by the Hon'ble Court on 14.07.2020 with the following directions:

*"Let copy of this petition alongwith all its annexures be transmitted to respondent No. 1 who shall look into the matter and decide representation of the petitioner within period of one moth, strictly in accordance with law by providing opportunity of hearing to all concerned. Till then the operation of the order dated 09.07.2020 shall remain suspended.*

2. **AND WHEREAS**, pursuant to the directions of Honourable Lahore High Court, Multan Bench, Multan, the Petitioner was afforded an opportunity of personal hearing on 12.08.2020. During hearing, the petitioner contended that she is permanent resident of Multan and her husband is also working at Faysal Bank Limited, Multan. As per Wedlock Policy of Government, she may not be transferred out of Multan. Moreover, she has two minor children, therefore, she may not be transferred out of Multan.

3. **AND WHEREAS**, the Petitioner was appointed as Psychologist (BS-17) on contract basis for the period of five years and posted at Govt. School for Physically Disabled Children, Multan vide order dated 08.10.2008. Her services were regularized vide order w.e.f 11.05.2010. She was transferred and posted at Govt. Special Education Centre, Abdul Hakeem, Tehsil Kabirwala, District Khanewal vide order dated 09.07.2020 on administrative grounds. She had been serving at the same station for more than 11 years. Transfer Policy of Govt. of the Punjab does not restrict the Competent Authority to make transfer after completion of three years tenure at a particular place of posting. Moreover, the post of Psychologist (BS-17) is of provincial cadre and the incumbent is to serve anywhere in Punjab as per offer of appointment accepted at the time of joining. Furthermore, under Section 9 of the Punjab Civil Servants Act, 1974, a civil servant is liable to serve anywhere in the

Province. Petitioner cannot claim posting at a particular station or at the place of her own choice. Moreover, the provision of Wedlock in the Transfer Policy is not applicable in the instant case as her husband is not a Government employee. Since the Petitioner had been serving at same station for more than 11 years, therefore, Secretary Special Education / Competent Authority transferred her to Govt. Special Education Centre, Abdul Hakeem, Tehsil Kabirwala, District Khanewal on administrative grounds.

4. **NOW, THEREFORE**, in the light of above stated facts, I, Syed Javed Iqbal Bokhari, Secretary Special Education / Respondent, hereby reject the representation of the Petitioner / Ms. Mariyam Kanwal, Psychologist (BS-17), Govt. Secondary School of Special Education for Physically Disabled, Multan. The order dated 14.07.2020 passed by the Honourable Lahore High Court, Multan Bench, Multan in the Writ Petition No. 8290/2020 is accordingly complied with in the above stated manner.

  
(SYED JAVED IQBAL BOKHARI)  
SECRETARY SPECIAL EDUCATION/  
RESPONDENT

Dated Lahore, the  
August, 18<sup>th</sup> 2020

**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 orders dated 14.07.2020 in Writ Petition No. 8290/2020.
2. Director General, Special Education, Punjab, Lahore.
3. District Education Officer (Special Education), Multan.
4. Head of institute concerned.
5. P.S. to Secretary Special Education Department.
6. P.A. to Additional Secretary Special Education Department.
7. Petitioner concerned.
- ✓ 8. Master File.

  
SECTION OFFICER (Estt.)