

REGISTERED



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

ORDER

No.SO(Estt)36-38/2011. WHEREAS, Shahzad Imtiaz, Junior Special Education Teacher (MC Field / BS-16), filed appeal against order dated 29.11.2024 passed by the Secretary Special Education Department whereby he was posted at Govt. Special Education Centre, Naushehra, District Khushab. Simultaneously, he filed Appeal No.3321/2024 with the Punjab Service Tribunal, Lahore. The Tribunal disposed of the case with the following direction, *vide* order dated 09.12.2024:

"...respondent No.1 (Chief Secretary Punjab) is expected to decide the appeal, if preferable and pending before him, expeditiously as per law/rules. However, operation of impugned order dated 29.11.2024 is hereby suspended till decision of departmental appeal of the appellant."

2. AND WHEREAS, comments were obtained from the Administrative Department. Mr. Muhammad Khan Ranjha, Secretary (Archives), 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 Secretary (Archives), S&GAD afforded personal hearing to the appellant in the presence of the Departmental Representative of Special Education Department and submitted hearing report. The appellant contended that he was working as Junior Special Education Teacher (Incharge Headmaster / BS-16), Government Special Education Center Qila Dedar Singh, Gujranwala. He alongwith two others was directed to report to the Administrative Department on initiation of a joint regular inquiry under the PEEDA Act, 2006 *vide* order dated 23.10.2023. Subsequently, on the culmination of the disciplinary proceedings, he was exonerated by the Secretary Special Education and remained awaiting posting in the department from 23.10.2023 to 29.11.2024. He appeared before the Secretary Special Education Department on 29.11.2024 and requested for posting at a nearby station. Henceforth, he was posted at Govt. Special Education Centre, Naushehra, District Khushab *vide* order dated 29.11.2024 which was far away from his hometown. He prayed that the impugned order dated 29.11.2024 may be set aside and he be posted near his hometown.

4. AND WHEREAS, on the other hand, the Administrative Department submitted that the appellant was posted at Govt. Special Education Centre, Qila Dedar Singh, Gujranwala and was entrusted additional charge of the post of Headmaster of the Centre. On initiation of disciplinary proceedings *vide* order dated 23.10.2023, he was transferred and directed to report to the Administrative Department. After conducting the inquiry, he was exonerated by the Secretary Special Education *vide* order dated 11.06.2024. Keeping in view the administrative exigencies, he was transferred and posted against the vacant post of Junior Special Education Teacher (MC Field / BS-16), Govt. Special Education Centre, Naushehra, District Khushab *vide* order dated 29.11.2024 in accordance with the clause 4 (ii)(a) of the Transfer Policy, 2022 of the Special Education Department. The Administrative Department further

submitted that the appeal is not maintainable in terms of proviso below Section 21(2) of the Punjab Civil Servants Act, 1974 which provides that "no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post." The Administrative Department proposed that the instant appeal may be rejected being devoid of merit.

5. **AND WHEREAS**, after examining the record / material available in the case file, considering the appeal of the appellant and the report of the Hearing Officer, it is observed that as per 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 equivalent or higher post". Even otherwise, no civil servant has a vested right to posting of his own choice. Transfer / posting is the prerogative of the authority concerned, which can transfer / post an employee on account of departmental exigency. During hearing, the appellant could not produce any material to rebut the evidence already available on record to prove his case. Thus, he failed to make out a case in his favour.

6. **NOW THEREFORE**, under the circumstances, I, **Zahid Akhtar Zaman**, Chief Secretary, Punjab, do hereby **reject** the appeal of **Shahzad Imtiaz**, being devoid of merit and substance.

-sd-

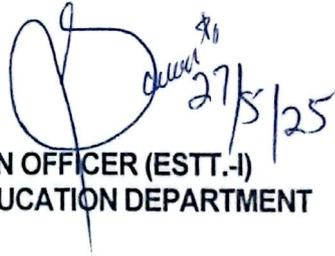
(ZAHID AKHTAR ZAMAN)
CHIEF SECRETARY, PUNJAB

Dated: Lahore the 27 May, 2025

No. & Date Even.

A copy is forwarded to the:

1. **Accountant General**, Punjab, Lahore.
2. **Director General**, Directorate General of Special Education, Punjab, Lahore.
3. **Deputy Secretary (Service Matters)** to Chief Secretary, Punjab w.r. to Note bearing No. 76690 dated 19.05.2025.
4. **District Education Officer** (Special Education), Sargodha and Gujranwala to ensure delivery of this order to the appellant under intimation to this department.
1. **Appellant concerned / Mr. Shahzad Imtiaz**, Junior Special Education Teacher (MC Field / BS-16) under transfer to Govt. Special Education Centre, Naushehra, District Khushab. Contact No. 0300-8021718.
5. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.-I)
SPECIAL EDUCATION DEPARTMENT