



## ORDER

**Complaint No:** T.No.16267/Adv(A)-717/13  
**Date of Registration:** 30.08.2013  
**Name and address of the complainant:** Mr. Yasir Manzoor & Nazia Parveen, Computer Operators, O/o District Officer(Agriculture) Water Management, Nankana.  
**Name of the Agency:** S&GAD / Finance Department / Agriculture Department.  
**Name of the Investigating Officer:** Wazir Ahmad Qureshi, Advisor Incharge MPFC.  
**Subject:** DEMAND FOR UPGRADATION OF POST OF COMPUTER OPERATOR FROM BS-12 TO BS-16.

### COMPLAINT

M/s Yasir Manzoor and Nazia Parveen both the Computer Operators (BS-12) O/o District Officer, Agriculture, Water Management, Nankana seek a direction to Agriculture Department to upgrade the post of Computer Operator BS-12 to BS-16 on the analogy of upgradation of various posts and that too the Hon'ble Peshawar High Court, Peshawar in judgment dated 19.06.2013, announced in W.P. No.428-P of 2012 have accepted the W.P. of the Computer Operator (BS-12) of the KPK Govt. and directed the KPK Govt. (Respondent) to upgrade the post of the petitioners to BPS-15 with immediate effect.

### REPORT OF THE AGENCY

2. The D.G. Agriculture (Water Management), Punjab opposed the complainant, that they were initially recruited as Computer Operator (BS-11) on contract basis and were regularized in accordance with the Govt. policy and that the upgradation of post was not within the competence of the Agriculture Department.

3. Despite service of Notice dated 12.09.2013, the Finance Department and Service & General Administration Departments did not submit parawise comments.

### PROCEEDINGS

4. In view of the clarity of matter, the procedure provided in Regulation No.10 and 12 of the Ombudsman for the Province of Punjab (Registration, Investigation and Disposal of Complaints) Regulations, 2005 was relaxed.

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Handwritten signature and stamp of the Advisor Incharge MPFC.

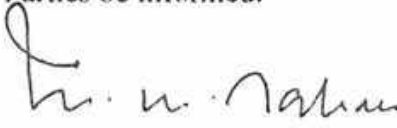
5. The Hon'ble Peshawar High Court, Peshawar decided the W.P. in favour of the petitioners on the basis of discrimination which was guaranteed under the Constitution and law point was decided that demand for upgradation of post by the petitioners was not a service matter.

### FINDINGS

6. The Agriculture Department is directed to prepare the case for upgradation of the post of Computer Operator form BS-12 to BS-16 and submit that to the Finance Department and the S&GAD with recommendation of upgradation with compliance report to be submitted to this office within one month of issue of this order as required under Section 11(2) of the Punjab O/o Ombudsman Act, 1997.

7. The complaint is disposed of in these terms. Parties be informed.

  
 ADVISOR  
 Ombudsman Punjab,  
 Lahore. Tel: 39211782

  
 (JAVED MAHMOOD)  
 OMBUDSMAN PUNJAB

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