

## **ANCILLARY INSTRUCTIONS**

No. (Reg.) 2-11/2013  
Dated the 29<sup>th</sup> May, 2013

**SUBJECT: COMPLAINT HANDLING**

The Hon'ble Ombudsman has directed to convey all the Investigating Officers that proceedings in complaints regarding "payment of contractual dues" to the contractors in which the contractor has not availed the remedy provided in the contractual agreement executed with the agency including arbitration and appeal to the competent authority be stopped forthwith and forwarded to the concerned Agency for disposal on their own ends.

In future, contractor claim cases should be entertained only if the complainant has exhausted all departmental remedies and if any maladministration has occurred as a result thereof.

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No.PSO/POP/1-1/14  
Dated the 11<sup>th</sup> February, 2013

**SUBJECT: SERVICE MATTERS**

Service matters are not to be handled, processed by this office any way in any situation.

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No. (Reg.)2-11/2014  
Dated the 13<sup>th</sup> February, 2014

**ORDER**

Pursuant to Section 10(1) of the Punjab Office of the Ombudsman Act. 1997, read with Regulation 3(3) of the Regulations 2005, the Hon'ble Ombudsman Punjab has directed that while receiving complaints for registration, requirement of an affidavit, on a plain paper, (as per specimen available in the Registrar's office) alongwith CNIC may be considered as mandatory.

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No. (Reg.) 2-11/2014  
Dated the 26<sup>th</sup> February, 2014

**SUBJECT: ADMISSION OR REJECTION OF COMPLAINT**

I am directed to refer to the above subject and to inform that the Hon'ble Ombudsman has been pleased to approve that the Registrar shall directly mark/entrust such complaints to Investigating Officers and there is no need to authorize any other officer for approval of maintainable complaints under

## Complaint Handling Mechanism

Regulation 5(1) of Ombudsman for the Province of Punjab (Registration, Investigation & Disposal of Complaints) Regulations, 2005.

In this regard attention is drawn to Regulation 7(4) which is reproduced below:

*“7(4) If the Investigation Officer after perusal of the complaint comes to the conclusion that it should not have been entertained on any of the grounds mentioned in section 9 or those in section 10(2) of the Act, he shall submit the complaint with his findings to the Ombudsman for orders”.*

I am of complaint handling laid down in the Ombudsman for the Province of Punjab (Registration, directed to reiterate that all the Advisors (Investigation Officers) are requested to follow the procedure Investigation & Disposal of Complaints) Regulations, 2005.

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No. (Reg.)2-11/2014.  
Dated the 17<sup>th</sup> June, 2014

### **ORDER**

In exercise of powers vested upon him the Hon'ble Ombudsman Punjab has been pleased to authorize all Member Incharge of the Divisions as **Authorized Officers** to order admission or disposal of non-maintainable complaints as Limini at the respective division.

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No. (Reg.)2-11/2014  
Dated the 21<sup>st</sup> June, 2014

### **ORDER**

In exercise of powers vested upon him the Hon'ble Ombudsman Punjab has been pleased to authorize all Member Incharge of the divisions to allow the transfer of the investigation of complaint to the districts of the division.

2. Requests for transfer of complaints to other division would be put up to the Hon'ble Ombudsman for orders/approval.

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No. (Reg.) 2-2/2014  
Dated the 10<sup>th</sup> July, 2014

### **SUBJECT: ENTERTAINMENT OF CONTRACTUAL DUES CASES**

I am directed to refer to this office letter No. (Reg)2-11/2013 dated 29.05.2013 on the subject (copy enclosed).

I am further directed to convey all Advisors that such cases should be entertained only, if the complainant has exhausted all departmental

remedies. All pending cases should be reviewed in accordance with the direction conveyed vide referred letter.

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No. (Reg.)2-11/2014  
Dated the 22<sup>nd</sup> July, 2014

**ORDER**

In continuation of order dated 17.06.2014, the Hon'ble Ombudsman Punjab has been pleased to authorize all district advisors as **Authorized Officers** to order admission or disposal of non-maintainable complaints as Limini at the respective districts.

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No. (Reg.) 2-11/2014  
Dated the 23<sup>rd</sup> July, 2014

**SUBJECT: ISSUANCE OF COMPUTERIZED RECEIPT**

It has been observed that complainants are not being provided with computerized receipt of fresh complaint. You are requested to make it sure that on receipt of fresh complaint a computerized receipt must be handed over to complainant. Deputy Director (IM) has already extended guidance/necessary training to staff of the Advisors. Any complication may be discussed with him. Non-compliance in this regard will not be acceptable in future.

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No. (Reg.) 2-11/2014  
Dated the 6<sup>th</sup> August, 2014

**SUBJECT: ADMISSIBILITY OF TIME BARRED COMPLAINTS**

I am directed to refer to subject and Section 10(3) of the Punjab Office of the Ombudsman Act, 1997.

The District Advisors cum Registrar while disposing of in limine Time Barred complaints as per section 10(3) of ACT X may please also examine the circumstances or extenuating factors which may justify condonation of delay. Such complaints may be sent to Ombudsman through Registrar Head Office for approval.

Secondly, all Advisors are required to scrutinize all time barred under investigation complaints and, if deemed fit may send these to the Registrar for seeking condonation of delay by the Hon'ble Ombudsman.

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No. (Reg.) 2-11/2014  
Dated the 16<sup>th</sup> August, 2014

**SUBJECT: ENTRY IN COMPUTERIZED MANAGEMENT INFORMATION SYSTEM (CMIS)**

It is observed that fresh complaints received by your offices are not being properly registered in CMIS on regularly daily basis. It may be kept in mind that scanning of disposal of cases is also a part of said system.

You are requested to ensure that your staff in entering/disposing and scanning orders in prescribed manner in the said system. In case of any difficulty Mr. Muhammad Saleem Khan may be consulted on telephone (042-99211405).

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No. (Reg.) 2-11/2015  
Dated the 19<sup>th</sup> February, 2015

**SUBJECT: ORDER OF THE HON'BLE COURT IN WRIT PETITION NO.25717**

I am directed to enclose herewith subject order of the High Court dated 23.01.2015.

It is directed by the Hon'ble Ombudsman that all kind of proceedings in pending/under investigation cases with District Advisors pertaining to pension (excluding family pension cases) be stopped till further orders.

It is further clarified that proceedings in complaints against Accountant General and District Account Offices in connection with delayed payment of pension will remain under investigation without any discontinuation.

**ORDER SHEET  
IN THE LAHORE HIGH COURT LAHORE**

JUDICIAL DEPARTMENT

**W.P No. 25717/2013**

University of Agriculture Faisalabad

*Versus*

Provincial Ombudsman Punjab etc

**23.01.2015** Mr. Muhammad ShahzadShaukat, Advocatefor the petitioner-  
University.

Ms Samia Khalid, A.A.G.

Mr.SadaqatMehmood Butt, Advocate for respondent No.2

The facts in this case are simple and easily resolved. This petition lays a challenge to the order passed by the Provincial

## Complaint Handling Mechanism

Ombudsman, Punjab (**Ombudsman**) dated 12.09.2013. There are two jurisdictional issues raised in this petition and they can be encapsulated as follows:

- i. *The petitioner herein viz the University of Agriculture, Faisalabad is not an Agency within the meaning and term of Agency as defined in section 2(1) of the Punjab Office of the Ombudsman Act, 1997 (**Act of 1997**) and thus, the Ombudsman under the Act of 1997 does not have the jurisdiction in respect of the petitioner-University.*
- ii. *Notwithstanding the above in terms of section 9(7) of the Act of 1997, the Ombudsman does not have the jurisdiction on any complaint by or on behalf of a public servant or functionary concerning another matter relating to the Agency in which he has been working in respect of any personal grievance relating to his service therein.*

2. There is an ancillary issue raised apart from the above legal submissions and which related to section 3(5) of the University of Veterinary and Animal Sciences Ordinance, 2002 (**Ordinance**) relying upon which, it is submitted by the learned counsel for the petitioner that the liability if at all with regard to the pensionary benefits of the respondent No.2 lies with the University of Veterinary and Animal Sciences as set up by the Ordinance and in this respect the mandate of section 3 (5) of the Ordinance is unequivocal and beyond doubt.

3. As a precursor, to the determination on the legal issues raised by the learned counsel for the petitioner, a narration of some relevant facts would be in order. The respondent No.2 retired as an Assistant Professor from the University of Veterinary and Animal Sciences, Lahore on 07.10.2001. On 08.06.2002, the College of Veterinary Sciences was upgraded to the status of a University by virtue of Ordinance. On 06.08.2013, the respondent No.2 filed a complaint with regard to his pension in which reply was filed by the petitioner and certain jurisdictional issues were raised. The Ombudsman, however, vide his order dated 12.09.2013 directed the payment of pensionary benefits to respondent No.2 and placed the burden on the petitioner to make the payment. In the impugned order, the Ombudsman has not adverted to the legal objections taken with regard to his authority to enter upon the controversy and to decide upon it.

4. The respondent No.2 has merely submitted that he would be interested in the resolution of his matter relating to the pensionary benefits and he was constrained to approach the Ombudsman because he had no other remedy or recourse and has been denied his pensionary benefits since the years of his retirement. He did not seriously contest the propositions of law

raised by the learned counsel for the petitioner.

5. For the resolution of the controversy in hand it would be advantageous to reproduce the relevant provisions relied upon by the learned counsel for the petitioner viz section 2 and 9 of the Act of 1997, as under:

*“2. **Definitions.**—In this Act unless there is anything repugnant in the subject or context—*

*(1) “Agency” means a department, commission or office of the provincial Government or a statutory corporation or other institution established or controlled by the Provincial Government but does not include the High Court and Courts working under the supervision and control of the High Court, and the Provincial Assembly of the Punjab and its Secretariat.”*

*9. **Jurisdiction, functions and powers of the Ombudsman.**—(1) The*

*Ombudsman may on a complaint by any aggrieved person, on a reference by the Government or the Provincial Assembly or on a motion of the Supreme Court or the High Court made during the course of any proceedings before it or of his own motion, undertake any investigation into any allegation of maladministration on the part of any Agency or any of its officers or employees: Provided .....*

*(a).....*

*(b).....*

*(c).....*

*(2) Notwithstanding anything contained in subsection (1), the Ombudsman shall not entertain for investigation any complaint by or on behalf of a public servant or functionary concerning any matters relating to the Agency in which he is, or has been, working, in respect of any personal grievance relating to his service therein.”*

6. The question whether the petitioner/University falls within the definition of term Agency is a threshold question and also a vexed one and it would not be necessary to go into that question in the instant petition as the issues raised in this petition can be decided with reference to section 9 (2) of the Act of 1997. A reading of the said section brings forth that all matters relating to the Agency in which the public servant or functionary has been working in respect of any personal grievance relating to his service therein are barred from the jurisdiction of the Ombudsman. There is, thus, a clear ouster of the Ombudsman’s jurisdiction with regard to the matters relating to service of a

public servant. The intention of the legislature has been clearly spelt out in section 9 (2) of the Act of 1997 and when the intention is clear, it is an obligation upon the courts and all public bodies functioning under that Act to give an effect to the intention of the legislature. Apart from the above, there is a clear purpose to oust the jurisdiction of Ombudsman in matters relating to service of a public servant since these matters have been consigned to the province of specialized forums set up by service laws and which are required and mandated by law to deal with the issues of terms and conditions of service of public and civil servants. The *non obstante clause* introduced in the Act of 1997 was clearly aimed at avoiding a conflict between two forums on the same issue. When the legislature has provided special forums and invested it with power to adjudicate upon service matters, it was imperative that the jurisdiction legislature made provisions in other laws as well in order to maintain jurisdiction of the forums set up to adjudicate service matters. The Ombudsman by the impugned order has clearly gone beyond the periphery of the powers vested in him by the Act of 1997.

7. The impugned order not only runs counter to the clear provisions of law but also to at least three judgments of this Court which have held the jurisdiction of the Ombudsman to be barred in such matters. In Muhammad Aslam Zia v. Administrator, Punjab Agricultural Development and Supplies Corporation (Defunct), 4-Lytton Road Lahore and 4 others(**2002 PLC (C.S)606**) it was held by this Court as under:

*“...As I have already held in my judgment dated 31-10-2001 passed in Writ Petition No.10376 of 2001 that the Provincial Ombudsman has no jurisdiction to entertain the matters relating to the terms and conditions of service and the impugned orders passed by him has already been set aside, the order passed by the Provincial Ombudsman on the face of it is without jurisdiction and the Provincial Ombudsman has failed to show whether he had the jurisdiction to entertain the complaint filed by the petitioner and has passed an order which is without jurisdiction. Thus, the order of the Provincial Ombudsman is void and without jurisdiction...”*

Similarly, in Tariq Jamil Rana v. Provincial Ombudsman (Mohtasib), Punjab 2-Bank Road, Lahore and others (**2002 PLC (C.S) 779**), the following observations are pertinent:

*“4. Whether it is a recommendation or a direction is not material. What is material is the question whether respondent No.1 has the jurisdiction to pass the recommendation/direction or not. The*



## Complaint Handling Mechanism

*relevant facts noted above clearly indicate that respondent No.2, a public servant, was agitating a question in respect of his right to be promoted or to be considered for promotion by the Agency. Such a question has clearly been, excluded not only from examination but even from entertainment by respondent No.1.”*

8. Following of his earlier judgment, Mr. Justice Ijaz Ahmad Chaudhry, J. relied his earlier judgment referred to above and in Punjab Agricultural Development and Supplies Corporation through Administrator v. Muhammad Rafiq Khan and 2 others **(2002 PLC (C.S) 1133)**, held as under:

*“...I am in agreement with the learned counsel for the petitioner that under subsection (2) of section 9 of the Punjab Office of the Ombudsman Act, 1997, the Provincial Ombudsman cannot interfere in the service matters of the employees including the employees of the statutory Corporation and as the petitioner was statutory Corporation and the payment of gratuity relates to the terms and conditions of the service of the employees, the interference by the Provincial Ombudsman is without jurisdiction and without lawful authority...”*

9. Before parting with this judgment, it is noted that this Court is cognizant and sensitive to the fact that the respondent No.2's only concern is the reimbursement to him of his pensionary benefits. He filed a complaint to the Ombudsman in good faith and in a desperate attempt to seek redressal. The decision in the instant petition, on a jurisdictional issue, shall further exacerbate his suffering and adjudication of his matter.

10. It is, therefore, directed that the Vice Chancellor, University of Veterinary and Animal Sciences Lahore shall enquire and decide upon the grievance urged by the respondent No.2 himself or through a delegate duly appointed within a period of one month from the receipt of the order of this Court. The matter shall be dealt with holistically and with the aim to decide it finally in such a manner that the respondent No.2 is not made to run from pillar to post. For the purpose, the Vice Chancellor or the delegatee shall hear the respondent No.2, requisition all record and decide by a speaking order. This matter seems to be one where the obligation of payment of pensionary benefits of the respondent No.2 is to be fixed on either of the two viz. the petitioner University or the University of Veterinary and Animal Sciences, Lahore. The Vice Chancellor to whom the matter is remitted shall coordinate and liaise with the officials of the

petitioner University, if need be, if so required for the resolution of the controversy. The office shall transmit this order to the Vice Chancellor for compliance.

For what has been stated above and in view of the precedents of this Court cited in support thereof, this petition is **accepted** and the impugned order of the Ombudsman dated 12.09.2013 is **set aside**.

**(SHAHID KARIM)**  
**JUDGE**

Announced in open Court on 30.01.2015.

JUDGE

*Approved for reporting.*

JUDGE

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No. (Reg.) 2-11/2015

Dated the 11<sup>th</sup> March, 2015

**SUBJECT: DISPOSAL OF COMPLAINTS PERTAINING TO PENSIONARY ISSUES IN COMPLIANCE OF HIGH COURT ORDER DATED 23.01.2015**

I am directed to refer this office circular of even number dated 19.02.2015 on the subject.

Hon'ble Ombudsman has been pleased to direct all such cases (Complaint, Implementation Petition and Direction Cases) where proceedings were stopped vide above mentioned circular, need formal disposal. All Advisors are required to carefully scrutinize such cases of pensionary issues and to put up to Hon'ble Ombudsman through draft findings for getting formal approval of the disposal in the light of Section 9(2) of the Ombudsman Act, 1997.

I am further directed to convey that the observance of provision 9(2) of the Ombudsman Act, 1997 will be ensured strictly and no such complaint should be considered maintainable for investigation which is barred by this provision.

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No. (Reg.) 2-11/2015

Dated the 18<sup>th</sup> May, 2015

**SUBJECT: APPLICATION/COMPLAINTS REGARDING PROVISION OF INFORMATION ABOUT ANY GOVT. DEPARTMENT/OFFICE**

I am directed to convey that we may dispose of such complaints in limini with an advice to the complainants to file an application to Concerned Public Information Officer of the relevant Government Department in accordance with the Punjab Transparency and Right to Information Act, 2013.

2. There is no need to forward the complaint to Information Commissioners, anyhow the presently pending complaints may be forwarded to Concerned Public Information Officers for necessary action at their end under the law.

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No. (Reg.) 2-11/2015  
Dated the 22<sup>nd</sup> November, 2015

**SUBJECT: SUBMISSION OF DRAFT ORDERS FOR APPROVAL/SIGNATURES OF HON'BLE OMBUDSMAN.**

In continuance of this office letter No. (Reg)2-11/2015 dated:30-09-2016 on the subject cited above.

2. The Hon'ble Ombudsman has been pleased to direct that henceforth, the DFAs along-with covering letter for approval / signatures be submitted in the following manner:-

- i) Where direction is to be issued or Agency has committed to provide relief in some specific time, shall be submitted vide separate covering letter, mentioning in the subject "Drafts for Approval (Direction Cases)". Further, DFAs be submitted before 02:00pm.
- ii) Subsequently, rest of the DFAs wherein fructified/ closed/ rejected findings are drafted/ proposed, be submitted in routine as already being exercised.
- iii) Revised drafts of the orders returned with remarks/ observations of Hon'ble Ombudsman shall be submitted vide separate covering letter, mentioning in the subject "Revised Drafts for Approval".

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No. (Reg.)2-11/2016  
Dated the 18<sup>th</sup> February, 2016

**SUBJECT: COMPLAINTS PERTAINING TO CIVIC AMENITIES, MISSING FACILITIES VIZ-A-VIZ DEVELOPMENT SCHEMES / PROGRAMME**

I am directed to refer to the subject cited above.

In a number of complaints, complainants raise their voice/grievance regarding non provision of civic amenities in the area and other basic facilities like clean drinking water, missing facilities, poor conditions of parks, streets, roads and graveyards etc. Directions are issued from this Office to the agencies/authorities concerned to proceed accordingly and get the scheme(s) approved. However, it has been observed that agencies have limited space for implementing all such directions in toto because of the role of the District/Town Development Committee, headed by elected representatives. DDC considers such development schemes and approve as per their acute requirement and priority etc. viz-a-viz availability of funds. Hence, it seems

imperative that only such complaints on the subject matter are entertained which constitute 'maladministration' in clear terms. Further, each case should not end up with a straight direction which becomes un-implementable, by the agency due to its limited authority. This will certainly save people from agony caused to them due to non compliance of such directions passed in their complaints on the subject matter.

Given the above, I am, therefore, directed to request that complaints regarding development schemes may be processed carefully and directions may be passed in suitable cases which appear to be implementable by the agency concerned keeping in view the role of DDC comprising of and headed by elected representatives of the area.

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No. (Reg)1-1/2016  
Dated the 16<sup>th</sup> March, 2016

**SUBJECT: ISSUANCE OF FINAL ORDER / DECISION OF THE OMBUDSMAN BY THE OFFICE OF OMBUDSMAN TO ALL THE AFFECTED PARTIES**

I am directed to refer to the subject cited above.

It has been observed that certain representations to the Governor against the order of the Ombudsman are filed from the affected persons / parties whom the final order of the Ombudsman is not conveyed / forwarded after its announcement. Thus limitation of filing representation under Section 32 of the Punjab Office of the Ombudsman Act, 1997, in such cases, runs till the Ombudsman's Order comes to their knowledge. This period of limitation, in certain cases, goes beyond weeks and months since the final order of the Hon'ble Ombudsman is not conveyed to the affected person/parties after its announcement.

In principle, copy of Hon'ble Ombudsman's decision/order is supposed to be dispatched to an aggrieved person so that he is facilitated with regard to filing a representation, if any.

In view of the above, you are required to indicate all such cases wherein a copy of the Hon'ble Ombudsman's decision/order was not dispatched to the aggrieved person(s). Information to this effect may reach the undersigned by 17.3.2016, before close of office hours, positively, so that the same is placed before the Hon'ble Ombudsman, as directed.

Note: The above instructions were issued in terms of Section Officer (OMB-II), Governor's Secretariat, Punjab, Lahore letter No. SO(OMB-II)GS/Misc./2016 dated 11.3.2016.

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No. (Reg)2-11/2016  
Dated the 1<sup>st</sup> April, 2016

**SUBJECT: ISSUANCE OF ATTESTED COPIES OF ORDERS OF THE HON'BLE OMBUDSMAN AND OTHER DOCUMENTS**

I am directed to refer to the subject cited above.

2. On a query, matter regarding issuance of attested copies of orders of the Hon'ble Ombudsman passed in complaints and other documents viz. application/ complaint, report agency, implementation order etc., from complaint files, as requisitioned/requested from complainants, agencies and occasionally from other persons / departments for their own use, has been processed and examined at this end. Following policy guidelines are conveyed with the approval of the competent authority, to be followed by all concerned.

3. Regulation 18(6) of the Ombudsman for the Province of Punjab (Registration, Investigation & Disposal of Complaints) Regulations, 2005 provides that in all cases, a copy of the order/decision shall be communicated to the complainant and the Agency concerned. Notwithstanding, provisions of the Punjab Transparency and Right to Information Act, 2013 provide for transparency and freedom of information to ensure that citizens have improved access to public information or documents etc available in any public body. Public Body, as defined in Section 2 of the Transparency Act, 2013, includes a department, attached department, autonomous or semi autonomous body, a company or a Special Institution of the Government.

4. Instant matter involves following two main aspects:-

- a) Determining entitlement of the applicant
- b) Document(s), certified copy/copies of which has/have been applied for.

5. As far as complainant and the agency (and any of its functionaries complained against) are concerned, provision of copy of the decision/order of the Hon'ble Ombudsman is to be ensured as a routine matter. However, any other person(s) who may apply for supply of certain document(s) relating to his concern/interest has to ensure and establish his bonafide demand. Such an applicant has to submit in writing as to why such an attested copy/copies of the document(s) is/are required. If it is so, then the Registrar, at Head Office, and the Advisor concerned in a District may allow provision of attested copy/copies of the order or any other required document(s) to the applicant. Such application may be placed on the relevant complaint file for reference/record.

6. Regarding documents (attested copies of which have been requested), it is decided that attested copies of only the following documents may be provided to the 'entitled applicants':-

- i) Complaint
- ii) Report Agency
- iii) Rejoinder from the Complainant or the Agency, as the case may be
- iv) Order of the Hon'ble Ombudsman

Regarding any other paper / document(s) available on record in this Office, since produced by the complainant and/or the Agency concerned, any person or the entitled applicant may contact the agency concerned to get attested copies of

such documents because Ombudsman's Office cannot act as Copying Agency on behalf of any other department/agency.

7. The above instructions must be adhered to in letter and spirit. For any exception, the case must come to the Secretary Ombudsman Punjab for orders through Registrar.

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No. (Reg)2-11/2016  
Dated the 4<sup>th</sup> April, 2016

**SUBJECT: GUIDELINES FOR STREAMLINING THE INVESTIGATION PROCEDURES AND DRAFT FINDINGS**

I am directed to refer to the subject cited above.

2. Overseeing the draft findings in certain complaints submitted to the Hon'ble Ombudsman for approval and the contents of representations filed before the Governor u/s 32 of the Punjab Office of the Ombudsman Act, 1997, it is observed that certain lapses are being committed while making investigations and drafting final decisions. Some of these are stated below:-

- i) It is strictly not ensured that all parties to the complaint are heard in person.
- ii) Affected functionary or person against whom complaint is made by name is neither heard in person nor written comments from him are obtained.
- iii) Cognizance is taken without determining jurisdiction i.e. territorial and functional.
- iv) After finalization and approval of the findings, copy of Hon'ble Ombudsman's decision/order is provided only to the complainant and the concerned officer of the respondent agency whom some direction has been given. However, a functionary against whom such direction is given and who is likely to be affected thereby, is not provided with a copy of the order.

3. After due deliberations, following guidelines are issued to be followed in letter and spirit:-

- i) On receipt of any complaint, it may carefully be examined / scrutinized that the same falls under the purview of this Office as provided under the Ombudsman Act, 1997. The fact of jurisdiction i.e. territorial and functional be determined first.
- ii) Hearings may not be adjourned unnecessarily especially on excuses tendered by the agencies such as 'matter is under process', 'report is under preparation' etc.
- iii) Efficiency in working be improved through direct telephonic contact with the agency.
- iv) Parties concerned and any person likely to be affected, be given opportunity of personal hearing and submission of report.
- v) Routine disposal of complaints be avoided; instead, actual redressal of genuine complaints be ensured.

## Complaint Handling Mechanism

- vi) The process of investigation be made transparent through fact-based approach.
- vii) Drafting of final order on behalf of Hon'ble Ombudsman and especially the operative part must be done carefully so that number of representations made to the Governor and snags in implementation are reduced.

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No. (Reg)2-11/2016  
Dated the 2<sup>nd</sup> May, 2016

**SUBJECT: GUIDELINES FOR STREAMLINING THE INVESTIGATION PROCEDURES AND DRAFT FINDINGS**

I am directed to refer to the subject cited above.

2. In continuation of this Office earlier instructions issued vide letter of even number dated 4.4.2016, it is hereby reiterated that due diligence be ensured while admitting complaints for regular hearing or disposing of in limini. Instances have been noticed where some of the complaints which should have been dismissed in limini were admitted for investigation and ultimately disposed of as regular complaints just to show enhanced disposal.

3. Besides above, in some cases, draft findings submitted to the Hon'ble Ombudsman are found either not drafted properly; lack due comprehension, typographical mistakes or certain mistakes relating to data, facts, figures, dates etc. Advisors are supposed to read and review final draft of findings with utmost care before submitting to the Hon'ble Ombudsman for approval / signatures. Since, the Advisors in this Office/District Offices work to assist the Hon'ble Ombudsman in the performance of his duties as envisaged in the Punjab Office of the Ombudsman Act, 1997, it is expected that each officer/functionary may exhibit an exemplary conduct so that quality of work is optimally improved upto the established norms of service delivery and the stature of the Hon'ble Ombudsman, as well.

4. Given the above, I am directed to request that above mentioned aspects relating to quality of investigation and draft findings may be attended to appropriately and following instructions may be complied with in letter and spirit:-

- i) The complaint(s) liable to be dismissed in limini should not be admitted for regular hearing to save time and avoid playing with figures.
  - ii) A complaint admitted for regular hearing must entail meaningful outcome as is required under the Punjab Office of the Ombudsman Act, 1997.
  - iii) Due care be observed while recording data, facts/figures and dates to ensure quality draft decisions.
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