



Ombudsman Punjab

Annual Report
2013

PROF. ASHFAQ ALI KHAN ROAD
LAHORE-PAKISTAN

OMBUDSMAN PUNJAB



ANNUAL REPORT 2013

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FOREWORD

Pursuant to the statutory requirements Annual Report 2013 has been compiled for presentation to the Governor, Punjab. The report is significantly different in contents and format from earlier reports of this office. The bulk of information and other relevant reading matter may be found on our website.

We have focused on systematic analysis of the issues of several provincial departments/agencies and have attempted to put those deficient areas in the spotlight with a view to facilitate the concerned departments to take remedial measures. In this context the role of Ombudsman may be viewed not as malefic critic but a facilitator to good governance. Indeed, quintessence of good governance is all about delivery of service.

Keeping in view this prime objective a number of initiatives, listed in a separate chapter, such as punctuality, open door policy- easy accessibility, and extending outreach of this office resulted in exceptional three times increase in number of complaints. This may be taken as a barometer of public opinion, trust and expectation, which is proportional to the quantum of relief the complainants receive. This level of expectation can only be achieved and maintained by altruistic disposal of complaints and genuine vicarious feeling for the problem of the aggrieved persons.

We are mindful that number of complaints received against a department be considered keeping in view the volume of activity of that department; number of employees; and level of awareness of people of a specific area etc. The department/agency should themselves evolve a self corrective mechanism. It is expected that efficient monitoring at some senior level in the department itself shall bring about positive results.

The entire spectrum of our activity is the confluence of administrative laws and the objectives delineated in Ombudsman Act which is aimed at promoting good governance with joint efforts.

Chapter – 1

Introduction

1.1 Executive Summary

1.2 Introduction to the Office of the
Ombudsman Punjab

EXECUTIVE SUMMARY

The Punjab Office of Ombudsman Act requires that within three months of the conclusion of the calendar year, to which the report pertains, an annual report should be submitted to the Governor. Accordingly the report has been compiled. This is the 17th report since the office was established in 1996. The report may look significantly different in contents and format from previous annual reports. Other relevant material/details such as photographs, statistical data, field visit and media reports etc. have been taken out which may be found on our website (ombudsmanpunjab.gov.pk).

The report enfolds five chapters and also contains a foreword and executive summary. The fifth chapter has been divided into several sub-chapters and each sub chapter has been earmarked for systemic analytical study of a department/agency.

Chapter I briefly delineates the conceptual contours of the institution of Ombudsman and also gives a thumb-nail resume of the general functions and working of the office of Ombudsman Punjab.

Chapter II deals with the statistical data of the complaints received in this office. It shows that 27658 complaints were received, 31256 complaints were processed and 21000 complaints were disposed off during the year 2013. It may be noticed that the number of complaints has increased almost three times which reflects growing trust and expectation of the general public in the office of Ombudsman Punjab. A large portion of complaints pertains to the Education, Police, Health, Local Government and Revenue Departments. District wise maximum number of complaints were lodged in Lahore (4792), Kasur (2201), Faisalabad (1570), Sheikhpura (1416), Sargodha (1390), Multan (1254) and Gujranwala (1068).

Implementation of directions passed by the Ombudsman Punjab, is the responsibility of the agency and the delay in compliance of directions needs to be addressed seriously. By the end of the year 231 orders were pending for implementation.

Chapter III provides some detail about the working of the office of Child Commissioner. The Children Complaint Office received fresh impetus and has been upgraded as the office of Provincial Commissioner for Child Rights which is actively striving to create awareness on child rights in the province.

Chapter IV lists a number of improvements and initiatives taken to make the Office a place more congenial for complainants as well as the staff. The measures include punctuality in the office, open door policy and easy accessibility for everyone, general cleanliness, disposal of clutter and removal of improvised tin shed for car parking, providing better ventilation and light and facilitating unhindered movement.

Tracking system and website portal have also been installed to accelerate the disposal of complaints. A pilot project was also launched to minimize the processing time of complaints. The system was designed at the capacity to decide 60 to 70% complaints in six weeks time. A small call center facility was initiated for telephonic communication with the concerned agencies on the same day the complaint was registered. The proposal was sent to the Finance Department to provide resources to establish the call center on permanent basis. Although the concept was appreciated yet necessary resources were not provided, so a better service could not function.

Chapter V dilates on the systemic analysis of the maladministration of several departments of the provincial administration. The departments of Health, Education, Police, Local Government & Community Development

Department, Revenue Administration, Forestry, Punjab Food authorities and Punjab Information Technology Board have been selected for the study keeping in view its volume of activity, number of complaints and the issues emerging from the complaints, field visits, media reports and suo motu cognizance etc. Owing to the limitation of resources this systemic analysis may be taken as indicative and not exhaustive. The idea is to put in spot light the deficient areas of the concerned departments with a view to facilitate the agency to take necessary corrective measures. The analysis shows that certain trends and patterns of issues are common to these departments which result in maladministration.

The reports from electronic and print media, showing maladministration in various government agencies, were considered on the basis of their public importance and as per law some 7995 cases were processed.

INTRODUCTION TO OFFICE OF THE OMBUDSMAN PUNJAB

The term 'Ombudsman' is of Swedish origin and in its ordinary dictionary meaning denotes "an official appointed to investigate complaints against the public authorities, government departments or the people who work for them". However, every functionary who investigates complaint is not regarded as an 'Ombudsman' in the true sense of the word as understood in the modern world. There are certain conceptual and operational features which constitute the core of this institution and distinguish it from other complaints handling organizations. According to Lerry Hills It is required to be "legally established; functionally autonomous; external to administration; operationally independent of both the legislature and executive; non partisan; freely accessible and visible."

It is a quasi judicial forum which neither competes with courts nor it is an appellate forum. It is an entity to look into the working of public administration.

The institution of Ombudsman originated in Sweden about 200 years ago as a parliamentary supervisory body for the redressal of individual grievances against public administration. The concept gradually became popular in a number of countries from 1960 onward. In Pakistan, the Office of Ombudsman was first set up at the federal level in 1983. The Office of Ombudsman Punjab was established on 30th September 1996 through an ordinance and finally the Punjab Office of The Ombudsman Act 1997 was promulgated with the prime objective to provide protection for the rights of the people to ensure adherence to the rule of law, to suppress corrupt practices, to diagnose, redress and rectify any injustice done to a person from maladministration.

The Punjab office of ombudsman Act defines maladministration as under:

- i) A decision, process, recommendation, act or omission or commission which:-
 - a) Is contrary to law, rules or regulations or a departure from established practice or procedure, unless it is bonafide and for valid reasons; or
 - b) Is perverse, arbitrary or unreasonable, unjust biased, oppressive, or discriminatory; or
 - c) Is based on irrelevant grounds; or
 - d) Involves the exercise of power or the failure or refusal to do so, for corrupt or improper motives, such as, bribery, jobbery, favourtism, nepotism and administrative excesses; and
- ii) Neglect, inattention, delay, incompetence, inefficiency and ineptitude, in the administration or discharge of duties and responsibilities.

The institution is simple in procedure, easily accessible, and inexpensive. The day to day working of the office as such does not invoke orthodox procedural and legal formalities. A complainant may file his complaint either by post, E-mail or in person according to his/her convenience. The format of the complaint is not prescribed. The complaint may be submitted on a simple plain paper along with a copy of identity card and an affidavit. No stamp is required to be affixed on the affidavit. There is no court fee, likewise the appearance of counsels is also not required. The complainant has, however, the right to be represented.

The complaint is normally registered on the day of its receipt. Registration is not refused to incomplete complaints, rather the complainants are advised to arrange the requisite documents. In case of any difficulty the complainants have free access to the Ombudsman and the Investigating Officers etc. The assistance of a petition writer has also been made available to the illiterate complainants. There is a separate

counter manned by a whole time official to personally assist any complainant in respect of matters pertaining to this office.

On receipt of the report from the concerned department, a copy is sent to the complainant for rejoinder. Personal attendance of the complainant is not required on each day of proceedings. An updated information regarding status of proceedings is also available on our website. The complainant is required to attend the office only to resolve the problem in presence of the representative of the department. Normally the complaints are decided within three months or even earlier except in certain complicated cases.

We prefer to attempt to provide informal mediation services wherever such an approach is productive. This approach not only tends to result in greater satisfaction among all the parties 'but frequently provides a more rapid resolution than a full investigation oriented to a finding of right or wrong.' Any person aggrieved by the decision of the Ombudsman may file a representation to the Governor.

The law empowers the Ombudsman Punjab to entertain complaints against any 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 the Courts working under supervision of High Court and Provincial Assembly and its Secretariat.

Under section 9(1) of the Act the Ombudsman on a complaint of any aggrieved person, on a reference by the Government or the Provincial Assembly or on a motion of Supreme Court or the High Court or on his own motion (Suo Motu) can undertake any investigation into any

allegation of 'maladministration' on the part of any agency or its officers or employees.

The Ombudsman has no jurisdiction, however, to investigate or enquire into matters which (a) are subjudice before a court of competent jurisdiction (b) relate to the external relations of Pakistan or connected with defense of Pakistan or Military, Naval and Air Forces of Pakistan, or the matters covered by the laws relating to those forces. The Ombudsman also cannot entertain for investigation any complaint by or on behalf of public servant or functionary concerning any matter relating to the agency in which the public servant has been or is working in respect of any personal grievance or relating to his service therein.

Ombudsman has the same powers as are vested in a Civil Court under the code of civil procedure for summoning and enforcing the attendance of any person; compelling the production of documents; receiving evidence on affidavits and issuing commission for examination of witnesses. The Ombudsman is vested with the powers to enter and search any premises and inspect any article, books of account and other documents; impound and seal such article. The Ombudsman has the same powers, mutatis mutandis, as the High Court has to punish any person for its contempt.

Submission of the Annual Report by the Ombudsman Punjab is a statutory requirement under section 28(1) of the Punjab Office of Ombudsman Act 1997. The report is to be submitted to the Governor within three months of the conclusion of the calendar year to which the report pertains.

Since its establishment the following served as provincial Ombudsman Punjab:

Mr. Justice (Retd.) Munir Ahmad Khan

22.10.1996 to 28.12.1996

Mr. Justice (Retd.) Manzoor Hussain Sial

26.01.1997 to 25.01.2000

Mr. Justice (Retd.) Sajjad Ahmad Sipra

12.02.2000 to 11.02.2004

Mr. Abdur Rashid Khan

17.05.2004 to 16.05.2008

Mr. Khalid Mahmood

08.12.2008 to 07.12.2012

Mr. Javed Mahmood

Since 13.03.2013

The Office of the Ombudsman has its head office at Lahore and three regional offices at Multan, Rawalpindi and Sargodha. The territorial jurisdiction of the head office includes districts of Lahore, Sheikhupura, Kasur, Okara, Nankana Sahib, Gujranwala, Sialkot, Narowal, Gujrat, Hafizabad, Faisalabad, Pakpattan, Toba Tek Singh and Sahiwal.

The regional office Multan includes districts of Multan, Khanewal, Lodran, Vehari, D.G. Khan, Muzaffargarh, Layyah, Rajanpur, Rahim Yar Khan, Bahawalnagar and Bahawalpur. Rawalpindi regional office entertains and investigates complaints filed by the residents of Rawalpindi, Attock, Jehlum and Chakwal District. The territorial jurisdiction of Sargodha office includes districts Sargodha, Khushab, Bhakkar, Mianwali, Chiniot, Jhang and Mandi Bahauddin.

Chapter – 2

Statistical Analysis

STATISTICAL ANALYSIS

Year Wise Receipt and Disposal of Complaints (30.9.2004 to 31.12.2013)

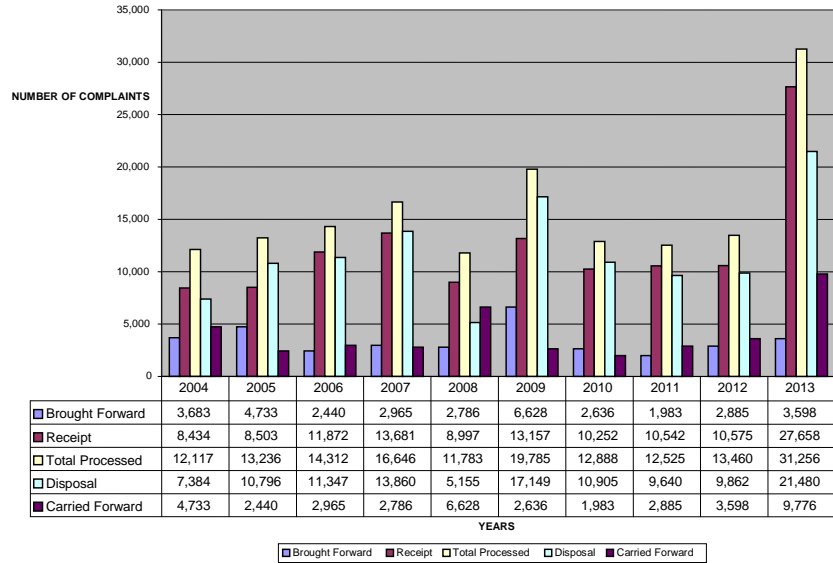


Figure-1

Figure 1 shows the number of complaints received, processed and disposed of in a calendar year for the last 10 years. The Ombudsman Office received 27,658 complaints in the year 2013 as compared to 10,575 complaints received during the year 2012. 31,256 cases were processed including the brought forward cases from the previous year. 21,480 cases were disposed of in the year 2013 while 9862 cases were disposed in the previous year. The increase in number of complaints is 162% which reflects the trust and expectation of the public in the office of Ombudsman. The statistics also show that capacity building and Continuous Performance Improvement (CPI) have resulted in improvement of capacity of the organization to more than double of what existed in the previous years through better utilization of existing limited resources.

Department Wise Receipt of Complaints and Suo Motu Cognizance Taken During 2013

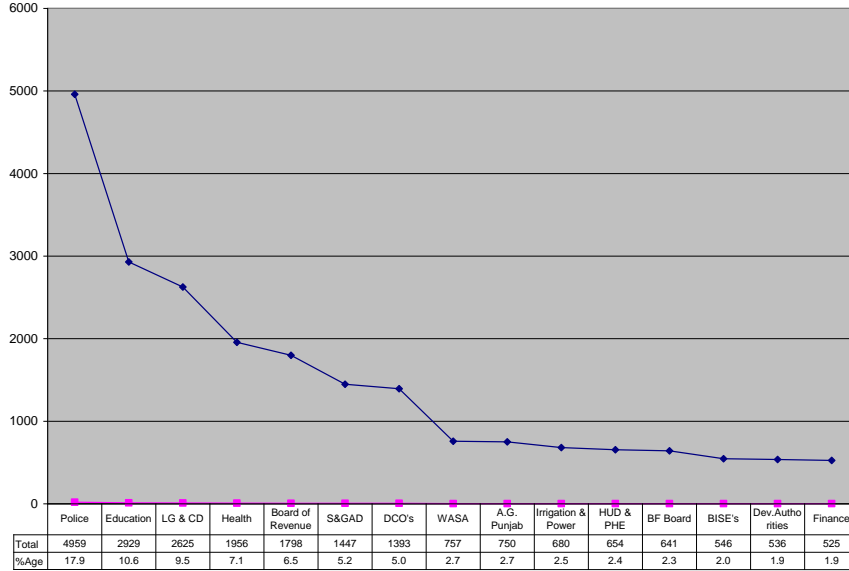


Figure-II

Figure II shows 10 departments of the Punjab Administration against which the highest number of complaints was received. The maximum number of complaints was against the Police, Education, Local Government and Community Development, Health and Board of Revenue. The number of complaints received against a department be considered keeping in view the volume of activity of that department; number of employees; and level of awareness of people of a specific area etc.

District Wise Complaints Received and Suo Motu Cognizance Taken During 2013

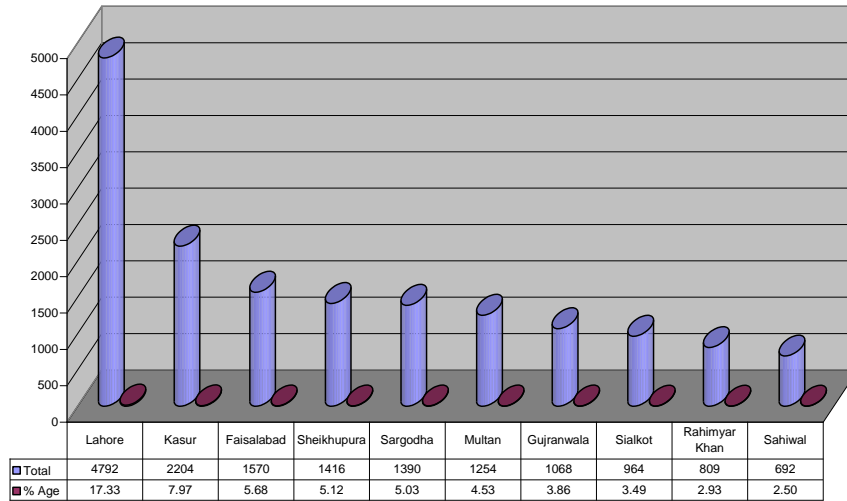


Figure-III

Figure III provides an overview of the top 10 districts with respect to maximum number of complaints received during 2013. 4792 complaints were lodged against the maladministration of different departments in Lahore district. This was followed by districts of Kasur, Faisalabad, Sargodha, Sheikhupura and Multan. Several factors influence the number of complaints such as the population of the district, level of awareness regarding the jurisdiction and function of this forum for redressal of problems faced by the public.

Complaints Pertaining to Maladministration in Matters Relating to Service During 2013

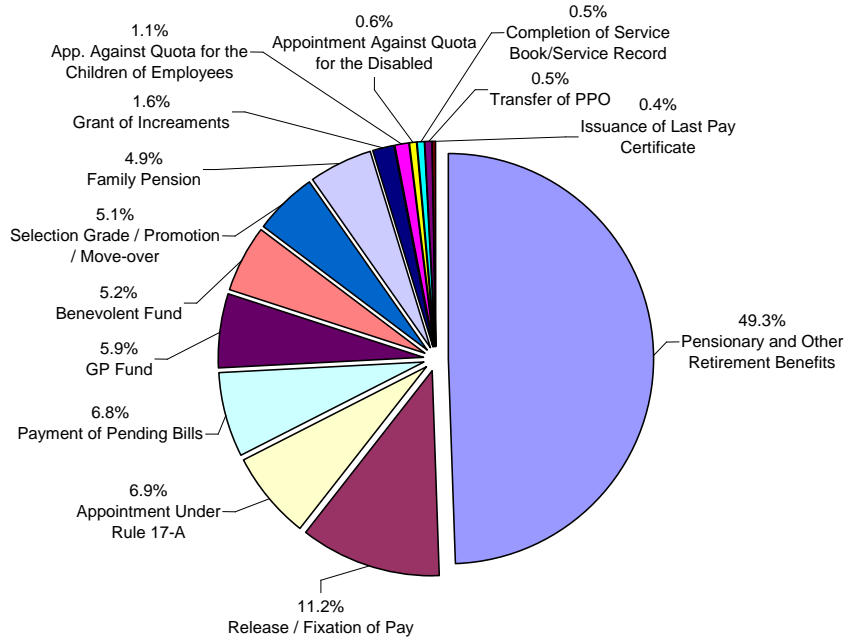


Figure-IV

Figure IV illustrates the nature of complaints concerning maladministration in matters relating to service during 2013. The single largest category pertains to timely release of pension and other retirement benefits. Majority issues arise when proper systems and procedures are not in place or existing procedures are not being followed. Establishing transparency of transactions, effective monitoring and strict accountability can ensure that these complaints do not arise.

Non-Maintainable Complaints Received During 2013

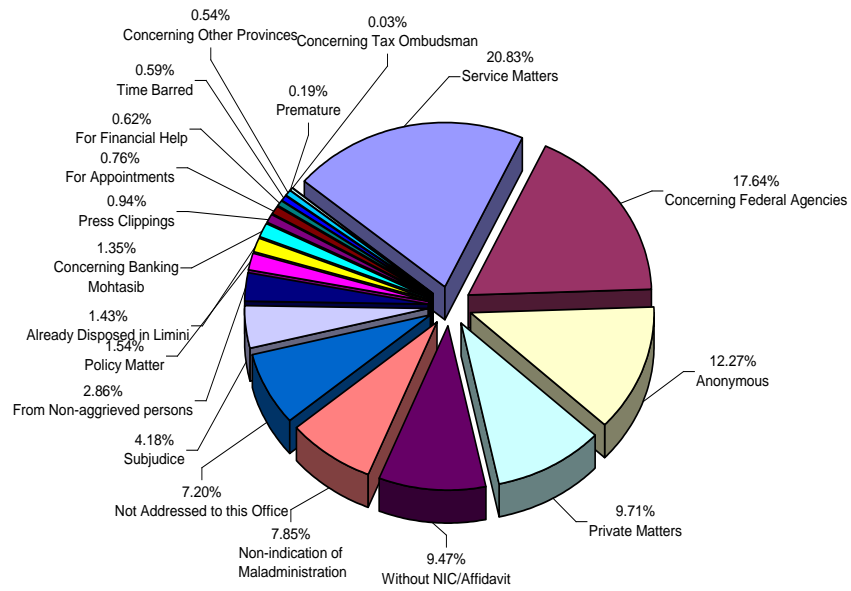


Figure-V

Figure V shows the non-maintainable complaints received and disposed of in limine after preliminary investigation. Majority of these grievances are from in-service employees regarding their service related issues. Other categories include matters pertaining to federal agencies, private disputes and anonymous complaints.

Nature of Maladministration Reflected in Maintainable Cases During 2013

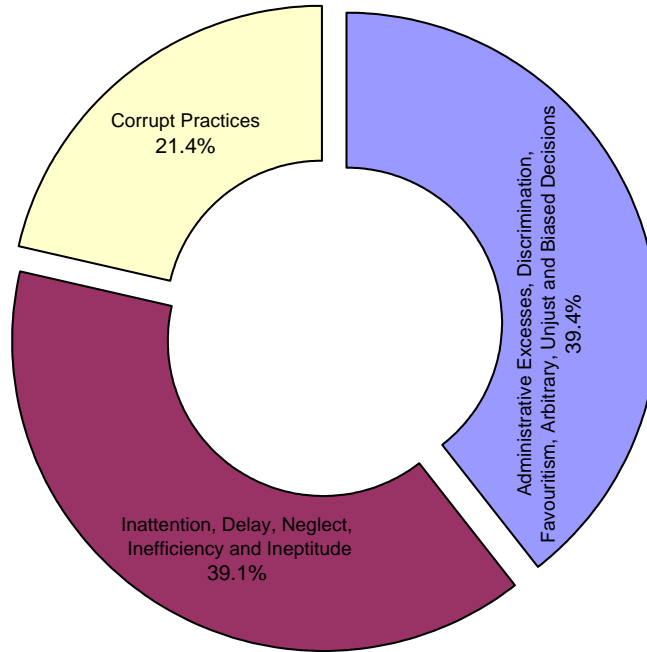


Figure-VI

Sr. No.	Nature of Maladministration (Alleged)	Complaints	Suo Motu	Total
1	Administrative excesses, discrimination, favouritism, arbitrary, unjust and biased decisions	5,953	3,495	9,448
2	Inattention, delay, neglect, inefficiency and ineptitude	7,168	2,198	9,366
3	Corrupt practices	2,835	2,302	5,137
	TOTAL	15,956	7,995	23,951

Figure VI categorizes the nature of maladministration in the public sector departments. Bureaucratic apathy is evident from the quality of service delivery. Administrative excesses, discrimination, favoritism, arbitrary, unjust and biased decisions causing delay, negligence, inefficiency and corrupt practices are rife.

Disposal of Complaints During 2013

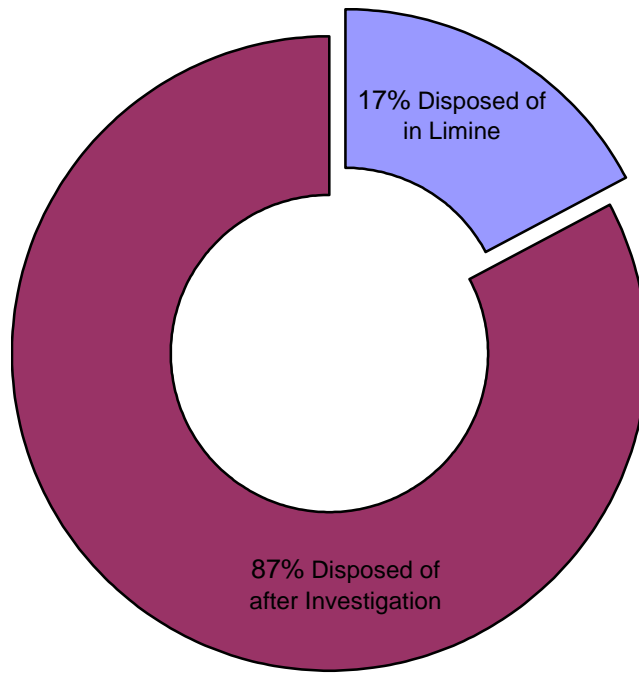


Figure-VII

Description	Complaints	Suo Motu	Total
Disposed of in Limini i.e. non-maintainable complaints	3,707	-	3,707
Disposed of after Investigation	10,816	6,957	17,773
TOTAL	14,523	6,957	21,480

This table shows a breakdown of the complaints and Suo Motu cases disposed in limini and after investigation in the year under report.

Representations Decided by the Governor During 2013

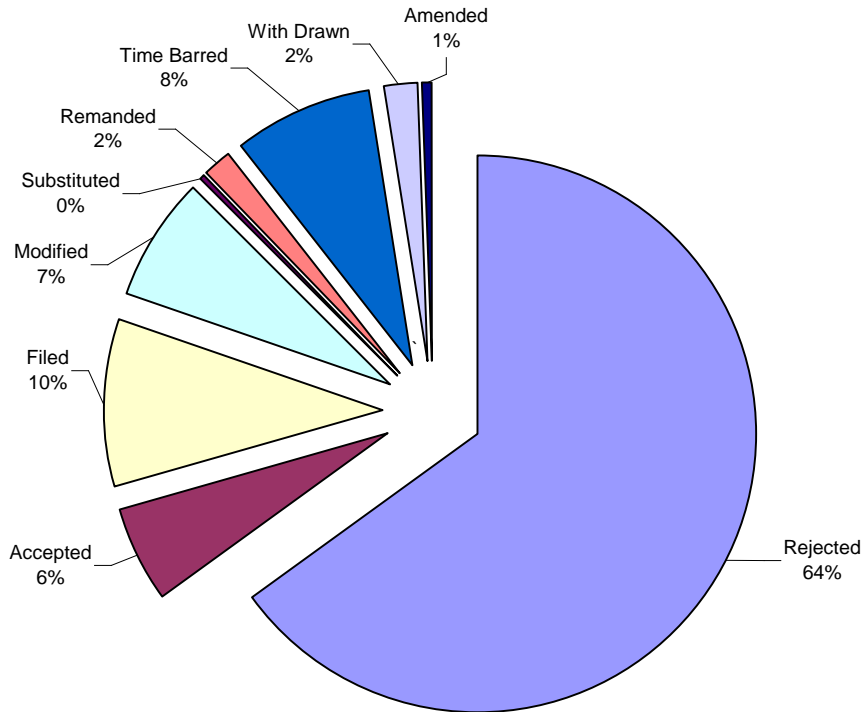


Figure-VIII

Total	Rejected	Accepted	Filed	Modified	Substituted	Remanded	Time Barred	With Drawn	Amended
986	640	55	97	72	1	16	79	20	6

Any person aggrieved by a decision or order of the Ombudsman may, within thirty days of the decision or order, make a representation to the Governor, who may pass such order thereon as he may deem fit. This year 986 representations were filed by the agency and the complainant to the Governor Secretariat.

Chapter – 3

Provincial Commissioner for Children

PROVINCIAL COMMISSIONER FOR CHILDREN

The Office of Provincial Commissioner for Children (OPCC) is an upgraded establishment of Children Complaint Office that was set up in may 2009 under the aegis of Ombudsman Punjab. The scope and mandate of OPCC has been enhanced in line with the provisions of the United Nations Convention for Rights of the Children (UNCRC) and is not only providing a dedicated mechanism for redressal of child grievances and resolving complaints made by and on behalf of the children but also safeguarding the Rights and promoting welfare of the children and young people of or below the age of 18 years. It also assumed the responsibility to ensure that all laws, policies, programs and administrative mechanisms are in consonance with the Child Rights perspective as enshrined in the constitution of Pakistan and the UN Convention on the Rights of the Children.

Complaint Handling

During the year 2013, OPCC Ombudsman Punjab received 315 complaints by or on behalf of the children. Against this number more than 200 complaints pertained to issues of the children in the education sector. Missing facilities in the schools of Punjab is one aspect that needs to be attended to. Provision of clean water, furnishing and refurbishing of old primary and secondary level schools, provision of additional class rooms and play grounds where required and construction of new school buildings to meet the rising demand of enrolments. Punjab government had allocated a hefty budget for provision of missing facilities but this office is of the view that funds allocated for the purpose are not being adequately utilized and due priority is not given to this aspect of the development schemes. Besides it has also been noticed that student teacher ratio is not being maintained as a result of which the quality of education is compromised. To be more specific, complaints were made for non-availability of professional and qualified IT teachers. A visit to Borstal jail Faisalabad revealed that there were hardly any qualified teachers assigned by the Education Department to teach juvenile inmates, instead, staff deputed for administrative duties was functioning as teachers and guides. On the other hand school going students also complained that most of the time their teachers were assigned field duties concerning dengue awareness campaign, Election duties and other field responsibilities, as a result of which difficulties were encountered in covering/finishing the prescribed

syllabus. The state of affairs is far from being satisfactory and concerned quarters may take cognizance of the issue.

Corporal Punishment

The Office of Ombudsman Punjab has been deeply sensitized over the issue of corporal punishment by electronic and press media as well as by complaints in this Office. Corporal punishment is widely practiced in schools, homes, work places and jails etc. In schools it is one of the major impediments to children's healthy growth and contributes to massive dropout rate. Against 221 complaints in the education sector 50 complaints related to corporal punishment.

Office of Provincial Commissioner for Children proceeded with these complaints and initiated the process of investigations but unfortunately proceedings did not reach the logical conclusion as parties invariably compromised and cases were filed. Besides, there are social and legal lacunas and ambiguities in tackling the issue of corporal punishment. The Punjab government has officially banned corporal punishment or physical torture through a notification, yet it has not provided subsequent legal and administrative mechanism to stop it or train teachers on alternative disciplinary methods.

Child Abuse

Child abuse cases are increasing at alarming pace. According to a survey by an NGO (Sahil) 1204 cases of child sexual abuse were reported. 120 cases of child abuse have been reported in Lahore. Office of Ombudsman Punjab took up the matter with Police department and sought detailed report with regard to the aforementioned cases for consideration at this end but no response has yet been received.

Domestic Child Labour

Child labour is another major issue which requires unrelenting efforts to manage it. Children are employed in carpet weaving, rag picking, roadside hotels, auto workshops, masseurs etc. According to one source around 12 million child laborers are there in Pakistan. Employment of Children Act 2000 and other enactments on child labour need to be improved and made more comprehensive.

Achievement

A key achievement of OPCC in 2013 was that Birth registration fine was waived with the coordination of Local Government.

Chapter – 4

Special Initiatives by Ombudsman
Punjab

SPECIAL INITIATIVES BY OMBUDSMAN PUNJAB

The Office of the Ombudsman Punjab has seen rapid changes through several in-house reforms initiatives undertaken since the present Ombudsman assumed office on 13. 03. 2013.

Open Door Policy

Open door policy is being observed to facilitate the complainants in the offices of the Ombudsman Punjab. Any aggrieved person is welcomed to this office and will be facilitated for redressal of his/her grievance to the best ability of the organization. This also makes the working of the offices congenial and helps establishing an atmosphere of trust with the complainant. This also facilitates monitoring and self-accountability within the Office.

Accessibility

Changes in physical infrastructure of the Office have been made to make the building more accessible. The sheds for parking cars within the premises have been removed, so the light, space and ventilation of the offices have been augmented.

A proper car parking space is provided for staff cars outside of the office Building. This has eased the traffic congestion at the Office entrance.

Online Complaints Management System

The Ombudsman Punjab Petition Cell, (OPPC) online complaints management system was launched through the web portal to create an active interface with the agencies against which complaints are being lodged with this Office. This has facilitated the internal working of the organization, streamlining the processing of cases through generation of tracking numbers. It has become easier to track the complaint file. As

soon as the scanned copy of the complaint is uploaded on to the system, it is available to the agency for appropriate action/report. This has also accelerated processing of complaints.

Monitoring of Press and Electronic media Reports

Ombudsman Punjab took Suo Motu cognizance of news items and columns regarding maladministration in the public sector departments. The number of such cases till 31st December 2013 was more than 7000.

Issues that impinge upon the rights of the citizens in the province are brought to the notice of the agency for corrective measures. A separate public relations department manages the press clippings for this Office.

Out Reach - Field Visits by Advisors

In the months of June, July and August, all Advisors dedicated every Wednesday of the week for Field Visits. The Field Visits were planned as well as surprise visits and were initiated on the basis of Suo Motu cases, regular complaint cases or any other area of significant maladministration emerging during complaint processing. Complaints from aggrieved persons were also received during these visits. Several Field Visit Reports highlighting systemic issues were forwarded to the Chief Minister's office with recommendations for further action.

Mohtasib Punjab Pension Cell

Mohtasib Punjab Pension Cell has been created to provide speedy relief to a large number of complainants seeking redressal regarding payment of pensions or pension related grants. This facilitated a large number of complainants in getting payment of their pensionary dues.

Pensioners' Day

The 15th day of every month has been designated as the Pensioners' Day to facilitate pensioners of the Government of the Punjab having difficulty in claiming or collecting their pension. This has been advertised

in the local newspapers and complaints of many pensioners have been redressed through this initiative.

Khuli Kachehri by Provincial Ombudsman

Khuli Kachehri was held frequently in the office premises as well as in the remote areas of the province such as Rajanpur, Layyah etc. to redress the grievances of the public. Complaints which require immediate action are handled on urgent basis.

Khuli Kachehri by Advisors

All Advisors have been directed to hold Khuli Kachehries in districts. Pending cases are to be consolidated district wise and hearing is to be conducted in peripheral districts to speed up disposal of cases. This will greatly facilitate the complainants, as they will not have to travel all the way to the cities where Ombudsman Offices are based.

Compliance through Focal Persons

In an initiative to improve communication with various agencies, the concept of focal person as the contact person within the Department or Agency was introduced. Focal persons were nominated by agencies who would be responsible to update the Office of the Ombudsman on the compliance of directions/recommendations of Ombudsman.

Use of Air Conditioners Discarded

In view of the ongoing current energy crisis, Ombudsman Punjab has discarded the use of air-conditioners in the head office and in all its regional offices. All air-conditioners were donated to Lahore General Hospital.

No Smoking Policy

No smoking policy was vigorously implemented in the Office of the Ombudsman Punjab. Any person who wishes to smoke must go outside the office premises.

Research Cell

A Research Cell has been created to provide research and analysis on maladministration and good governance. The research cell headed by an Advisor provides support for several activities. These include analysis of complaints, guidelines for field visits, analysis of field tour reports, Evaluation studies and Impact Assessment of the Public Sector Departments; and preparation of policy recommendations. Field Visit Reports prepared by the Research Cell have also been shared with the Office of the Chief Minister Punjab. Research cell is also entrusted with the compilation of Annual Report.

Strategic, Structural and Systemic Reforms

The 17-day pilot project of Ombudsman Punjab Special Cell was launched. This activity was initiated with a zero budget and realized by reallocation of existing resources within the organization. The creation of the registration cell, disposal cell and research cell and similar initiatives have helped to move towards modern organizational standards.

Processing Cases to the Highest Standards

Robust management practices are implemented to manage casework demands, capacity and performance through information management. The Organogram of the organization was revised to manage the increase in workload and performance. A structured work process is ensured through daily activity monitoring for Continuous Performance Improvement (CPI). More focused and improved investigation process is facilitated through planned and surprise field visits.

Use of Learning to Deliver Systemic Change

Effective processes and information management systems are used to identify current and emerging case trends. Interventions for early

resolution of complaints are undertaken to affect systemic change by forwarding recommendations for policy implications to the Chief Ministers Secretariat.

Engaging the Stakeholders

A communications strategy was developed to maximize compliance by the agencies; whereby Focal Persons were nominated by departments. Structured engagement with members of the public and the agencies is needed to improve governance.

Developing the Best Team Internally

A Human Resource Strategy was evolved to match the needs of a vibrant Ombudsman Office. Terms of Reference (ToRs) for all Advisors were developed and made available online to attract the finest talent.

Office Cleanliness

A cleanliness drive was launched to clean up the office building and reduce clutter in offices. Several bowser tanks were engaged to wash up the entire building. This is an ongoing activity.

Medical Examination for All Employees

Arrangement was made for medical examination of all the employees of the office by doctors in a Govt. hospital. The objective was to ensure a healthy workforce at the Office of the Ombudsman Punjab.

Morning Assembly

Daily work at Ombudsman Office started with the recitation of Holy Quran. This was followed by National Anthem of Pakistan. This motivational initiative revived the commitment and dedication of every officer to move a step forward towards Quaid's Pakistan. However, after

the second terrorist bomb blast in Old Anarkali, this practice was stopped due to security concern.

Daily Flag Hoisting

National and Office Flags are hoisted daily on the directions of the Provincial Ombudsman since the day he assumed charge.

Punctuality

Efforts have been made to ensure punctuality in the office, setting personal example by the Ombudsman himself.

Chapter – 5

Systemic Analysis of Provincial Departments

- 5.1 Health
- 5.2 Police
- 5.3 Local Government & Community
Development
- 5.4 Revenue Administration
- 5.5 Education
- 5.6 Irrigation Department
- 5.7 Housing Urban Development and Public
Health Engineering Department
- 5.8 Punjab Information Technology Board
- 5.9 New Initiatives for Pensioners

HEALTH

A record number of 1966 complaints of various nature and aspects pertaining to Health Department were received during the year. The systemic analysis is based on these complaints and field visits by the Ombudsman inspection team. This report is only indicative and not exhaustive owing to resource limitations and time constraints.

Most of the complaints related to negligence of doctors/paramedical staff in performing their duties, non availability of medicines in Hospitals/Rural Health Centers/Basis Health Units, mal-practices in issuance of Medico Legal Certificates and inaction against quacks etc. In some cases it was alleged that life saving drugs/medicines were not available in the hospitals and patients were asked to supply the same. During investigation, it was observed that unnecessary delay in payments to suppliers often resulted in choking supply line to the hospital caused hardships to the patients.

Broadly speaking policy making, preventive control mechanism and treatment provided to patients in hospitals and clinics form the main sphere of activity of Health Department. Generally the recurrent problems are due to lack of clearly defined processes within the organizational setup and non implementation of minimum services delivery standards set by the Punjab Health Commission.

Policy making can be based on the available authentic data and its statistical analysis. It has been noticed that the data is incomplete and unreliable and any policy formed on that incomplete data shall not be realistic and fruitful. Reference may be made to the Disease Surveillance System (DSS) of the Health Department managed by Punjab Information Technology Board. Correct figures are not available DG Health Office does not have any statistics on mortality due to hepatitis. Similarly 2615 cases

of Dengue were reported while number of deaths were only 18, however, figures projected in the media differ greatly from the official statistics.

A large number of quacks are practicing with impunity in the province and there appears no serious effort to eliminate the menace of quackery. More often it is the poor and illiterate who fall victim to quackery. There is much to be desired on the part of drug inspectors and other health functionaries. Drug inspectors due to various reasons have failed to suppress the spread of quackery. Recommendations concerning elimination of quackery were made in our annual reports of 1997, 2002, 2005, 2006, 2007, 2008, 2009 and 2010 till the promulgation of Punjab Health Care Commission Act 2010. Drug inspectors may be directed to submit a quarterly certificate to DO (Health) purporting that no quack was carrying business in the area of their respective jurisdictions. The law on the subject is in the field but requires to be made more effective. However, the menace of quackery cannot be fully overcome until the health facilities in the villages are strengthened and made fully functional.

There has been a prolific growth of private medical hospitals that added over 170 private medical colleges to a profile of 14 government colleges in the province. This has greatly enhanced the export of qualified doctors to the Middle East, Saudi Arabia, Malaysia and to the Britain compromising the provision of health services to the population at home and also adversely affected the quality of practical education.

Instances of medical negligence have been noticed in several complaints. It is expected that Punjab Health Care Commission shall effectively take cognizance of such negligence. More often than not in all medical negligence cases it is the procurement of substandard injections. In some cases the injections were infected but these injections were not tested and verified.

The inadequate budget allocation is the most common excuse, however, in reality there is little or no justification for the resources which remained unutilized. The international donor agency are spending huge sum of money in the province but little impact is visible on the ground.

Human Resource Management is another root cause of maladministration in the Health Department. The issue of vacant posts of specialists, doctors, women medical doctors and paramedical staff specially in the periphery areas are to be addressed. Nontechnical persons are treating patients in medical centers and are dispensing medicines. Medical staff is deputed on nonhospital duties in other government office such as Ramzan Bazars etc.

Issues of Maladministration identified during field visits

Out of use hospital equipment was lying scattered in all the DHQ Hospitals visited. These discarded items worth millions of rupee are awaiting auction by the concerned authorities for many years. A mechanism to dispose out of use equipment within a specified timeframe as a routine matter needs to be devised. This can mobilize revenue by raising considerable financial resources for the hospital and utilizing blocked space for improved health service delivery.

Waste disposal

Surgical Waste Disposal in DHQ Hospitals of Sialkot and Kasur were highly unsatisfactory which may cause diseases like AIDs and hepatitis. In Sialkot, the Citizen Community Board had established an incinerator but this was not functional. The district municipal waste management department removes the surgical waste from these hospitals. The incinerator site for waste disposal from DHQ Hospital Hafizabad is in the middle of a residential locality. The residents complained that the effluent gases and smell from the incinerator was hazardous to the health of their families.

Private Practice by Hospital specialists

While majority of the beds in the wards of DHQ Hospital Sialkot were vacant, the business of private doctors was thriving across the road. A similar situation was observed in DHQ Hospital Kasur.

Expanded Program of Immunization:

There is no database system to maintain the vaccination record of children for follow-up to ensure that the full protocol of vaccination for specific diseases is followed. The measles vaccine imported from Russia, used in Services Hospital, did not have any freeze tag on it and hence it was not possible to find out whether the vaccine had lost its efficacy or was fit for use. Expired Measles vaccine was present in the Refrigerator of Sardar Begum Hospital, Sialkot. If used, this vaccine can be seriously injurious to health. Refrigerators displayed a temperature of 6°C, which was higher than the maximum recommended storage temperature of 4°C for vaccine storage. EPI has a shortage of staff for malaria and polio control program for which teachers are deputed compromising the performance of the education sector.

Blood Bank

Blood transfusion services at all DHQ Hospitals visited were unsatisfactory. Blood bags are stored beyond the recommended temperature range and time period. In Sardar Begum Hospital, the temperature display window of the refrigerator showed that the blood bags were stored at 8.6°C whereas the recommended temperature range is 1-6°C. Maintenance of refrigeration equipment at the blood banks in DHQ Hospitals was highly unsatisfactory, as several of these did not have any calibrated gauge or digital display. Inappropriately stored blood will start breeding microorganisms and will not be safe for human use. Data collection and management was unreliable and incomplete. Frequent and habitual blood donors are a potential source

for spread of blood-borne diseases. There is no mechanism to monitor them. Laboratory technician and attendants manage the service of blood transfusion.

Administration protocol of Injection for Hepatitis Treatment detrimental to Patients

A course of 24 injections of Injection Peg-Interferon is prescribed to Hepatitis patients. According to the directions of DG-Health (Incharge Hepatitis Control Program), the first injection is given in the hospital and a pack of 4 to 8 injections is given to the patients to be administered at home on once a week basis. The cost of this course of treatment is around two hundred and fifty thousand rupees in the open market. It is common knowledge that medicines are sold in the open market for a fraction and this facility is misused. The Medical Superintendents of DHQ Hospitals at Hafizabad and Kasur and the pharmacist of DHQ Hospital, Sialkot agreed that administering the drug in this manner compromises the cold chain. Although the injections are disbursed in the cold pack, once the injections leave the hospital, the cold chain is broken; the medicine loses its efficacy and does not have the desired treatment effect. It is recommended that this injection should not be dispensed at home use and should only be administered in the hospital on once a week basis.

Dialysis Unit

Dialysis services are greatly underutilized. The dialysis unit in DHQ Hospital Sialkot was locked up with no service available to patients. A huge board of the in-charge urologist and transplant surgeon was displayed above the dialysis unit entrance, perhaps for his private practice advertisement. There was no medical officer or technician working in the dialysis unit of Sardar Begum Hospital Sialkot. In DHQ Kasur. The administration was convinced by the Ombudsman Inspection

Team to start a second shift of dialysis services. This was achieved in a fortnight within existing resources.

PMDC Regulation Private and Public Medical Colleges

Khawaja Safdar Medical College Sialkot started in January 2011. A total of 391 students is attending classes in four sessions. As per PMDC regulation, the college should be housed in a separate building from the hospital. The building of college is still under construction. Lectures are held in makeshift lecture rooms created by vacating wards. The requirement of the teaching faculty was not fulfilled at the time of granting of license by PMDC (table on vacancy position of teaching faculty available on website)

The college did not have the required faculty on the inspection date. Under these circumstances, the training of medical students of this college is suffering. There is no monitoring and accountability by the regulatory bodies of the medical profession.

One Rupee Parchi System

The one-rupee parchi is misused in many ways. When change in coins was short at the parchi desk, patients would get no change back.

Inspection Visit of Drug Testing Laboratory, Lahore

There is lack of coordination between the Drug control and monitoring departments at the federal and the provincial levels. PIC-Isotab and Tyno-Cough Syrup incidents of Lahore and Gujranwala are a daunting reality. The existing system, specifically data management and collection; specification of procedures and the fixing of responsibility to hold the negligent accountable, needs to be assessed to ensure the safety of the lives of the citizens. All samples for drug testing are received through post and could be tampered with. The entire supply chain of drug manufacturing, warehousing, transportation, purchase for hospitals and

retail market needs to be evaluated to document various steps involved at both federal and the provincial level. An external audit of the working of the Provincial Quality Control Board of Punjab needs to be done, as it is responsible to ensure quality of drugs being sold in the market.

POLICE

During investigation of complaints received against police, it was noted that:-

- Staff at the Police Stations was generally reluctant to register FIRs which was a pre-requisite for investigation in cognizable offences.
- Proper record of non-cognizable offences reported to the Police Stations, was not maintained, whereas under Section 155 of the Code of Criminal Procedure, those were required to be recorded in the 'Roznamcha Waqiyati' for further action. Similarly, copy of the FIR which was to be necessarily provided to the complainant was not issued to him.
- It was also noted with concern that in cases of fraud, misappropriation, theft and illegal possession of the State land etc., where the Government Departments were complainants, the police did not take due interest and least priority was attached to such cases with the result that the wrong doers mostly escaped without any punishment.
- Presently, performance of Investigating Officers is mostly gauged on the basis of arrest of accused and recoveries of case property. In criminal cases, conviction rate has gone down due to lacunas in the investigation is left deliberately or due to in competence.

- Police Investigating Officers are generally not trained in modern techniques of investigation and often adopt third degree method involving physical torture which many at times cause deaths in Police custody or permanent damage to the physique of an accused. Public, therefore, has to suffer because of deviations from laid down laws, rules and procedures by the concerned police officers/officials.
- Attitude of police towards public is not friendly. Mistrust leads to repeated instances of harsh dealing with the public.
- While submitting reports to this office in respect of the complaints referred to the DPOs, they must critically examine these. In fact, this gives them an opportunity of setting right a wrong which might have been done. More often than not, the reports prepared by the subordinates are forwarded mechanically by the DPO which needs to be avoided.
- Instances have come to notice where the punishment awarded was not commensurate with the gravity of the illegality committed by police official. It has to be ensured that ends of justice are met not only in acquitting the innocent but also appropriately punishing those who are found guilty.
- Under section 173 Cr.P.C. every investigation under chapter XIV of Cr.P.C. has to result in police report to be submitted to the magistrate empowered to take cognizance of the offence. All officers in-charge of police stations need to be directed to submit reports in respect of even untraced or unproved cases to the court concerned and then proceed further in the light of the orders passed by the court. A widely prevalent practice is that cancellation or untraced report are prepared and kept in the Police Stations and in the offices of supervisory police officers. This

needs to be discontinued and action be take in accordance with section 173 Cr.P.C.

- In complaints about delay in arrest of the accused it has transpired that whereas in most cases action under section 87 Cr.P.C. is taken to get an accused declared proclaimed offender, the provision of section 88 Cr.P.C. under which attachment of property of absconding person can be made is rarely invoked. In the view of this office, proceedings under section 88 Cr.P.C. can be more effective in the arrest of an absconding accused and all officers in-charge of police station need to be made aware of this provision of law and to follow these meticulously.

EDUCATION

It has been observed that despite legal requirements many private educational institutions do not get themselves registered with the Education Department. In order to ensure proper environment of education, buildings, playgrounds for extra-curricular activities, qualified staff and Library/Laboratory facilities in private institutions are required to be checked by the concerned authorities of the department under the Promotion and Regulation of Private Educational Institutions Ordinance, 1984.

It is recommended that each DO(Education) be duty bound to carry out complete survey of private schools within his jurisdiction and ensure registration and periodical inspections of those schools according to law.

There is a common complaint of shortage of teaching staff in Government Schools especially in rural areas. It was indicated that the shortage was mostly in science subjects. It was also noted that due to amalgamation of schools, the number of teachers in some schools had

increased than actually required which resulted in inefficiency and administrative problems in those institutions.

Science subjects are taught in combinations in Pre-Engineering or Pre-Medical groups. Each subject, therefore, requires a separate teacher properly trained and educated in the relevant discipline. It has been brought to the notice of this office that in government schools, especially in suburban and rural areas, teachers of all science subject are not available at times although sanctioned posts are there. This deficiency has adversely affected education in science group subjects and ultimate productivity of trained manpower.

It is, therefore, recommended that in the larger public interest, Education Department should arrange and provide qualified science teachers in the schools.

The department should also take up extensive exercise in regard to the number of teachers posted in a school vis-à-vis number of students studying there and shift surplus teachers to other schools which are deficient in teaching staff.

A number of retired teachers approached this office requesting for release of their pensionary dues. In many cases delay of years was noted. This shatters confidence of employees in their parent department. Reports from the department for delay in payment of pensionary dues generally indicated pending audit paras and enquiries etc. against the retired teachers whereas Punjab Civil Services Pension Rules and clarifications issued by the Government on the subject unambiguously provide guidelines to deal with such cases which include sanctioning of anticipatory pension up to 80%.

It has also come to notice that either on account of transfer of a teacher or by resorting to the notorious practice of 'temporary duty', some schools are made to close down. The concerned supervisory officers

need to be told very clearly not to resort to 'temporary duty' and not to transfer a teacher, if it would result in the closure of the school. Very strict action should be taken against those officers who, despite clear prohibition, continue to assign 'temporary duty', either under pressure from some or for any other consideration.

The government has already imposed a ban on physical punishment to the students. It is recommended that steps be taken to strictly enforce it because complaints continue to be lodged where the teachers are accused of awarding physical punishment to students or to make them do their domestic work.

There are instances where although the teaching staff is provided yet all or some of them do not regularly attend the school. Apparently, a well spread supervisory set up exists in the Department and this malady has remained unchecked because of their complacency. In all cases of prolonged absence of teachers, if the supervisory officer has not taken any remedial steps, action should be taken against him.

Investigation of some complaints revealed that the teaching staff provided in a number of cases was not commensurate with the number of students. The number of teachers in a school/college needs to be kept under continuous review so that every educational institution gets teaching staff. In some cases even when readjustment/transfer is warranted in public interest, it is not possible to do so because of prolonged ban on transfers in the department.

Although, schools specific appointments made under the Recruitment Policy require that the preference shown by a candidate, if supported by his position in the merit list, must be kept in view while offering an Educator's job, yet the department may clarify to all appointing authorities that in no case should the preference by the candidate be ignored.

A number of complaints are received pointing out that some influential persons of the locality have illegally occupied school buildings and are using these for their personal purposes. Not only the staff sanctioned for these schools either remains idle or is adjusted elsewhere but the students of the locality/villages are also deprived of the opportunity to get education near their places of residence. There is an immediate need to direct all DCOs to ensure that all buildings of educational institutions are got vacated from illegal occupants and put to the use for which these were constructed. A certificate should be obtained from each DEO that no government school building is in unlawful occupation of any person.

LOCAL GOVERNMENT & COMMUNITY DEVELOPMENT DEPARTMENT.

In the year 2013 a large number of complaints pertaining to Local Government & Community Development Department and its attached branches were received. As a result of investigation of those complaints following aspects of maladministration have been found.

- It has been noticed that there are so many buildings constructed on the state land without prior permission for construction and payment of rent. Removal of these illegal structures is the primary duty of the department but no appropriate action is being taken.
- In several complaints it was found that most of the residential and commercial buildings were constructed without approval of any plan by the concerned agency (TMA). There are also complaints in which the plan was originally approved for 5 Marlas but at the site the building existed on 1 Kanal plot. Most of the commercial buildings are found without parking facilities though it is provided in the plan. It was also noticed that the official of TMA during

approval of building plan assessed less fee, collected less rent of shop, charges and fines from the users which caused loss to the government exchequer.

- Many shopkeepers are running their businesses without obtaining any license/permission from the concerned agency.
- It has also been observed that in a number of cases for any violation of municipal laws the official remained contented by simply reporting the matter to the police, and no follow up action was taken. If any defaulter files a case in the court of law, the matter is not pursued diligently.
- In certain cases it transpired that in various branches of TMA there was a lack of coordination and as a result the general public suffered and people had to approach other grievances redressal forum for their petty problems.
- In a large number of cases it has been observed that the general public face considerable difficulties in obtaining, birth, marriage and death certificates. Instead of facilitating the process for the applicant. Union Council Secretary often create obstacles for them on frivolous/flimsy grounds.

Recommendations

- The policy already laid down by the government to extend facilities to the public be implemented in letter and spirit.
- The distribution of funds for development work should be rationalized.
- Effort should be made to minimize the political activity in the department.

- The agency should establish the complaint cell and redress grievances of the general public at the department level. This requires effective monitoring system. In case of dispute arising in contractual obligation agency should resort to arbitration in the first instance instead of pushing the party to approach other forums.

Field Visits by the Ombudsman's Inspection Team to the Local Government Office District Hafizabad.

- It was found that water filtration plant opposite press club Hafizabad was leaking at several points. The part of plant, dispensing water for the public was extremely dirty. The site was poorly maintained and heaps of litter, open sewer drain with stagnant water was an ideal breeding place for dengue
- A system of 32 CCTV cameras for city was installed about five years ago, but has not been functional for most of the time. Several pieces of expensive equipment covered with dust were lying outside in the open.
- There is no waste disposal dumping site nor proper drainage or sewer system in Hafizabad. Waste is being dumped at places all over the city. Commercial buildings construction sites were full of heap of filth and garbage. Drains with dirty stagnant black colored effluent was visible at many places in the city. Flies and mosquitoes were in abundance to contribute to spread of hepatitis and diarrhoea, skin diseases, dengue and malaria etc. Activity on the inspection day proved that TMA Hafizabad has the capacity to deliver but it was not being done.
- Encroachments on roads were quite visible. Majority of shopkeepers has illegally extended the front of their shop on to the footpath. Illegal banners and advertisement signs were displayed in large quantity all over the city. TMA staff did not have the

necessary documents to establish the legality of such advertisements/hoardings.

- Inspection of Cattle Mandi for Eid-ul-Azha revealed that there were no proper arrangements of water for the animals.
- An illegal factory was found adjacent to the cattle market in the middle of agriculture land. TMO informed that the factory was operating without an approved building plan for the last thirty years.
- The building of TMA office was in a dilapidated condition. The record of TMA was not secure, document storage and data management was quite unsatisfactory, sanitary condition of the office was poor.
- Residents complained that there was a loud noise and gaseous discharge from the incineration of hospital waste. The incinerator was located in the middle of residential area.
- Four new machines for dengue spray were lying in the store but TMO failed to produce any spray schedule. Awareness on preventive measures for dengue control is the key to eradicating the diseases. Local government administration could not show any schedule for the awareness program.

REVENUE ADMINISTRATION

This year 1770 complaints pertaining to revenue department have been received which is 620 more than the previous year. A number of reasons may be listed for this increase, however, a clear inference is that the problem areas in the revenue administration are persistent and growing despite our unrelenting efforts.

During the process of investigation of various complaints the following problem areas have been noticed:

- Issuance of Fard Malkiat.
- Delay in attestation of mutation.
- Cancellation of wrong mutation.
- Updating of revenue record.
- Demarcation of land.
- Delay in decision of partition of joint khata.
- Irregularities in settlement operations.
- Delay in consolidation process.
- Removal of encroachment from state lands.

This office has been giving detailed recommendations in its annual reports to remove maladministration in these areas. These recommendations were quite inline with the government's vision of good governance. We understand that good governance mainly consist in transparent implementation of law without exception.

Recommendations so made were not implemented whole heartedly by the government. However, one of our recommendations regarding computerization of revenue record was taken up. Government has made commendable efforts to computerize the revenue record of more than 90 subdivisions of Punjab. It is expected that with the computerization of revenue record issuance of Fard Malkiat will be easier and a normal routine matter. It shall eliminate hassle in obtaining Fard Malkiat from a Patwari and chances of corruption shall also be curtailed. It is also expected that attestation of mutation will be no longer a problem for the land holders. Similarly, cancellation of wrong mutation will be hopefully more smooth and the alleged corruption of revenue functionaries will be minimized and the revenue record will be kept updated. These

expectations can only be achieved if the data in the computer are fed diligently and honestly.

The issues of demarcation of land, delay in decision of partition of joint Khata, irregularities in settlement operations. Delay in consolidation cases and removal of encroachments from state lands are important which create intricate problems and result in protracted litigation. This should be addressed earnestly and proper mechanism should be evolved to monitor progress of these revenue functions.

The complaints during the year under report have again revealed that the quality of maintenance of revenue record on which valuable right of the people depend is not satisfactory in a large number of cases. Steps need to be taken to make the record correct and reliable.

It has transpired from the complaints pertaining to consolidation proceedings that in some cases consolidation proceedings have remained pending for decades. Instances of inferior land given to small and weak title holders have come to light. It is recommended that the consolidation proceedings must be time bound depending on the volume of work and supervisory officer must also ensure that provision of law and instructions are strictly observed

Visit to LRMIS office Distt. Hafizabad

- A sample evaluation of the Land Record Management & Information System (LRMIS) in district Hafizabad was done by the Ombudsman's inspection team. It was found that the security of the record taken from Patwaris which was being computerized was not proper. Processing fee which were to be deposited in a bank branch were being collected physically at this office. The infrastructure of the new building was substandard and without proper maintenance which included broken doors and floor tiles and open wiring.

- Cleanliness of the sensitive equipment lying in the server room was poor. It had not been cleaned for weeks. A thick layer of dust could be lifted from the hardware with the tip of the finger. Electric and network cables were all jumble up and were not properly labeled and covered. There was no antivirus system or firewall installed to protect the data stored in the server. The staff in-charge was not aware of the significance of the safety, security and maintenance of the equipment. There was no proper alternative power supply to keep the server and ancillary equipment running during power outage. CCTV camera was installed but did not have the capability of recording. So, the entire expenditure on this count was a waste of resources. The data are not secure in the current level of administrative control which could not be vouched for transparency and reliability of this system. The issue of computerization of property in a Joint Khata still needs to have improvements in order to avoid complications.

IRRIGATION DEPARTMENT

The complaints pertaining to I&P Department mainly indicated the following Irregularities/maladministration.

Large number of complaints pertains to non payment of compensation of the land utilized by the department for execution of its development schemes. The department can take over the land free of cost only with the consent of the owners concerned. Otherwise it has to be acquired compulsorily on payment of fairly assessed compensation in accordance with the law. In either case, the department should get the land mutated in its name. It should also be ensured that before a work is taken up, land acquisition proceedings, if it has to resort to compulsory acquisition,

are completed and the payment of assessed compensation made to the title holders.

In some cases complaints have been received demanding compensation for the crops and structures for the damage caused by a breach in a canal or a distributory. The department should have a mechanism of getting each case of breach enquired through an independent enquiry committee which should also fix responsibility for the breach. Needless to say that the enquiries conducted by departmental officials suffer from lack of credibility. All cases of breach should be referred to this independent enquiry committee with properly framed terms of reference of the enquiry. The department should resort to imposition of 'Tawan' only if the enquiry committee concludes that the breach was caused by the irrigators.

The question of adequate water supply to 'tailenders' continues to remain unsettled. Concerned SDO and the Overseer should be made personally responsible to frequently check the water supply at the tail to ensure that the irrigators concerned are getting their due share.

Instances have also come to notice where the 'Khatoni Nehri/Dhal Bach' sent to the revenue officers for recovery contained mistakes and interpolations. The Khatoni must be free from mistakes, cuttings and each page must have been signed by a responsible officer.

A large number of complaints have been received from the contractors who have not been paid for the works executed by them. The reasons generally given by departmental authorities for non payment are either non observance of some formalities before or during award of work or the funds either being not available or having lapsed. Some of the liabilities have been examined by three different scrutiny committees and are yet to be paid. The department must take steps to ensure that works are allotted after all formalities have been completed and funds for their

execution are available. In fact, the tender notice issued may also have a certificate to the effect that all codal formalities have been completed as well as the information about the funds available for the scheme.

A number of complaints are received in this office regarding wrong assessment of 'Abyana' despite introduction of flat rate system of assessment since Kharif 2003. It has been found that main reason for wrong assessment of 'Abyana' is non availability of complete and updated record of ownership of irrigators with Canal Patwaris. The department should ensure that updated record of ownership of irrigators is available with the canal Patwaris.

Proper checking of demand of 'Abyana' raised by Canal Patwaris against the irrigators in 'Nehri Khatoni' is not made by supervisory staff which again results in creation of wrong demand of 'Abyana'. The department should ensure proper checking of the record of assessment of 'Abyana' and ensure compliance of the instructions so issued.

It is recommended that ownership column of "Wara Bandi" which remains usullay unchanged for decades should be updated. Old entries regarding ownership of irrigators in the "Wara Bandi" lead to legal complications and endless litigation in "Wara Shikni", unauthorized irrigation and 'Tawan' cases due to non appearance of updated names of irrigators.

In cases of "Wara Shikni" which entails feuds amongst the shareholders, timely action is required to be taken as provided in the law to discourage such occurrences.

Punjab Irrigation Drainage Authority (PIDA) was formed keeping in view this aspect of problem in the Irrigation Department, however, the authorities could not deliver the goods for various reasons. The authority rather indulged in shifting the burden to other functionaries of the agency.

The cases of 'Tarmimi Warabandi' are delayed unnecessarily for month/years on frivolous grounds by Divisional Canal Officers. The department should prepare a time schedule to finalize such cases. Even when an amendment has been approved after prolonged proceedings, its implementation also takes inordinately long. This needs to be set right.

Similarly the cases of inclusion of new area in the Culturable Command Area and cases of exclusion from the CCA on the request of the irrigators are also delayed for months/years on one pretext or the other. The department should also prepare a time schedule to finalize such cases.

Irrigation department so far has failed to control theft of canal water by big land owners by tempering with the outlets, putting pipes directly in the Rajbah/Minors. Only perfunctory action is initiated by the irrigation authorities on theft of canal water criminal cases are registered and Tawan is also imposed, but hardly any case has resulted in conviction of culprit. The department appears helpless in controlling the theft of canal water because often the sub engineer and Baildar are involved in theft of canal water. Programme Monitoring and Implementation Unit has failed to serve the purpose.

HOUSING, URBAN DEVELOPMENT AND PUBLIC HEALTH ENGINEERING DEPARTMENT

Housing, Urban Development and Public Health Engineering Department is a successor department of Housing and Physical Planning Department (H&PP) which was created in August 1972. The complaints pertaining to Housing, Urban Development and Public Health Engineering Department mainly indicate the following maladministration:

In most of the complaints the water supply scheme became nonfunctional on account of provision of inadequate funds for the maintenance of the scheme. Allocation of sufficient funds may be made for the users committee to maintain the water supply scheme, payment of electricity bills and payment of salaries to the Chowkidars.

Timely payment of contractual dues is another problem area. Delay in payment to the contractors on account of non availability of funds and the problems concerning discharge of contractual obligation by the contractors have been the subject of complaints.

Requisite priority was not assigned to the ongoing schemes due to various reasons. There are numerous cases highlighted in the complaints where water supply schemes setup earlier are not functioning because of more than one reasons. No agency is prepared to take the responsibility even to pay to the employees who are still in service.

The need for safe drinking water is evident which is an important issue. The department should examine and come out with a solution to make the scheme sustainable.

In view of the new status of the department, the service rules of employees are required to be notified. In absence of these rules service matters such as promotion and move over etc. of the employees require settlement. The matter needs immediate attention and rules need to be framed as early as possible.

Several complaints revealed that the residents of some locality are not getting clean drinking water. Some of them indicated that the drinking water was contaminated and injurious to health. Provision of potable water was inordinately delayed due to lengthy and cumbersome procedure of approval and execution of water supply schemes.

PUNJAB INFORMATION TECHNOLOGY BOARD

Field visits were conducted and report compiled by advisor (SR&R).

Pakistan Information Technology Board (PITB) was formulated with the mission to “develop IT as a major sphere of economic activity, and promote its use in the public and private sectors for increasing efficiency and competitiveness”. The department endeavors to achieve its mission through the following objectives: Creation and Implementation of e-Governance policies; Capacity Building and Human Resource Development; and Infrastructure Development.

Sizeable budgets are allocated to PITB to support the IT infrastructure of the public sector in the province. Provincial departments, which need technological assistance from PITB are required to process a PC1 for the purpose. There is little logic for a PC1 as PITB has its own hired staff to provide support to the public sector departments. This is an expense in addition to the PITB budget. PITB has not developed any indigenous capability as the work is outsourced to a handful of companies on a regular basis, when it could be done directly by the department itself. PITB is simply playing the role of an intermediary in this aspect. Monitoring and feedback mechanisms are either non-existent or inefficient to facilitate effective management systems.

Several departments in the province develop and manage their own systems independent of the PITB. Apparently, the concept of e-governance is a mere excuse to consume taxpayers' funds without providing the required level of service to the public. There is no consolidated plan to develop IT in the public sector of Punjab. This raises serious questions regarding budget allocation; short, medium and long-term planning strategies; understanding of technological concepts such

as e-governance and capacity building to develop and manage sustainable systems.

Disease Surveillance System (DSS) for the Health Department of Punjab, provides demographic data on listed diseases by mapping the incidence of these diseases. It was developed and implemented by the PITB and is being managed in collaboration with the Health Department of Punjab. The future planning and efficient resource utilization of health services in Punjab for these diseases depends on the completeness, reliability and timing of this information. The Dashboard of the Chief Minister is updated on the basis of this information which is a performance indicator of the department. It is also used to formulate the preventive and curative strategies for various diseases and is a key input in planning annual budgets of the department. The findings of the Ombudsman Inspection Teams' visits to four DHQ level hospitals and three major tertiary level hospitals in Lahore led to the conclusion that this data is incomplete, unreliable and untimely. Maladministration in PITB to support data collection on listed diseases also raises concerns regarding other grave diseases, such as cancer, which consumes huge public funds, for which no Central Database Registry exists for prevention and better resource management.

Data Collection and Management for Disease Surveillance System and Disease Early Warning System.

Some findings of information collected during the field visits to hospitals in Punjab related to the functioning of the system are listed below.

Mayo Hospital

The Hospital Emergency has a computerized ticket system available but in case of patient overload, the system is shifted to manual. The outpatient department also follows the manual system of data collection. Doctors resist using computerized systems for patient management. This affects the quality of data collection. Hospital Wards are collecting data manually but this is collected patient-wise and not disease-wise. Manual

organization is done to arrange the data disease-wise, which is faxed or emailed as input for DSS to update the dashboard for the Chief Minister.

PITB has deputed data collection operators who also enter the required information into the DSS system in the hospitals. It was noted that some of this staff was not present on duty during our inspection. Some of their computers failed to log into the main system. Internet service was a problem in main cities as well as in the periphery DHQ Hospitals. The Server housing the data could not be accessed. Sensitive IT Equipment was not kept dust free. PITB staff had little idea on system working. Data is not being entered regularly on daily basis.

We were told that the server is down which was the reason we are not able to see the cases that had been entered. The person operating this failed to bring up any entries for the last 12 days. It was revealed that the data was not being entered due to shortage of data entry operators. Peons had been trained to help with data entry and were not able to manage the workload.

Services Hospital

The statistical officer informed that initially a pilot study of four hospitals was done by PITB to test the Disease Surveillance System. Two of these were in Lahore including the Mayo and Services Hospital, and two were in the periphery. Initially 22 data entry operators were allocated of which about 16 to 17 were physically verified. Now PITB left only 4 to 5 persons in the hospital for data entry for the DSS and therefore only the measles data was being collected. At that point in time data was not being collected for any of the other listed diseases for the DSS. All the data from the hospital emergency, outpatient and wards, was collected and compiled manually. The scope and utility of this is limited.

Jinnah Hospital

Data collection for DSS was done manually. Excessive workload and shortage of trained staff was a problem due to which data was compiled

under the compulsion to forward it by a certain deadline rather than to collect quality data to support decision making at the level of the top management in policy-making.

Data Collection in Districts through DHIS

DHQ Hospitals Kasur, Hafizabad, Allama Iqbal Memorial and Sardar Begum Hospitals in District Sialkot were visited. The data for the DSS was compiled through the DHIS manually which is faxed or emailed to the Director General Health's office. Analysis of the data revealed discrepancies between the data fields collected by the various hospitals. This resulted in missing data. Data provided was conflicting in nature. Data forwarded from districts was incomplete and unreliable.

SYSTEMIC ANALYSIS

We were informed that the incidence for listed diseases for the DSS and the Disease Early Warning System of the WHO are either not reported or underreported. The hospital staff is not trained in the purpose, process or utility of these systems. This is not only resulting in the wastage of public resources but also is a health hazard as disease prevention planning is based on this data.

There was no computerized record for listed diseases for the Disease Surveillance System. Manual Data Entry was the factual position. This renders the data incomplete, unreliable and insecure. The Disease Surveillance and Disease Early Warning system is not properly functioning. No Consolidated Reports are timely available and no professional experts are available to analyze, interpret and utilize this data for disease prevention. Consequently, there is negligible proactive planning and reactive approach is the only available option in a disease outbreak.

NEW INITIATIVES FOR PENSIONERS

Pensioners are an important segment of our society, who after retirement feel dejected and deprived concerning payment of their pension and its related issues. Owing to the official lethargy the performance of pension sanctioning authorities in certain cases has been far from being satisfactory. This has resulted in registration of large number of complaints. Many retired officers/officials died in penury and privation expecting in vain for the sanction of their pensionary benefits. With a view to redress the grievances of pensioners Ombudsman Punjab has established a Mohtasib Punjab Pension Cell (MPCC) in the head office as well as in the regional offices. The cell is working closely in coordination with the provincial pension cases disposal committee formed by the government.

Under the pension rules directive of the government of Punjab, and the orders of superior court the pension sanctioning authorities are bound to initiate pension papers of all the retiring officers/officials one year prior to their superannuation. But the competent authorities sometimes ignore rules/orders causing inordinate delay in finalization of the pension of the retiring government servants. The main reason for such negligence is non accountability of the concerned functionaries of the department.