

BRIEF

OFFICE OF THE OMBUDSMAN PUNJAB



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OFFICE OF THE OMBUDSMAN PUNJAB

1. Introduction:

- The Office of the Ombudsman Punjab came into existence on September 30, 1996 through Ordinance No. XI of 1996.
- The Punjab Office of the Ombudsman Act, 1997 was promulgated on June 30, 1997 (**Annex-I**).
- As per the Punjab Government Rules of Business, Office of Ombudsman Punjab is a 'Special Institution' of S&GAD.
- It is an inexpensive and quick redressal forum for the citizens aggrieved by maladministration of Provincial Government agencies/ functionaries.
- Complaint handling mechanism has been detailed in the Ombudsman for the Province of Punjab (Registration, Investigation and Disposal of Complaints) Regulations, 2005 (**Annex-II**).
- Section 3 of the Act *ibid* provides for the appointment of Ombudsman for the Province of Punjab. Mr. Najam Saeed is the 7th Ombudsman in office who took oath on 21.7.2016.

2. Objectives:

As provided in the preamble of the Act *ibid*:-

- Protection of the rights of the people
- Ensuring adherence to the rule of law
- Diagnosing, redressing and rectifying any injustice done to a person through mal-administration
- Suppressing corrupt practices

3. Functions and Powers of the Ombudsman:

The Ombudsman may on a complaint:-

- i) by any aggrieved person,
- ii) on a reference by the Government or the Provincial Assembly, or
- iii) on a motion of the Supreme Court or the High Court made during the course of any proceedings before it, or
- iv) 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.

Maladministration includes:-

- i) a decision, process, recommendation, act or omission or commission which:-
 - a) is contrary to law, rules or regulations or is 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 powers or the failure or refusal to do so, for corrupt or improper motives, such as, bribery, jobbery, favouritism, nepotism and administrative excesses; and
- ii) neglect, inattention, delay, incompetence, inefficiency and ineptitude, in the administration or discharge of duties and responsibilities;

Section 14 of the Act *ibid* provides that the Ombudsman has the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 for, (a) summoning and enforcing the attendance of any person and examining him on oath; (b) compelling the production of documents; (c) receiving evidence on affidavits, and (d) issuing commission for examination of witnesses.

Section 16 of the Act *ibid* provides that the Ombudsman has the same powers, *mutatis mutandis*, as the High Court has to punish any person for its contempt.

4. Jurisdiction Barred:

The Ombudsman has no jurisdiction to investigate or inquire into matters which:

- (a) are subjudice before a court of competent jurisdiction.
- (b) relate to the external affairs or relations of Pakistan;
- (c) relate to or connected with defence of Pakistan or Military, Naval and Air Force of Pakistan or the matters covered by the laws relating to these Forces.

The Ombudsman also can not entertain for investigation any complaint by or on behalf of a 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.

5. Conduct of Business:

Section 24 of the Act ibid provides as under:-

“24. Conduct of business

- (1) The Ombudsman shall be the Chief Executive of the Office.
- (2) The Ombudsman shall be the Principal Accounting Officer of the Office in respect of the expenditure incurred against budget grant or grants controlled by the Ombudsman and shall, for this purpose, exercise all the financial and administrative powers delegated to an Administrative Department.”

6. Organization:

- Being the Chief Executive of the Office, the Ombudsman Punjab exercises powers under the Act ibid and decides complaints ensuring redressal of public grievances caused by the acts of mal-administration on the part of government agencies. Staff strength of the Institution is as follows:

Ombudsman Punjab	1
Secretary (BS-20)	1
Advisors / Consultant (BS-21/20/19)	23
Supporting Staff	300

- Organogram is available at **Annex-III**.

7. Outreach Programme:

In 1996, the Office of the Ombudsman Punjab was established at Lahore. People had to travel long distances to come to Lahore for filing and pursuing their complaints at Lahore. With a view to providing relief to the people at their doorsteps and making this Office more effective as well as responsive to public needs and aspirations, three Regional Offices of the institution of the Ombudsman Punjab at Multan, Rawalpindi and Sargodha were established in 2004, 2006 and 2007, respectively. In order to further extend its outreach to the grass roots level, its offices were established in all the remaining 32 districts of the Province in April, 2014.

8. Our Focus:

While dealing with complaints from the aggrieved persons, this Office endeavours to get all the grievances redressed at the earliest. However, children and widows are focus of our close attention. For prompt disposal of complaints and keeping in view vulnerability of children and widows, priority is given as under:-

- Priority 1 : Children
- Priority 2 : Widows
- Priority 3 : Rest of the Complainants

9. Office of the Chief Provincial Commissioner for Children:

Office of the Chief Provincial Commissioner for Children (OCPCC) is functioning under the aegis of Ombudsman Punjab since 2009 with the technical and financial support of UNICEF. Children are the most vulnerable segment of the society and are facing hardships because of lack of basic facilities for leading a safe and healthy childhood. Moreover, there is lack of awareness about their rights. The OCPCC has been striving to safeguard the Child Rights through advocacy, investigation, mass awareness campaigns, etc.

Primary function of the OCPCC is to examine and investigate complaints made by or on behalf of children in accordance with the Punjab Office of the Ombudsman Act, 1997. The OCPCC seeks to promote resolution of complaints at local level, where possible. It aims to achieve systemic change through its investigatory work by tackling the root causes of the complaints.

Main functions of the OCPCC are:-

- i. To serve as a dedicated forum for receiving and deciding complaints related to or by Children and to protect child rights against maladministration by any Provincial Agency, institution or public body.
- ii. To have an overview of violation of child rights by Government Agencies.
- iii. To provide a platform for addressing child rights issues through research, advocacy and engagement with children and other stakeholders on child rights.

10. Budget:

The budget sanctioned for the Office of the Ombudsman Punjab from the financial year 1996-97 to 2017-18 is detailed below:-

Sr.No.	Fiscal Year	Salaries & Allowances (Rs.)	Contingency (Rs.)	Total Budget (Rs.)
1	1996 – 1997	2,285,000	1,448,000	3,733,000
2	1997 – 1998	2,969,000	2,578,000	5,547,000
3	1998 – 1999	4,895,000	2,917,000	7,812,000
4	1999 – 2000	6,615,000	3,539,000	10,154,000
5	2000 – 2001	6,692,000	7,078,000	13,770,000
6	2001 – 2002	1,025,000	14,096,000	15,121,000
7	2002 – 2003	11,892,000	7,731,000	19,623,000
8	2003 – 2004	15,198,000	20,410,000	35,608,000
9	2004 – 2005	24,299,000	11,161,000	35,460,000
10	2005 – 2006	25,927,000	18,145,000	44,072,000
11	2006 – 2007	29,139,000	20,220,000	49,359,000
12	2007 – 2008	36,829,000	16,419,000	53,248,000
13	2008 – 2009	50,152,000	14,904,000	65,056,000
14	2009 – 2010	57,868,000	19,808,000	77,676,000
15	2010 – 2011	75,638,000	18,831,000	94,469,000
16	2011 – 2012	76,335,000	14,395,000	90,730,000
17	2012 – 2013	91,179,000	26,156,000	117,335,000
18	2013 – 2014	111,243,000	40,742,000	151,985,000
19	2014 – 2015	135,160,000	55,585,000	190,745,000
20	2015 – 2016	145,140,000	57,492,000	202,632,000
21	2016 – 2017	180,905,000	40,804,000	221,709,000
22	2017 – 2018	181,389,000	49,730,000	231,119,000

11. List of Sanctioned Posts (2017-2018):

Details of sanctioned posts during current financial year are given below:-

Name of the Post	Basic Pay Scale	Sanctioned Posts
Ombudsman	Special	1
Secretary	BS-20	1
Advisor	BS-21	1
Advisor	BS-20	6
Consultant	BS-20	8
Consultant	BS-19	8
Computer Programmer	BS-18	1
Senior Law Officer	BS-18	1
Public Relations Officer	BS-17	1
Law Officer	BS-17	1
Admn./Accounts Officer	BS-17	1
Protocol Officer	BS-17	1
Research Officer	BS-17	2
Registrar	BS-17	1
Addl. Registrar	BS-17	3
Private Secretary	BS-17	2
Superintendent	BS-17	2
Personal Assistant	BS-16	9
Assistant/Dy. Supdt.	BS-16	44
Stenographer	BS-15	37
Composer	BS-14	2
Library Assistant	BS-11	1
Clerk	BS-11	47
Telephone Operator	BS-7	1
Daftri	BS-4	2
Driver	BS-4/5	39
Dispatch Rider	BS-4/5	8
Supervisor	BS-5	1
Cook	BS-5	1

Assistant Cook	BS-3	1
Qasid	BS-3	1
Naib Qasid	BS-1/2	52
Machine Operator	BS-2	2
Frash	BS-2	1
Dish Washer	BS-1	1
Service Boy	BS-1	1
Kitchen Attendant	BS-1	1
Waiter	BS-1	1
Chowkidar	BS-1/2	9
Mali	BS-2	4
Security Guard	BS-1/2	9
Sanitary Worker	BS-1/2	9
Grand Total		325

12. Performance:

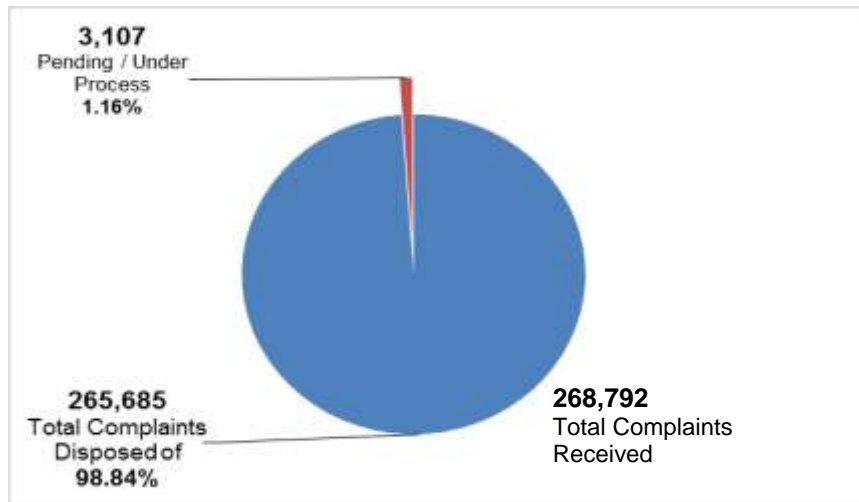
Details regarding number of complaints received, processed and disposed of during the 20 years' period are given below:-

Year	Brought Forward	Receipt	Total Processed	Disposed of	Carried Forward
1996-97	-	17,801	17,801	7,752	10,049
1998	10,049	11,501	21,550	15,532	6,018
1999	6,018	11,696	17,714	13,713	4,001
2000	4,001	8,909	12,910	7,445	5,465
2001	5,465	8,385	13,850	8,199	5,651
2002	5,651	8,586	14,237	10,437	3,800
2003	3,800	9,392	13,192	9,509	3,683
2004	3,683	8,434	12,117	7,384	4,733
2005	4,733	8,503	13,238	10,796	2,440
2006	2,440	11,872	14,312	11,347	2,965
2007	2,965	13,681	16,646	13,860	2,786
2008	2,786	8,997	1,783	5,155	6,628
2009	6,628	13,157	19,785	17,149	2,636
2010	2,636	10,252	12,888	10,905	1,983
2011	1,983	10,542	12,525	9,640	2,885
2012	2,885	10,575	13,460	9,862	3,598
2013	3,598	27,658*	31,256	21,480*	9,776
2014	9,776	21,899*	31,675	26,622*	5053
2015	5,053	25,523*	30,576	27,368*	3,208
2016	3,208	21,429	24,637	21,530	3,107

* Including Suo Moto cases

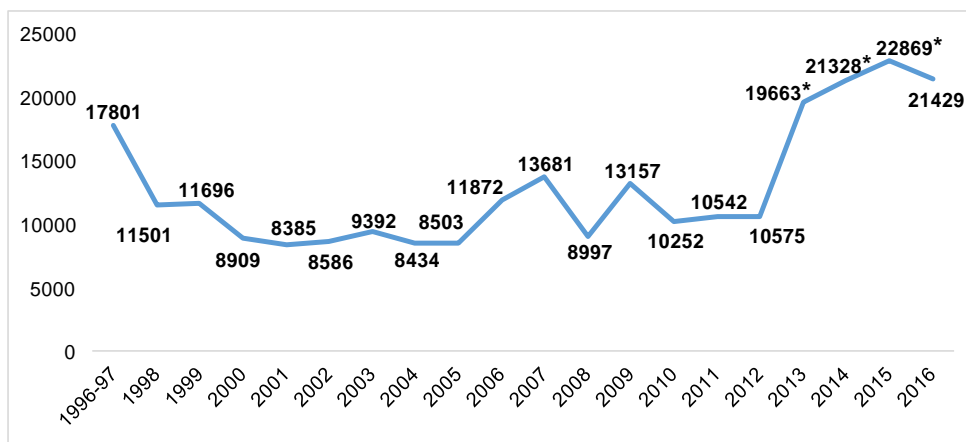
Total number of Complaints Received in 20 years	=	268,792
Total number of Complaints Disposed of in 20 years	=	265,685
Complaints pending as on 31.12.2016	=	3,107

Graphical representation of the complaints received and disposed of during 20 years period is as under:-



The above pie chart shows the aggregate complaints received and disposed of during 20 years of public service. The blue part shows that 265,685 complaints were disposed of out of total 268,792 complaints received since the inception of the Office, whereas, red part represents complaints under process.

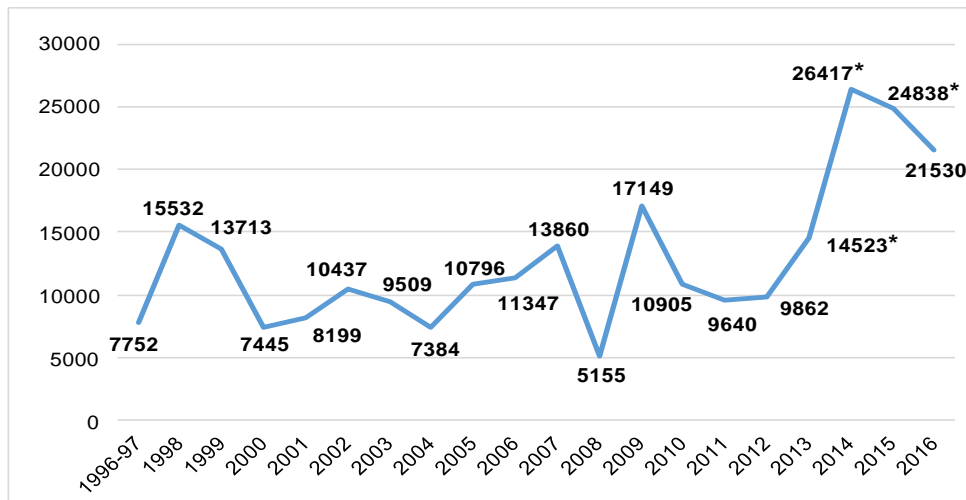
Year wise Receipt of Complaints



* Excluding Suo Moto cases

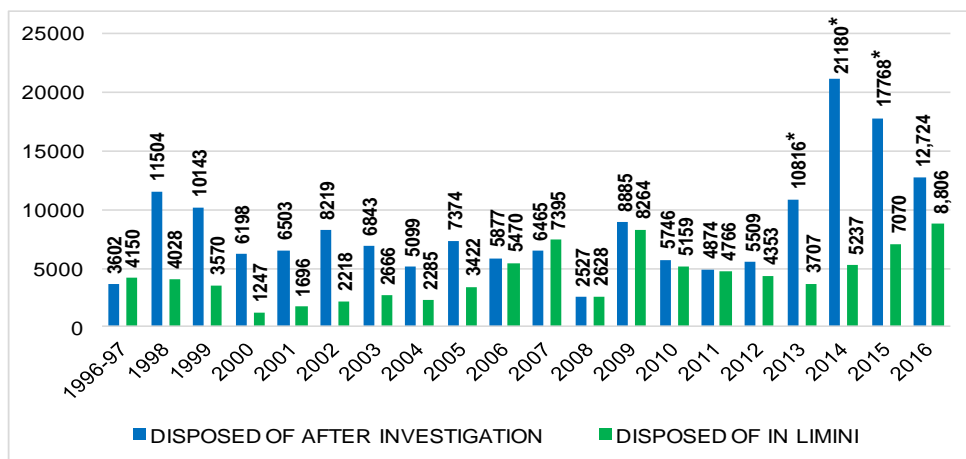
The increasing trend of complaints received shows confidence of general public towards this institution for redressal of their grievances.

Year wise Disposal of Complaints



* Excluding Suo Moto cases

The above graph depicts year wise disposal of complaints in the last two decades. The increasing trendline shows improvement in public service delivery by means of effective mechanism for redressal of complaints.

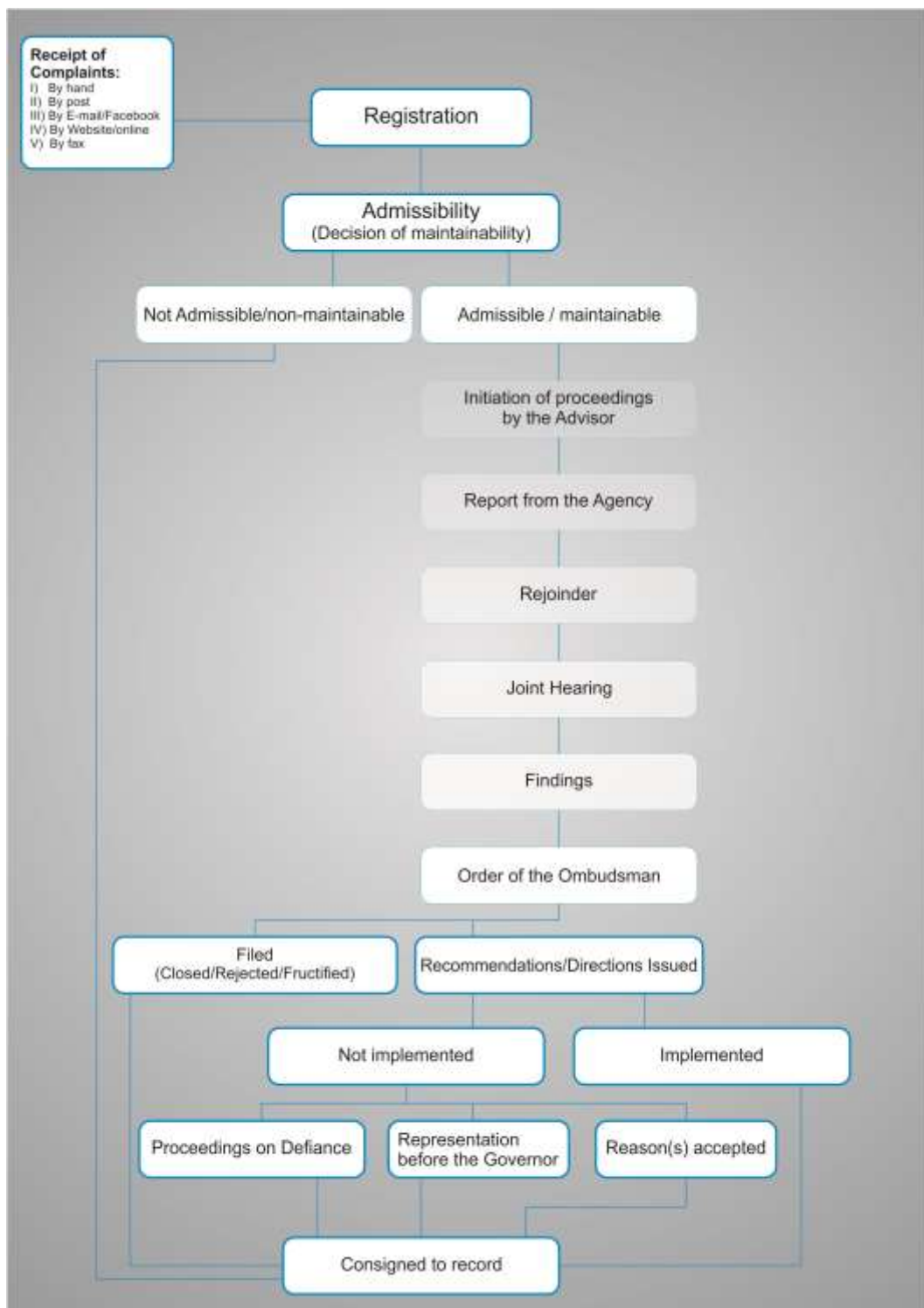


* Excluding Suo Moto cases

The above graph gives 20 years' comparison of complaints disposed of after detailed investigation and disposed of in limine. In total, 66% complaints were disposed of after thorough investigation whereas 34% complaints were found non-maintainable in preliminary investigation.

The institution over the last two decades has proved to be an effective and efficient grievance redressal mechanism and has rendered invaluable service to the common man by providing relief against maladministration of the Government Departments / Agencies.

13. Complaint Handling Process:



- Each and every complaint is decided by the Ombudsman Punjab.
 - Advisors / Consultants working in the Regional Offices carry out investigation into the complaints, prepare draft orders and upload the same on Complaint Management Information System (CMIS) which are downloaded by I.T. Wing at Head Office and placed before the Ombudsman Punjab for approval / signatures.
 - If some amendment is required in a draft order, the same is done by the Ombudsman Punjab.
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