

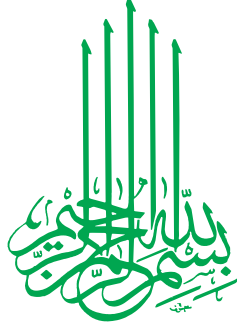
OMBUDSMAN PUNJAB

ANNUAL REPORT 2010



OMBUDSMAN

2-BANK ROAD, LAHORE
PAKISTAN



إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ

(Para 14, Surah Nahal, Ayat 90)

﴿اللہ تعالیٰ یقیناً انصاف اور بھلائی کا حکم دیتا ہے﴾

**PROFILE OF
MR. KHALID MAHMOOD
(OMBUDSMAN PUNJAB)**



Mr. Khalid Mahmood was sworn in as the 5th Ombudsman for the Province of Punjab on 8th December, 2008. Educated at Government College Lahore, he holds a Master's degrees in History and in Political Science. He got a law degree from the Punjab University, Lahore, and later did his L.L.M. from Harvard Law School, U.S.A.

After qualifying the CSS exam in 1967, Mr. Khalid Mahmood was placed in the Tax Group and retired as a Secretary to the Government of Pakistan in 2005. He held a number of important positions in the Federal Board of Revenue (FBR) and other Federal Government agencies including that of Secretary (FBR), Commissioner of Income/Wealth Tax, Member Income Tax Appellate Tribunal, Member Finance, Water and Power Development Authority (WAPDA), Director, Kot Adu Power Company (KAPCO), Director Finance, Oil and Gas Development Company Limited (OGDCL), Director General, Civil Services Academy, Lahore, and Principal, Pakistan Administrative Staff College, Lahore. His last appointment while in Government service was as Chairman, Technical Education and Vocational Training Authority (TEVTA) Punjab. On the basis of his extensive and varied experience, he has a deep understanding of the problems faced by citizens coming in contact with Government agencies.

His keen interest in sports particularly cricket, provided Mr. Khalid Mahmood opportunities to serve Pakistan Cricket Board (PCB) in various capacities: Honorary Secretary (1975-1976), Member PCB Council (1988-94), Manager of Pakistan Cricket Team touring England, South Africa and the West Indies (1992-1993) and as Chairman PCB (1998-1999).

Mr. Khalid Mahmood is also a writer and a columnist. His report on "Corporatization and Restructuring of WAPDA" depicts the valuable experience gained by him while serving in WAPDA. Similarly, after visiting England as Manager of Pakistan Cricket Team, his publication "Eye of the Storm" was well received by the general public particularly cricket lovers in Pakistan. He contributed a series of columns for daily Nawa-i-Waqt, Lahore, in 1997.



Mr. Khalid Mahmood, Ombudsman Punjab, presenting Annual Report 2010 to Sardar Muhammad Latif Khan Khosa, Governor Punjab at Governor House Lahore.



OMBUDSMAN

D.O.NO.POP/1-786/2010
**OFFICE OF THE
OMBUDSMAN, PUNJAB
2-BANK ROAD, LAHORE**

Dated Lahore the March, 2011

My Dear Governor,

It gives me pleasure to present to you the Annual Report for the year 2010 on the performance of the Ombudsman's office as per requirement of Section 28 of the Punjab Office of the Ombudsman Act 1997. This is the 14th Annual Report since the establishment of this office and the third which I have the privilege to present.

2. During 2010, efforts were made not only to accelerate the disposal of complaints but also to ensure effective monitoring of implementation of the Ombudsman's directions. These efforts were successful as seen from the number of complaints disposed of during the year. The data shows that 2,636 complaints were brought forward from the preceding year while 10,252 fresh complaints were filed in 2010. The Ombudsman's office was able to dispose of 10,905 complaints, leaving a balance of 1,983 to be carried forward to next year. Since the establishment of this office in 1996, the number of pending cases taken forward to next year is the lowest.

3. While prompt disposal of complaints is crucial, implementation of Ombudsman's directions in letter and spirit is equally important to ensure that the basic objective of the institution to provide relief to the aggrieved is adequately met. It is felt that impact of the institution as a forum to redress public grievances would not be visible unless due relief was provided to the complainants effectively and promptly. This is ensured through constant follow-up of cases which are consigned to record only when the Ombudsman's directions have been carried out by the agencies.

4. Based on analysis of complaints against government departments, a number of specific as well as general recommendations are made every year with a view to bringing about systemic changes in their working. The response to these recommendations may not be very enthusiastic, but by and large positive and citizen-friendly changes in policies/procedures do get incorporated.

5. It may also be mentioned here that the Children Complaint Office established with the help of UNICEF in May 2009, has been further consolidated during the year under report. This dedicated forum for redressing the complaints of children has been quite active in creating awareness about children's issues and advocating the cause of children's rights through a variety of communication channels as per details given in the report.

Yours sincerely,

(Khalid Mahmood)

Sardar Muhammad Latif Khan Khosa,
Governor of the Punjab,
Lahore.

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INTRODUCTION

Pages 1 – 3

INTRODUCTION

Submission of the Annual Report by the Ombudsman Punjab is a statutory requirement under Section 28(1) of the Punjab Office of the Ombudsman Act, 1997. The report highlighting the working and activities of this Office is to be submitted to the Governor within three months of the conclusion of the calendar year to which it pertains.

This is the 14th Report ever since the establishment of the Office of the Ombudsman Punjab in September, 1996, and third during the incumbency of the present Ombudsman. The Report has a dual purpose. On the one hand, it provides a review of administrative accountability undertaken by the Office of the Ombudsman through redressal of public grievances arising out of maladministration and on the other, the agencies are sensitized to undertake reformatory measures in line with public aspirations and gear the system towards making it service-oriented. The Report aims to be instrumental in sharing the findings of the Ombudsman with Government agencies and public representatives for a more meaningful interaction and transparency in the conduct of the functions of this Office.

Making the Office of Ombudsman more vibrant, responsive and amenable to public sensibilities has been an important consideration while planning the activities for the year 2010. Keeping in view the country's international legal obligations and also the need to take better care of children, a Children Complaint Office was established in 2009 with the support of UNICEF to ensure implementation of the relevant laws and to provide better care to the neglected and deprived children. This forum has not only been useful in creating awareness of child rights but also it did a useful job by investigating complaints pertaining to children and helped in rehabilitating some of those suffering from abuses and deprivation. A separate chapter has, therefore, been added in this report highlighting the activities and functioning of the Children Complaint Office.

A close working relationship has also been developed with Asian Ombudsman Association through the good offices of the Wafaqi Mohtasib, Islamabad. A landmark feature of this cooperation is the initiative of capacity-building of the Ombudsman's Office in the international context identifying best practices followed and adhered to by the Ombudsmen in Asia. This is an ongoing process for making the Ombudsman's Office more effective and goal oriented in terms of providing relief to the common man against administrative excesses. Prompt satisfaction of a genuine claim is the least that needs to be done to sustain faith in the system. An enabling environment, therefore, has to be created in which the aggrieved persons are provided relief through simplicity of procedures, a cost-effective system and a combination of transparent investigative and judicial efforts. To achieve the desired goal, the Office of Ombudsman has to be independent of the executive which is obliged to act in aid of the Ombudsman.

The Ombudsman is expected to ensure administrative accountability by taking cognizance of issues pertaining to maladministration. The concept in its classic form has a Swedish origin. Conceived originally as an authorized agent of the parliament for maintaining a constant vigil and scrutiny of the

discharge of the administrative and judicial functions by the government and other authorities, its success was registered globally. The model of Ombudsman accepted and followed widely by numerous countries of the world, however, has concentrated on the role of Ombudsman limited to public administration only, leaving out the judiciary altogether. This pattern is now being followed by Ombudsmen in Pakistan and most of the countries of the world.

In the context of the Province of Punjab, the institution of Ombudsman was established by virtue of The Punjab Office of the Ombudsman Act, 1997, which provides for the appointment of the provincial Ombudsman for 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 maladministration and suppressing corrupt practices as enshrined in its preamble. The Office, therefore, has a vision to reform and restructure public sector agencies in a manner that malaise of maladministration inherent in negligence, lethargy, nepotism and discrimination is rooted out eventually. Its success depends upon the support and cooperation of the Government and its agencies and above all, the will and determination of the political leadership.

Organizational Structure of the Office:

The Office of Ombudsman Punjab presently consists of the Head Office at Lahore and Regional Offices at Multan, Rawalpindi and Sargodha.

The territorial jurisdiction of the Head Office includes the districts of Lahore, Shiekhupura, Kasur, Okara, Nankana Sahib, Gujranwala, Sialkot, Narowal, Gujrat, Hafizabad, Faisalabad, T.T. Singh, and Sahiwal.

The territorial jurisdiction of the Regional Office at Multan includes the districts of Multan, Khanewal, Lodhran, Vehari, D.G. Khan, Muzaffargarh, Rajanpur, Layyah, Bahawalpur, Bahawalnagar, Pakpattan and Rahimyar Khan.

The territorial jurisdiction of the Regional Office at Rawalpindi includes the districts of Rawalpindi, Attock, Jhelum and Chakwal.

The territorial jurisdiction of Regional Office at Sargodha includes the districts of Sargodha, Mianwali, Khushab, Bhakkar, Chiniot, Jhang and Mandi Baha-ud-Din.

With the establishment of Regional Offices, not only the complainants but also the representatives of Government Departments do not have to face the inconvenience of coming to Lahore to pursue their cases.

Organizational chart of Head Office and the three Regional Offices is included in the Report.

Jurisdiction, Functions and Powers of the Ombudsman:

Under Section 9(1) of the Act, the Ombudsman, on a complaint by any aggrieved person, or on a reference by the Government or the Provincial Assembly, or on a motion of the Supreme Court or the High Court made during the course of any proceedings before it or of his own motion (suo moto), can undertake an investigation into any allegation of maladministration on the part of any Agency or any of its officers or employees.

The Ombudsman, however, has no jurisdiction to investigate or inquire into the matters which: -

- (a) are subjudice before a Court of competent jurisdiction on the date of the receipt of a complaint, reference or motion by him; or
- (b) relate to the external affairs of Pakistan or the relations or dealings of Pakistan with any foreign state or Government; or
- (c) relate to, or are connected with the defence of Pakistan or any part thereof, the 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 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 relating to his service therein.

CHAPTER-I

EXECUTIVE SUMMARY

Pages 5 – 7

EXECUTIVE SUMMARY

The Annual Report provides an update to review, recapitulate and analyze the outcome of the activities and working of this Office during 2010.

The Report consists of eight chapters as detailed below:

Chapter-I is the Executive Summary briefly encompassing the activities, initiatives taken, progress made during 2010 and the future plans.

Chapter-II highlights the organizational set-up of the office of the Ombudsman Punjab, including organogram of Head Office and Regional Offices at Multan, Rawalpindi and Sargodha. Activities of the Children Complaint Office and International Collaboration with counterpart Ombudsmen, during the year 2010 are also included in this chapter (Page 6 to 12).

Chapter-III presents the recommendations based upon the findings of investigation made into people's complaints against provincial government agencies and functionaries. These are categorized as (a) General and (b) Specific Recommendations (Page 13 to 28).

General recommendations are systemic in nature and are applicable to government departments as a whole. These, inter alia, emphasize the need for: eradication of bottlenecks which lead to delays, streamlining recruitment procedures, proper maintenance of service record of government employees, equal opportunities for all and access to information pertaining to general public to ensure transparency.

Department-specific recommendations pertain to streamlining the procedures and avoiding stereotype handling of the affairs so that greater responsiveness is reflected in the working of the departments. The rationale is to improve the work ethics and accountability so that the prevailing inertia, indifference, nepotism, discrimination and red-tapism having adverse bearing upon the public at large are avoided as far as possible. These recommendations also entail corrective measures whereby the department concerned is expected to revisit its procedures and performance for the sake of better governance.

Chapter-IV consists of statistical analysis. It provides data about the complaints received, investigated and disposed of during the year. It may be of interest to the readers to see working of this office during the year 2010, in a statistical/graphical form (Page 29 to 54).

The largest number of complaints received in this Office are against the Departments of Education, Police, Revenue, Local Government & Community Development, Health and Irrigation & Power as they have the maximum interaction with the common man who is usually the victim of highhandedness of the functionaries of these Departments. Table II at page 31 of Chapter IV contains Department/Agency-wise break up of the complaints received in this Office.

In Table III at page 33, district-wise break up of complaints has been added for facilitating the research scholars and our readers.

Out of 10252 complaints received during the year, 5159 were found non-maintainable being outside the purview of the Ombudsman. Break-up of non-maintainable complaints is given in Table IV at page 35.

As regards the nature of grievances, out of 5093 maintainable complaints, 3252 i.e. 64% were attributed to inattention, delay, negligence, inefficiency or ineptitude and 1337 i.e. 26% to administrative excesses, favouritism, arbitrary, unjust and biased decisions. The remaining 504 complaints pertained to corrupt practices. Break-up of category-wise maintainable complaints is given in Table V at page 37.

As per the provisions of Section 9(2) of the Act, the Ombudsman Punjab has no jurisdiction in regard to determination of terms and conditions of service of Government servants. In view of this restraint, complaints purely pertaining to service matters i.e. postings, transfers, appointments other than under Rule 17-A of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974, promotions, seniority and other allied matters were not entertained. Cognizance was, however, taken and relief was provided in cases where rights of the Government servants/pensioners/their families were found withheld or kept pending without any justification. Table VI of that Chapter at page 39 contains break-up of such complaints.

Out of 12888 complaints processed during the year-10252 fresh receipts and 2636 carried forward-10905 complaints were disposed of leaving a balance of 1983 to be carried forward to next year. The number of complaints being carried forward this year is the minimum in the history of this Office. Statistical analysis of these complaints is in Table VII at page 41.

Table VIII at page 43 shows break-up of the decided complaints wherein grievances of the complainants were redressed and those in which views of the respective agencies were upheld.

Tables IX and X of Chapter IV at pages 45 & 47 respectively show that hitherto 344 cases are pending with departments/agencies for want of implementation. The matter has been taken up with the office of Chief Secretary, Punjab, who has deputed the I&C Wing of S&GAD to liaise with the concerned departments/agencies for early compliance of the directions of the Ombudsman.

Chapter-V gives summaries of selected cases disposed of after investigation. These cases provide information about the nature of maladministration committed by different government agencies, the investigations conducted by this Office and steps taken to redress grievances and wrongs done to the complainants (Page 55 to 121).

Chapter-VI provides a brief resume of implementation of recommendations issued by this Office for redressal of grievances and response of the agencies (Page 122 to 157).

It is encouraging to note that all 21 Departments/Agencies submitted the implementation status of recommendations contained in Ombudsman's Annual Report-2009. A statement showing the recommendations made and reports of the concerned agencies with regard to their implementation has been given in this Chapter.

Chapter-VII contains information about the activities, functions and performance of this Institution as reported by the press (Page 158 to 166).

Meaningful press coverage can play a key role in portraying this Office as a friend of the aggrieved. The role of the press during the year remained positive. The news items and press reports appearing in the print and electronic media kept the public informed of the efforts made by the Ombudsman for redressal of their genuine grievances. For perusal of readers, 9 selected news items have been included in this report.

Chapter-VIII gives an opportunity to the readers to go through the views and comments about the Institution as a feedback from the complainants (Page 167 to 186). How the complainants view our performance is of immense importance to us to further enhance our efficiency and effectiveness.

Appendices (Pages 187 to 214) contain the Punjab Office of the Ombudsman Act, 1997, and Regulations framed thereunder. These are meant to provide information to the public and officers of the agencies regarding procedures/processing of complaints by this Office and the action required to be taken by the agencies on a reference or direction issued to them.

Future Plans:

Our Regional Offices at Rawalpindi and Sargodha are presently housed in rented buildings. With the Ombudsman's efforts, state land for Regional Office Sargodha has since been allocated by Government of the Punjab. Preparation of PC-1 etc. is now underway. Efforts are being made to get a plot allotted for construction of the Regional Office Rawalpindi as well.

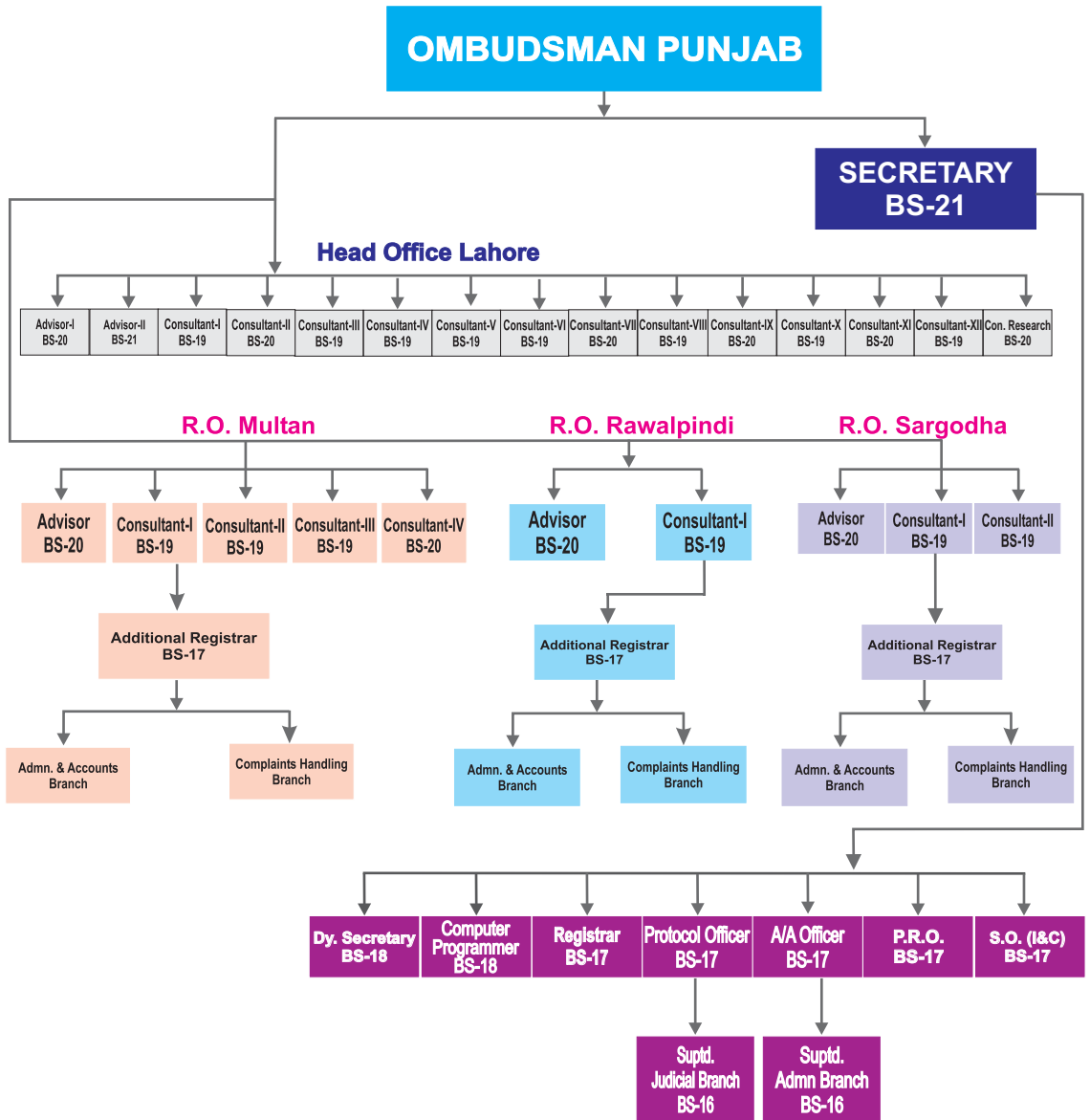
CHAPTER-II

ORGANOGRAM

Page 9 - 11

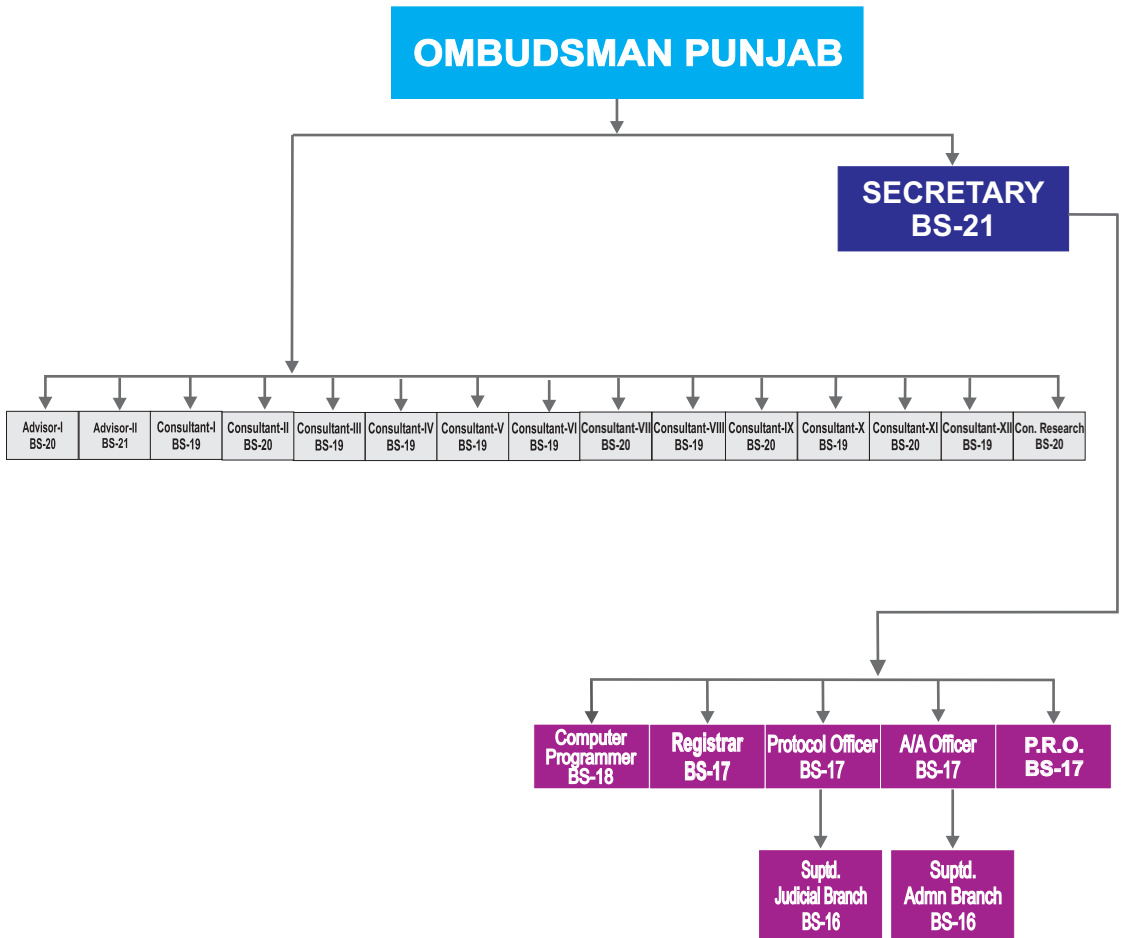
ORGANOGRAM

HEAD OFFICE & REGIONAL OFFICES



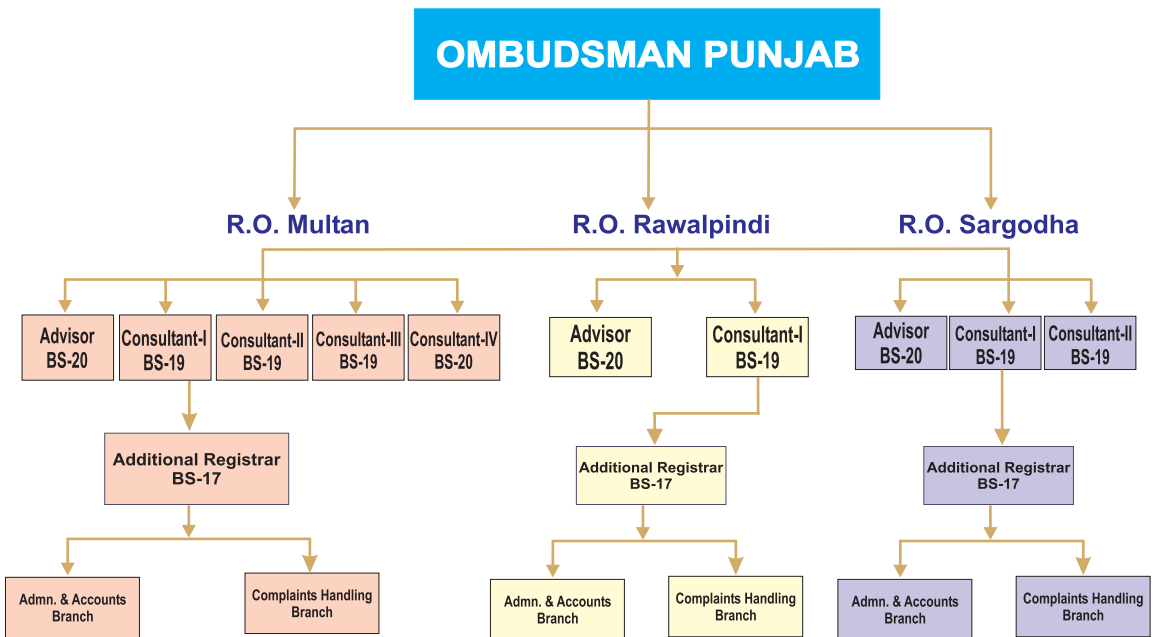
ORGANOGRAM

HEAD OFFICE



ORGANOGRAM

REGIONAL OFFICES



CHILDREN COMPLAINT OFFICE

Pages 13 – 14

CHILDREN COMPLAINT OFFICE

The Children Complaint Office (CCO), Ombudsman Punjab, established with the support of UNICEF in May 2009 provides an effective children grievance redress system and a dedicated forum for receiving and resolving complaints of children. In compliance with Article 12 of the United Nations Convention of the Rights of the Child (UNCRC), there is a need to establish an institutional arrangement for providing children with a voice in matters relating to them.

Awareness and Advocacy

A vigorous campaign has been launched in the electronic and print media which has brought tremendous feedback from the public. The Quarterly Newsletter of CCO is being published and distributed regularly. The United Nations Convention of the Rights of the Child (UNCRC) has been translated in Urdu and developed into a brochure for children and general public. The other promotional material like leaflets, Caps and Calendars have been prepared and distributed amongst the stakeholders.

Active Child Participation

Year 2010 marked the 20th anniversary of UNCRC across the globe. The CCO, therefore, planned its yearly activities focusing children's participation and celebrated all the national / international days with zeal and zest.

CCO carried out more than 200 orientation sessions at various cities namely Gujranwala, Wazirabad, Rawalpindi, Sialkot, Faisalabad, Sheikhpura, Sargodha, Multan and Ikhlaspur (Shakargarh) including the provincial metropolis. Throughout the year, CCO continued to host awareness creating seminars for children, students, youth, parents, community associations and organizations.

Capacity Building of Stakeholders

Training workshops were organized with NGOs, media, govt. departments and lawyers' community to develop a referral system.

A special orientation session titled "An effective Children Grievance Redress System" was arranged. Renowned Parliamentarians of all Political Parties participated in it and took a keen interest on the subject. They not only spoke with enthusiasm but also unanimously passed the resolution in favour of the protection of Child Rights. A Symposium was arranged on the eve of 10th National Child Rights Conference regarding CRC celebrations.

Child Friendly Investigation

Children Complaint Office has adopted a child friendly investigation procedure so that children have the freedom to express their feelings of maltreatment. CCO is committed to provide friendly environment for children so they can get their complaints registered without any fear or hesitation. Field visits are an integral part of child friendly investigation procedures.

Psycho-Social Interventions

The children going through maltreatment and abuse may suffer from symptoms of anxiety, depression, intense fear, shock, fits of anger, loss of

sense of safety, disorientation, disillusionment, feeling of helplessness and suicidal tendency. CCO received more than two dozen complaints where psycho-social support was needed and the Consultant Psychologist provided individual and family counseling. The intervention sessions were conducted to get analysis of behavioral patterns of aggrieved children (complainants) and to facilitate a child friendly investigative process.

Research and Analysis

The case management requires research and analysis of the sensitive issues raised in the complaints registered by the children and parents. In this connection, a research report will be published soon, which will also be a ready reference for policy makers and students.

Complaint Handling

In 2010, 275 complaints were registered out of which 175 have been redressed while rest of the complaints are under investigation. In this context, 183 field visits were made.

Helping the Flood Affected Children

The CCO team visited flood affected areas of DG Khan, Muzaffargarh, Jampur, Rajanpur, Layyah and Kot Adu and arranged a program to bring smiles on the gloomy faces of affected children and helped them with items of need and cash. The team also celebrated Eid with the flood affected children.

INTERNATIONAL COLLABORATION

Pages 15 – 16

INTERNATIONAL COLLABORATION

The office of the Ombudsman Punjab is a full member of the Asian Ombudsman Association (AOA) and has been actively participating in its initiatives aimed at strengthening the Ombudsman's institution and improving public service delivery.

In the context of international collaboration, the Ombudsman Punjab as also the other functionaries of his office, participated in various conferences and seminars/workshops aimed at institutional development through provision of administrative accountability, independence and transparency. These conferences also provided opportunities to share and learn from the modern techniques of investigations as adopted by other Asian countries with a view to ensuring professionalism in the Ombudsman's Office, Punjab. This office abundantly benefited from training and other capacity-building initiatives taken under the auspices of Asian Ombudsman Association. It also liaised with international experts and scholars tasked to undertake research studies for strengthening Ombudsmanship in Asia.

The foregoing in view, Mr. Khalid Mahmood, Ombudsman Punjab, participated in the AOA study tour hosted by the office of the Ombudsman of the Republic of Philippines from 7 to 13 July, 2010. The study tour focused on implementation of anti-corruption strategy of the office of the Ombudsman called Integrity Development Review and some other related subjects such as mediation as an alternative dispute-resolution mechanism.

In the fall of 2010, the Asian Ombudsman Association (AOA) held a two day regional conference in Manila. The conference brought together various Ombudsmen/accountability institutions in Asia as well as academic scholars and representatives of non-government organizations. The Ombudsman Punjab was represented by Mr. Javed Nisar Ahmed Khan, Secretary, and Ch. Kabir Ahmad Khan, Consultant, of this Office.

The delegates had detailed discussions with regard to core principles of Ombudsmanship including clarity of mandate, independence, accountability, accessibility and effectiveness. It was reiterated by all delegates that the basic mandate of the Ombudsman was to redress grievances arising from maladministration, improve public administration and enhance government accountability. It was emphasized that powers and responsibilities of the Ombudsman should be clearly laid down in the Constitution or the law or the declared policy. For implementing the mandate and responding effectively to emerging challenges, the Ombudsman must possess adequate powers, commensurate resources and requisite competence. The most important factor in this regard, as discussed in the Conference, was that the mandate should be known to the public at large. As regards independence, it was highlighted that the Ombudsman should enjoy financial and operational autonomy. He should be able to receive complaints freely and investigate the same impartially without any outside pressure. His actions and decisions should inspire public trust. He should also not be involved in executive decision-making other than required by his mandate. The Ombudsman's security of tenure should be guaranteed. As regards accountability, the

Ombudsman should be accountable in the performance of his duties. For that purpose, he should regularly report to stakeholders on his activities and performance. He is also to review regularly and monitor his performance vis-a-vis goals, objectives and targets. The outcome of such reviews and monitoring should be widely publicized. With regard to accessibility, the consensus was that the Ombudsman's services should be accessible to the public without any let or hindrance and without any discrimination. The proceedings in his office should be citizen-friendly and the decisions/findings understandable by common people. The Ombudsman should reach out proactively to vulnerable sections of the population and to remote areas that are unserved or underserved. His effectiveness should be visible to all stakeholders and he should be able to convey his recommendations and reports to the highest levels for implementation thereof.

The delegates particularly studied the role and functions of Ombudsmen in South Korea, Hong Kong, Indonesia and Philippines. Various proposals were highlighted by the member delegates during the retreat/workshop. With a view to determining a bench-mark of output, it was proposed that regular monthly meetings of all Advisors/Consultants/Principal officers in the Ombudsman's office should be held to review disposal of complaints as also to discuss problems, if any, faced by the Investigating Officers in obtaining the reports, record and for implementation of directions. It was proposed that Complaint Collection Centres be established in the offices of all Ombudsmen. For enhancing accessibility to the public, these centres may also monitor the complaints appearing in the print and electronic media on a daily basis and put up the same before the Ombudsman for his orders. The latest communication technology should be used for achieving the desired results on the pattern of South Korea. It was suggested that a vibrant accountability mechanism be introduced within the Ombudsman's office to entertain any complaints against the officers/officials, with prompt action taken on such complaints. The consensus was that the process in the Ombudsman's office be complainant-friendly and relief-oriented, however, with total impartiality. Impartiality should not only be maintained but should also be seen and acknowledged by all stakeholders. The thrust of discussion also was on increasing public awareness in respect of this being a speedy and cheap mechanism with minimum legal formalities in the redressal of public complaints. It was decided that a vigorous campaign be launched in this regard involving all segments of the society i.e. media, civil society, NGOs etc. It was further proposed that services of best available experts be availed of to ensure speedy, effective and expeditious disposal of complaints. The delegates agreed that bilateral visits of Ombudsmen/other functionaries of their offices should be arranged for gaining wider experience particularly in the area of usage of advanced technology.

CHAPTER-III

RECOMMENDATIONS

Pages 17 – 34

ACCOUNTANT GENERAL PUNJAB

Delay in the Release of Pension etc

Despite very clear instructions not to withhold a part of pension or full pension on the excuse of pending audit paras, the District Accounts Officers still continue to abuse their authority and deny the release of pension within the stipulated period. The Accountant General, Punjab, must take serious notice of such cases and ensure strict compliance of Notification No.FD(M-REC)2-18/2001 (Advice dated 19.11.2001) issued by Government of the Punjab, Finance Department, Lahore:

- (i) Inaccessibility of the staff and officers of the District Accounts Offices is one of the major bottlenecks in the redressal of grievances of in-service or retired employees of the Government. The staff/officers tend to come late to the offices or disappear from their seats which leads to contacts with the affectees out-side the office premises for ulterior motives. It should be ensured that the officers and staff of these offices remain available in their seats and their offices during office hours.
- (ii) The accounts of G.P. Fund of the subscribers are still incomplete and the entries of deductions in the ledgers and broad-sheets are still being delayed for years on the pretext of shortage of staff. The subscribers are invariably directed, particularly in the cases of non-gazetted staff, to provide the deduction statement form to the Drawing and Disbursing Officers of the Administrative Departments despite the fact that such statements should be provided to the District Accounts Officers at the time of submission of pay-bills. The Accountant General, Punjab, must issue strict instructions in this regard and ensure in-time completion of ledgers and issuance of provisional slips showing the balance every year to each subscriber in pursuance of rule 1.40 of the Punjab G.P. Fund Rules, 1978.

AGRICULTURE

Establishment of Central/ Consolidated Pension Fund for Payment of Retirement Dues to Retired Employees of Market Committees

Complaints are frequently received in this Office regarding chronic delays in the payment of retirement dues/pension to retired employees of Market Committees in the Province. As per the existing practice, every Market Committee operates its own pension fund for payment of retirement dues. The employees of Market Committees are transferable but at the time of their retirement, pension is paid from the funds of the Market Committee in which they were last working by obtaining proportionate pensionary contributions from different Market Committees in which they had served in the past. Several Market Committees are just unable to pay pension because of paucity of funds. There are also complaints of utilization of pension fund for the purpose of payment of salary to the serving employees. These problems can be solved by establishing a resource pool i.e. Central Pension Fund under the supervision of the Directorate of Agriculture (Economics and Marketing). All Market Committees in the Province can be asked to transfer their pension funds to the Central Pension Fund. They can also be called upon to pay

pensionary contribution each month at a suitable rate. It is, therefore, recommended that a Central Pension Fund for payment of pension to all employees of Market Committees irrespective of the place of their posting, be established and pension be paid to them from the said Central Fund. This step would solve the difficulties being presently faced by retiring/retired employees of Market Committees in the Province.

Need for Better Financial Discipline in Market Committees

This office has received numerous applications/complaints in which grievances regarding non-payment of salaries etc. by Market Committees are voiced. It transpired on investigation of several such complaints that the main reason for delay in payment of dues to employees and pensioners of Market Committees is the non-availability of sufficient funds/ budget. There appears no valid reason for the chronic financial ill-health of these Committees. With an increase in population and enhanced demand, the grain and vegetable markets in all towns are bustling with business activity, but the income being received by the MCs over the years has rather declined. This decline in income/resources speaks volumes about the ever-increasing indiscipline and corruption in the Market Committees. Due to lack of financial discipline/effective supervision, the Commission Agents in the markets tend to pay very nominal amounts to the Committees as share of the commission being received by them at their will and choice. They do not even maintain proper account of the commission received by them from the growers/farmers who bring their produce to the markets. The officials of the Market Committee i.e. Inspectors etc have usually developed a tacit understanding (due to corrupt motives) with the Commission Agents. In this way, the Market Committees are being deprived of a large portion of revenues which should have been deposited in their accounts in normal course. It is recommended that a Special Commission be appointed by the Govt. to look into the financial affairs of the Market Committees in the Province. There is an urgent need to devise a fool proof and transparent system of collection of commission by the Agents and payment of share of that commission to the Market Committees to save them from total collapse.

BENEVOLENT FUND BOARD

Need of Mechanism for Farewell Grant

The government officials are paid one extra pay as farewell grant at the time of superannuation. Some of the government officials are un-aware of this facility and they do not avail of the same by applying at the proper time as a result of which the stipulated time lapses. A mechanism be evolved that whenever a government official is retired and a notification to that effect is issued, a copy of the same should be forwarded to the Benevolent Fund Board for payment of one additional pay as farewell grant.

Many cases are pending against Provincial Board of Management, Punjab, in which no reply is received and if they bother to reply, the same are stereotyped without application of mind as a result of which the cases keep pending indefinitely against the instructions issued by the Ombudsman and the needy/destitute widows run from pillar to post waiting for financial

assistance. It is recommended that specific time be fixed to finalize such cases.

BOARDS OF INTERMEDIATE & SECONDARY EDUCATION

Transparent Evaluation of Papers

There are eight Boards of Intermediate and Secondary Education in the Punjab and they have adopted stringent measures to ensure transparency in the evaluation of scripts of student by allotting fictitious roll nos., interchanging the scripts across the Boards and centralized marking (popularly known as **"Table Marking"**), thus leaving almost no scope for the students to approach or influence the examiners.

The Multan Board proceeded against a candidate under unfair means rules for allegedly disclosing her identity in the script, as she had written Question (**"Q"**) and Answer (**"Ans"**) with a marker in her script. After necessary proceedings, she was disqualified for two examinations by the Board and her appeal was also dismissed. She lodged a complaint in this office and relief was provided under the rules of the Board, as a result of which, punishment was set aside and she was declared successful. However, she suffered a lot during the intervening period. The Boards need to be advised to suitably amend their rules in view of the effective measures they have taken for transparent marking so that the candidates are not made to suffer for such minor lapses in future.

Use of Unfair Means in Examination Centers Established in Jails

Some complaints filed in this office reveal that the examinees use unfair means with full freedom at certain examination centers which are not exposed to public eye. The Educational Boards establish examination centers in jails with a view to providing a special facility to those prisoners who want to appear in Matriculation or Intermediate examinations. These examination centers are usually guarded by the prison staff. According to the Boards, the prison staff creates hurdles in the inspection of these examination centers for reasons of security and resultantly the examinees are free to indulge in the use of unfair means. It is recommended that only the bonafide (convicted) prisoners should be allowed to appear in the examination at the centers established in jails and no one else should be allowed to appear at those centers. Moreover, the IG Prisons should make special arrangements in coordination with the Educational Boards for an effective supervision of the centers by the Inspectors appointed by the Boards.

Re-checking of Papers/Scripts

As per practice, students, after declaration of the result of Matriculation or Intermediate examination, can submit applications to the Educational Boards for rechecking of their papers. On receipt of such applications in the Boards, the students are given a time limit of only seven days to personally see their scripts about whose result (marking) they do not feel satisfied. This office has received complaints pointing out that the period of seven days given to the students/candidates for seeing their scripts was not sufficient. The students living in remote areas/villages usually complain about insufficiency of the time limit. It is recommended that in the interest of

the students/their parents, the Boards of Intermediate and Secondary Education should enhance the existing time limit of seven days to at least ten days for seeing papers by the candidates.

Reluctance of Educational Boards to Correct the Date of Birth

This office frequently receives complaints regarding reluctance of the Education Boards to correct the date of birth of students/candidates despite availability of concrete evidence. In some cases, irrefutable evidence i.e. original entries of date of birth in the register of admission and discharge of the school in which a candidate/student was admitted for the first time, was produced, but the Board refused to accept the request for change/correction of date of birth. There is no doubt that requests for correction/change in the date of birth once Matriculation certificate had been issued, should be viewed with scepticism, and should not be accepted as a matter of routine. However, some cases are really genuine. The Boards should appoint efficient staff with clear perception and insight in the rules which deal with cases of date of birth. Moreover, once an applicant has furnished sound evidence e.g. the original certificate issued by the Union Council at the time of birth or a valid entry in the register of the school at the time of first admission, the request for correction/change in the date of birth should not be refused outrightly. It is recommended that the Boards should bring about a meaningful change in the existing policy/attitude in this regard and should positively consider the genuine requests for change/correction in the date of birth in case of provision of adequate evidence.

Charging of Double Fee for Correction of a Single Error in Certificates

This office has received numerous complaints according to which the Education Boards demand payment of double fee for correction of a single error of spellings/particulars of names. The argument advanced by the Board is that one fee is charged for a correction in the Registration Card and the second fee is charged for carrying out a correction in the Admission Forms of the candidates. This is considered a perverse argument. Correction is to be ultimately made in the certificates of candidates on the basis of a correction in the Registration Card or on the basis of correction in the Admission Form. As a matter of fact, only a single correction made in the Registration Card of the candidate should suffice. There was hardly any justification for charging the second fee for the purpose of making a correction in the Admission Form of a candidate which correction was apparently not needed. It is, therefore, recommended that Education Boards should charge only single fee from the candidates for making a correction of spellings or particulars of names in the certificates. The policy in that regard should be amended accordingly by all the Boards.

Charging of Fee for Correction of Minor Errors of Name etc

The Education Boards demand fees and usually at a high rate even in cases of correction of minor mistakes in the certificates. Many complaints are received in this office against the Boards in this regard. In one case, the candidate had applied to BISE, Lahore, for printing the name of his father as Manzoor Hussain Shah instead of Syed Manzoor Hussain. The Board demanded a hefty amount as fee before correction of a minor mistake in that case. It is recommended that in all cases involving correction of minor errors

of names or spellings of names, the Boards should either correct the errors in the certificates issued to the candidates without charging any fee or only a nominal amount be charged as fee for correction of the said error.

Questionable System of Dispatch of Certificates/Degrees to Private Candidates

This office frequently receives complaints against the Boards of Intermediate and Secondary Education regarding non-delivery of certificates to the candidates. The certificates are sent to the private candidates at their home addresses. The Boards tend to dismiss such complaints taking the plea that the certificates were dispatched by (ordinary) registered mail which should have reached the candidate. Unfortunately, the certificates sent by registered post also do not always reach the candidates. The investigation of several such complaints has revealed that the plea taken by the Boards was not always correct. The Post Offices in this country have ceased to provide satisfactory service. The record of registered articles is destroyed by the Post Offices after six months and, thereafter, the Post Offices do not accept any responsibility for the loss/non-delivery of any certificate. It is, therefore, recommended that the Education Boards should adopt safer and more efficient means for delivery of certificates to private candidates. Dispatching certificates through private courier companies can also be considered a good option. If the certificates are to be sent through Post Offices, then it should be ensured that the same are sent by registered post with acknowledgment due and in case acknowledgement due receipts are not received back, the Post Offices should immediately be contacted and held responsible and the candidates should be issued fresh/substitute certificates without charging any fee etc.

Use of the Word "Alias" in Duplicate Certificates and Mention of old name

Numerous complaints have been received in this office against use of the word "Alias" and mention of old/replaced names in the duplicate certificates being issued by the Education Boards. The candidates submit applications for change or correction of names to the Boards. The Boards print the word "Alias" alongwith old name in the duplicate certificates. This practice has led to complications because the candidates seeking change of name do not want to be identified with their old names any more. Even otherwise, this practice is socially unacceptable. It is recommended that all Education Boards should amend their rules/ policies and the use of the word "Alias" and mention of the old name with "Alias" in the duplicate certificates be discarded.

(The Boards have amended their rules in the light of these recommendations and the word "alias" is being no more printed in the duplicate certificates. This amendment in rules has been made in 2010).

Revision of Result

It has been observed that results of the candidates are revised by the Education Boards and Universities under the available powers even years after the declaration of results but the candidates are not informed of the reasons for such a revision. In one such case, the result was revised and marks obtained/declared were reduced when the scripts had been disposed of. The affected candidates thus feel disgruntled. Natural justice requires that

the candidates should be given an opportunity of hearing before revising their results on account of any error noticed either in the rechecking of scripts or scrutiny of results after declaration. It is recommended that the controlling authority/ Education Department should circulate instructions to the Boards/Universities and other Examining Bodies to revise the results within a specific period of time and an opportunity of personal hearing be invariably given to the affected candidates.

Payment of Remuneration to Examination Staff

The Boards and the Universities have framed policies regarding award of punishment to those examiners who commit serious mistakes while marking the papers of candidates. This office has been receiving complaints that the examination staff, considered guilty of any omissions/ errors were punished without giving them the opportunity to explain their position with regard to the allegations of negligence etc. In certain cases, apart from disqualification, the amount of remuneration was also forfeited by the Boards. While the Boards may be in a better position to determine whether an examiner was negligent or not, the grant of personal hearing/opportunity of defence is a basic right of every accused. It is recommended that a provision be made in the relevant rules of the Boards and of the Universities for grant of personal hearing to examiners who were considered prima facie guilty of negligence/commission of any serious mistake while checking/marking the scripts of the students.

DISTRICT ACCOUNTS OFFICES

Grievances of Complainants with Regard to District Accounts Offices

The female employees of various departments, particularly the Health and Education Departments, are not treated well in some of the District Accounts Offices. Unnecessary objections are raised on their pay bills as also at the time when they are to be awarded their annual increments. Most of such objections are taken back when these female workers approach this office whereas some of the objections are found frivolous when the complaints are investigated. If the cases of these female workers are examined with care in the relevant District Accounts Offices, they may not have to approach this office for redressal of their grievances.

It has been observed that a different approach to a similar set of cases is being adopted by different Accounts Offices. One such example is that Nursing, Paramedical and Allied staff posted/to be posted in future at health facilities like Rural Health Centres and Basic Health Units are treated differently in various Accounts Offices for the award of Health Sector Reforms Programme Allowance (30 per cent of their basic salary.) notified by the Government of the Punjab. In some districts, the said allowance is being given to employees on their initial basic pay whereas in other districts, this allowance is being awarded to them on their running basic pay. The discrimination, thus, causes frustration amongst the aggrieved employees.

When copies of the complaints are sent to them for replies on behalf of the Agency, incomplete reports are sent to this office by the District Accounts Officers for seeking further advice from Finance Department or the AG

Punjab. In fact, it is basically the job of the concerned District Accounts Offices to seek the requisite advice from the quarter(s) concerned and then submit reports to this office in a complete form.

Accountant General, Punjab, should issue necessary instructions to all District Accounts Officers in the Province highlighting the above points.

EDUCATION

Refund of Fees etc in Case of Non-Enrollment after Admission

It has been observed that students apply for admission simultaneously in a number of institutions in different disciplines. Being not certain of admission, they deposit the fee/other dues with the institution in which they are first selected on merit for admission, though they have not yet started attending the classes. However, when, on being declared successful/eligible for admission in another institution of their choice, they get themselves enrolled there and deposit the tuition fees and dues with that institution also. When they approach the first institution where they had deposited all the usual dues, very negligible amount is refunded and the student's plea that items/facilities included in the dues were not availed of is not given any consideration and rejected on the plea that the Institution had to incur financial loss on account of an un-filled seat. This office feels that the demand for refund should be examined realistically and when a student is finally not enrolled and has not availed of any services/facilities available, then the institution should refund tuition fees/other dues without any reluctance.

Discrimination in the Grant of Qualification Allowance

The Government of the Punjab, School Education Department, Lahore, sanctioned Qualification Allowance w.e.f 1.9.2007 vide Notification dated 24.9.2007 for certain categories of teachers acquiring MA/M.Sc in certain subjects. A number of complaints were filed by teachers acquiring MA (Edu), MA (Pol. Sc) etc but these subjects were not included in the list of subjects entitled to the allowance. Their cases were decided in the light of the aforesaid Notification. However, it is felt that this is an act of discrimination. School Education Department should include the remaining subjects for grant of the Qualification Allowance so that all Masters Degree holders are treated at par and the disgruntled teachers are relieved of the feeling of deprivation.

Charging of Inspection Fee for the Purpose of Registration of Private Schools

This office has been receiving complaints from private schools regarding charging of unjustified amounts of fee in connection with inspection of schools for the purpose of registration or renewal of registration. The private schools are required to be inspected by the authorities of Education Department on their application for registration or extension in the period of registration. In some cases, the schools which were not inspected for 4/5 years and their registration remained suspended, were asked to pay inspection fee for each year despite the fact that the school was being inspected in a single round. Such practice on the part of the inspecting authorities of Education Department amounts to fleecing and cannot be justified. When a single inspection was to be carried out despite delay of four

years, there was no justification for charging more than one inspection fee. It is recommended that the Education Department should circulate specific instructions for charging only a single fee for one inspection irrespective of the period during which the school was earlier not inspected for renewal of registration.

Lady Teachers to be Posted in their Native Villages/Towns

This office occasionally receives complaints regarding problems faced by lady teachers who are posted in schools situated in towns/villages far from their homes. These lady teachers are exposed to serious hazards and they are unable to perform their duties in a comfortable environment. In some cases, male members of school councils are found to be black mailing/harassing the female teachers. It is recommended that as a matter of policy, female school teachers should be posted only in the schools of their native towns/villages and where any exception is to be made, they should be provided maximum protection against any hazard/threat. It is also recommended that the male members should not be included in the school councils for the managements of girls schools, as far as possible.

Flawed Implementation of Recruitment Policy

Numerous complaints received in this office pertain to recruitment of teachers. The Department needs to make the process of recruitment transparent and merit based. Criteria for selection must be clearly spelled out leaving no room for misinterpretation/manipulation, by the recruiting staff. Much confusion prevails regarding relaxation in age, particularly for those candidates who are in service. There is a need to clarify the Government policy in this regard in order to avoid any confusion.

Numerous complaints pertain to qualifications prescribed by the Government for a particular post. These should be stated explicitly and should also cater for degrees/qualifications of institutions equated/ recognized by HEC or the competent Boards/Authority.

It has been observed that the department is reluctant to allow the benefit of Rule 17-A to the children of deceased/disabled government servants. This tendency needs to be curbed through a conscious effort.

Cases of financial assistance, pensionary and other grants get delayed in routine. The procedure needs to be streamlined to avoid inordinate delays in the processing of such cases. Dependents of the deceased Government employees and those retired should be taken care of and the benefits/privileges, allowed by the Government, should be provided to them without any undue delay.

Problems Relating to Payment of Scholarships

Several complaints are received every year from students regarding delay in payment of scholarships obtained by them on the basis of Primary Standard or Middle Standard examination. In some districts, scholarships were not paid to the students despite passage of three years. Scholarships on the basis of these examinations are awarded to a limited number of students (in order of merit) in the districts every year. Investigation of such complaints has revealed that delay in the payment of scholarship takes place mainly due to the extremely indifferent attitude of finance managers of District Governments who are unwilling to give any priority to the provision of budget

for payment of scholarships. The officers of Education Department also blame the Finance Officers of District Governments for delay in the payment of scholarships. It is recommended that a well estimated amount of budget for payment of scholarships to the students (on the basis of number of scholarships allocated to a district) should invariably be allocated in the budget books at the time of approval of the budget in the beginning of each financial year. The Finance Officers displaying negligence in this regard should be taken to task.

Buildings of Schools Constructed but Staff not Provided

Every now and then, this office receives complaints from the public regarding non-functional schools. Most of these schools are located in rural areas. As per these complaints, the school buildings are constructed, but teaching staff is not provided. In some cases, the school buildings were constructed 5–10 years ago and were in a bad shape due to non-maintenance, but despite reminders and protests from the local residents, the Education Department had not cared to sanction any teaching staff for the schools. Resultantly, the schools continued to be non functional. One usual reason given by the Education Department was that in the documents (PC-I etc) concerning the scheme, no provision was made for teaching/non-teaching staff. In some cases, buildings were being misused by the local influential persons in different ways. It is recommended that in all schemes which envisage construction of buildings for schools, provision of teaching and non-teaching staff according to the requirements of local population, should be made as an integral part of the project. No construction of any school building be undertaken without first ensuring the provision of requisite staff, in order to make the school fully functional immediately on completion of the building.

EXCISE & TAXATION

Public's Grievances in Respect of E&T Department

Scores of people who approach this office have a long list of grievances in respect of E&T Department. The basic problem they are confronted with is that the `prescribed formula' under which the department determines/ assesses the amount of property tax against the relevant persons/properties is not known to them. Although advertisements appear in the daily newspapers about the closing dates on which the assesseees are to pay their dues also with the inducement of getting rebate if the dues are paid in time, yet it is rarely made public as to the basis on which the dues are worked out/assessed. The concerned people/assesseees, on the other hand, usually know the formulas how income tax/sales tax are levied by the Federal Board of Revenue. However, the relevant details are not known to the assesseees of property tax with the result that they move from pillar to post for redressal of their grievances. Moreover, E&T Inspectors, with the passage of time, have assumed great importance and all powers in respect of assessment of property tax, as are the powers of Patwaris in Revenue Department with regard to revenue record, are being exercised by them. Whatever is decided by these Inspectors E&T, is very rarely interfered with by their seniors what to say of making any changes in their assessments. It has been observed that Excise & Taxation Officers, in almost all cases, endorse

the recommendations of their subordinate Inspectors, addressing the concerned that they could go in appeal before the concerned Director E&T, if they so wished. It is, thus, very rare that the relevant ETO would be prepared to give relief to the concerned assesseees in respect of what may have been done by an Inspector. These people/assesseees come across the same fate when they approach the concerned Directors E&T. It is noteworthy to point out that the decisions recorded by the concerned ETOs/Directors E&T are usually so brief and whimsical and are often not even readable that these lead one nowhere. The system of determining whether a property had been under self-use or it was on rent is usually arbitrary. There is no clue as to how an Inspector E&T may have concluded whether a particular property, during a particular period, was on rent or it was under self-use. Measurement of the relevant properties falling in assessment is another area where no exactness prevails. In some cases, there is a vast difference in the area of a property given in the departmental record and what is there on ground. The relevant officials usually resort to sealing the properties without observing the necessary legal formalities causing acute embarrassment to the concerned. Widows and handicapped people are not given the treatment which they, in fact, deserve. Another grey area is that ownership record maintained by the deptt., despite written requests made by the concerned, is rarely updated. Although applications on the subject are usually available in the relevant files, no action whatsoever is taken on the same with the plea that none had applied to the department for the purpose. The concerned officials, when confronted with the situation, are clueless as to the cause of inaction in this regard. In a nutshell, this all is perhaps due to the discretion enjoyed by the concerned Inspectors E&T. Secretary Excise & Taxation, Government of the Punjab, is requested to look into all these aspects of working in his Department for evolving some fair, just and transparent mechanism/procedures.

HEALTH

Provision of Medical Treatment to Govt. Employees

During the investigation of various complaints, it has been noticed that medical charges claims are rejected on flimsy grounds. The Finance Department clarified vide No.FD/SRI-10-5/90 (P) dated 23.04.1991 that expenditure incurred on purchase of medicines under the advice of medical attendants of hospitals not under the control of Punjab Government, would not be reimbursable. However, this policy was wisely amended vide No.SO(PH)17-1/89 dated 05.08.2006 whereby the government employees have been allowed to get reimbursement of treatment from a private doctor/federal government hospital in case of non-availability of such facility in Punjab Government Hospitals, but with prior permission or reference by the competent authority i.e. Health Department. It may be noted that in emergency cases where medical treatment is urgently required, it may not be possible for the patient especially posted outside Lahore, to seek the required permission from the Health Department. For instance, one suffering from a heart attack has to rush to the nearest heart clinic without loss of time. Even in such cases, medical charges claims are turned down, which is not the least desirable. The Medical Superintendents of the Provincial Government

Hospitals should be authorized to refer such cases to non-provincial government hospitals having the required facility. Needless to say that the Government is under obligation to provide effective medical treatment to its employees wherever it is available.

HOME / PRISONS

Provision of G.P. Fund in Case of Transfer/New Recruitment

In a number of complaints it has been observed that the Jail Department recruits the candidates and allows them to join duties, but later on, their salaries are withheld for a long period on account of awaiting receipt of verification certificates from the concerned Education Board/University. It will be advisable that all the scrutiny and authentication be carried out prior to final selection and joining of the complainants to save them from undue agony. Furthermore, the Jail authorities must periodically or half yearly check that all the subordinates in the relevant jail are getting their G.P. Fund deducted, have got their G.P. Fund numbers allotted and the deductions are being posted/ entered in the relevant register.

In certain complaints, it has been found that some Superintendents of District/Central Jails overlook to check the issuance of G.P. fund number to their employees on their transfer from one district to other. So, all Superintendents of Jails be strictly instructed to arrange issuance of a G.P. Fund number to every employee who joins duty in the jail on his transfer from another jail. Similarly, District Accounts Officers be also instructed to personally check the entries of employees' G.P. Fund numbers along with the posting of entries of their payments, in the relevant register.

LAHORE DEVELOPMENT AUTHORITY

Allotment of Alternative Plots in Old Housing Schemes

As per existing policy of LDA, plots can not be exempted/allocated in old housing schemes like Allama Iqbal Town or Gulberg etc. The claimants are asked to get compensation at nominal (old) rates for the land acquired by LDA in the past for those old schemes. The complainants who approached this office point out the element of injustice and discrimination in this policy of LDA. It is recommended that if for any reason (litigation etc) , the owner of the land was not allotted an exempted plot in the past in any old scheme, he/she should either be allocated an alternative plot in any new housing scheme or be paid compensation at the prevailing market rate. The policy of payment of compensation at old/nominal rate is unjust.

Inability of LDA in the Removal of Illegal Occupation/ Encroachments

Every year several complaints regarding illegal occupation and encroachments on properties in the residential colonies managed by LDA are received in this office. The petitioners usually complain of the apathetic attitude of the officers/officials of LDA. In some cases, illegal occupation and encroachments take place with the connivance of LDA staff. Illegal encroachments continue due to stay orders from the civil courts as the cases are not pursued vigilantly by the LDA Staff. Even in cases where stay orders are vacated by the civil courts, immediate steps are not taken by LDA for

removal of the illegal occupation/ encroachments. LDA takes the stance that lady police force is not provided to LDA by the Police Department for carrying out an operation for removal of illegal occupation/encroachment. LDA has male enforcement staff for such operations. It is recommended that the agency should also have its own female enforcement staff to ensure effective and successful operation for removal of illegal occupation/encroachments.

POLICE

Perfunctory Response of Police Department in Serious Complaints

It has been observed that when a serious complaint received in the office of the Ombudsman is sent to the Agency/Police Department for report, in most cases the DPO sends the case for investigation to his subordinates like Deputy Superintendents of Police (DSP)/Sub-Divisional Police Officers (SDPO). There is nothing wrong with this practice because the senior police officers are usually preoccupied and they hardly find time to personally look into those cases.

Nevertheless, the problems emerge when the DSPs/SDPOs also pass on the referred cases to their subordinates in the same manner e.g. to their Readers who are, understandably, far junior in rank and lack understanding. The complainant is then at the mercy of the Readers.

This slackness/professional insincerity creates complications. Ultimately the complaint is either dumped or the complainant gets really sick and tired or he/she is mistreated by the lower staff in order to force him/her for some kind of patch-up with the accused officials.

It is, therefore, recommended that cases involving serious complaints against Police officials be forwarded to an officer not below the rank of a DSP, with reputation for integrity and impeccable character who may conduct an impartial inquiry himself to the satisfaction of the complainants.

Free Registration of Cases Still a Myth.

The number of complaints received in this office during 2010 on the subject was indicative of the fact that free registration of cases, despite repeated pronouncements made by senior Police hierarchy, was perhaps, still a myth. The somewhat satisfying factor, however, was that criminal cases were registered in respect of some of those complaints when copies thereof were sent to the concerned District Police Officers. The agonizing phenomena was that cases had not yet been registered in quite a large number of those complaints on the plea that applications on the subject received earlier were inquired into by DSPs/SDPOs and other subordinate police functionaries therefore, those applications did not warrant registration of cases. A completely different situation was, however, revealed when the matters in this regard were examined in depth in this office. It became known in a large number of such cases that the applications submitted by the relevant persons to the local police before approaching this office, attracted the relevant provisions of law justifying the registration of cases. The police officials, against the law on the subject, incorrectly concluded that registration of cases, due to one reason or the other, was not lawful. All those actions of the local police amounted to making inquiries/probes into the matters before registration of criminal cases which is nowhere provided in the law. So much

so that applications clearly showing cognizable offences committed in a particular case, were marked by DPOs to his subordinate officers for making inquiries. It is, therefore, recommended that whenever an application containing the grounds based on cognizable offences is made, cases should immediately be registered under the relevant provisions of law. Making inquiries in such applications by police officers of any formation before registration is clearly against the relevant provisions of law and it needs to be discouraged altogether.

Catching Anybody Who is Available

In not too distant past when investigation of criminal cases and watch & ward duties were entrusted to the same members of police force, the nature of complaints against them pertained to non-registration of cases, late registration of cases, faulty investigation, non recovery of case property and late/non-submission of challans. With the separation of Investigating personnel from those earmarked for watch & ward duties of police force, the nature of complaints against the latter has altogether changed. This office is now-a-days in receipt of numerous complaints that members of the police force designated for watch & ward duties get hold of innocent people on roads/at 'NAKKAS' or they forcibly enter into the houses of these people, mostly innocent, by scaling over the walls who are then taken to police stations or in the private dens where they are tortured with a view only to extorting money from them. They are released only when their dear ones reach the police stations or the private dens and pay handsome amounts to the relevant police officials. What happens next is that these innocent people, when they arrange their release from the custody of the said police officials, submit complaints in this office which are sent to the concerned DPOs for sending replies on behalf of the Agency who, in turn, entrust the same to the relevant DSPs/SDPOs for making inquiries and to send their reports to them. What has been observed, unfortunately, is that in nearly 95% of such cases, inquiries are made by Readers to DSPs/SDPO who are out to protect the officials complained against and the same are simply recorded by the DSPs/SDPOs. Moreover, the complainants are usually not treated well in the offices of DSPs/SDPOs and they are rather threatened to compromise with the officials complained against by the said Readers and sometimes by DSPs/SDPOs. In this way, the very purpose of conducting inquiries is defeated. It is very rare on the part of the concerned DPOs that they would ever differ with what had been reported by DSPs/SDPOs as the former, perhaps, have no time for application of independent mind in these cases. The result is that such complaints are on the increase.

The forgoing in view, senior hierarchy in the Police Department should take cognizance of the matter analysing the reasons for manifold increase in such complaints as also for ensuring meaningful inquiries at the level of DSPs/SDPOs for taking remedial action.

Faulty Investigation in Criminal Cases – Necessarily Arresting/Challenging the Accused

Although Investigation Branch has since been separated from those entrusted with watch & ward duties in Police Department, the standard of investigation, by and large, has not improved. In the first instance, almost each Investigating Officer would like to undertake arrest of the accused

immediately after registration of a case without making any endeavour for un-earthing any evidence connecting the accused with the commission of offence. This, perhaps, is the primary reason that the concerned would go to any extent for getting their cases registered. These people, sometimes, would be satisfied with the mere arrest of their opponent(s) regardless of final outcome of the case in the competent court. A great majority of Investigating Officers think that a case registered has ultimately to be challaned to the court. If this had been the spirit behind challaning the accused to the court, there was then absolutely no need of thousands of Investigating Officers working in Police Department. What is required of an Investigating Officer is that he is to investigate a case dispassionately and with care not only bringing on record the evidence produced before him but also to collect evidence implicating the accused with the offence(s) he has been charged with. It has to be ensured that all this exercise is finalized within the shortest possible period of time. An Investigating Officer should not at all hesitate to make it a part of the file if an accused, in his opinion, is innocent. It has been observed that the role of senior officers, with the passage of time, has become negligible. It is very rare that a senior police officer, after analyzing the evidence collected by an Investigating Officer or after hearing the parties in routine, would arrive at the conclusion that the case was not fit to be submitted to a court of law for trial. Senior police officers arrive at such conclusions only when complaints to the effect are made before them. A glaring example of routinized investigation of cases was witnessed when an Investigating Officer appeared in this office and had the cheek to state that he had challaned the accused to the court only because they were hardened criminals and were known thieves despite the fact they had no role in the case wherein they had been challaned.

Senior hierarchy in Police Department needs to take cognizance of the above issues with a view to improving things at all levels.

Non-registration of Criminal Cases – Arresting the Accused without any Incriminating Evidence

Scores of complaints received in this office on the subject reveal that the aggrieved persons, when not listened to by the local police, run from pillar to post for registration of criminal cases. They submit their complaints to the Chief Minister's Secretariat, District Police Officers, Regional Police Officers of the concerned Ranges, and Provincial Police Officer as also to this office. Quite a large number of these complainants are genuinely aggrieved whereas a few of them may be implicating their opponents in fake cases whereas some of them may be wrongly implicating those who have no concern with the commission of offence but could possibly be helping the opposite parties in `Pervi' of cases. An analytical study of these persons' insistence on getting criminal cases registered and particularly in the latter two categories, is that the Investigating Officers, without bringing on record any incriminating evidence against the accused, resort to arresting them and this is what such complainants, in fact, desire. The number of complaints seeking registration of criminal cases may show a downward trend to a considerable extent if the Investigating Officers, before arresting an accused named in a case, are instructed firstly to bring on record the evidence implicating them prima facie with the commission of offence. What, however, is done by the Investigating

Officers is that they, after registration of a case, immediately record the complainant's statement and then start running after the nominated accused for arresting them. Some of these arrested accused, when a case is thoroughly investigated subsequently, are found innocent. However, the damage to their reputation is done the moment they are arrested and this is what the complainants had, in fact, wanted of the police. As is provided in the Criminal Procedure Code as also in the other relevant laws on the subject, there should be sufficient evidence on record against an accused before he is arrested in a case. The role of senior police officers in the Investigation Wing needs to be much more visible who should constantly scrutinize the police files and particularly those wherein arresting an accused named in an FIR may have become necessary in the view of the Investigating Officer.

Indifferent Attitude in Cases Involving Police Officials

The Controlling Officers, particularly the District Police Officers, tend to ignore the complaints lodged by the people adversely affected by police excesses. Such complaints are marked for inquiry at times to the same officers against whom the complaints have been lodged and at times to the S.H.O. of the same police station in which the accused official is posted. Usually Complaint Cells are not established to streamline the system and the follow-up of complaints. The District Police Officers are usually unaware of the results of such marked complaints.

The District Police Officers must establish/strengthen the Complaint Cells and regularly monitor the progress in each case/complaint. The police officers conducting enquiries in such complaints tend to either protect the accused officials or ignore the excesses committed by them. The inquiry officers, instead of highlighting the excesses and taking cognizance of the unlawful acts, usually try to obtain reconciliation statements from the complainants, at times by exerting undue pressure. The District Police Officers are required to devise/streamline the system of receiving and disposing of such complaints.

Reluctance in the Registration of Cases

The police tends to investigate all complaints before a regular FIR is registered ignoring the spirit of Section 154 Cr.P.C., even if a cognizable offence is high-lighted in the complaints. This tendency provides the police officer making inquiries an opportunity to manipulate the future course of action. The registration of cases is still being denied on the basis of such "**inquiries**" which is again an unlawful act. The requirements/procedure u/s 157 (2), Cr.P.C. are not observed when the S.H.O. expresses his *suspicion* about the occurrence reported to him. *The District Police Officers also tend to ignore the complaints of refusal to register the case even if a cognizable offence is mentioned in the complaint.* The Inspector General of Police must take serious notice of such lapses.

Investigation of Serious Criminal Cases

There is a growing tendency among the police officers making investigation, even in **murder** and theft of property cases to file them as "**untraced**". As a matter of fact, no serious attempt is made to arrest the accused or recover the stolen property. This is the most serious grey area where the "**untraced**" cases are dumped to darkness. All the "untraced"

cases dumped must be noticed seriously and investigated at the level of the Regional Police Officer and their progress must be monitored by him personally.

PUNJAB EMERGENCY SERVICE

Grant of Marks to the Candidates in Interview

Notwithstanding the excellent performance shown by the Punjab Emergency Service during disasters, the fact remains that the track record of the Agency in respect of appointments of fresh inductees is not satisfactory. Most of the complainants who approached this office agitated that awarding of marks during interviews as also the mode of conducting interviews was not fair. The grievance of those complainants, by and large, was that whosoever was to be given appointment by the Agency was awarded 20 marks, as each member of the Selection Committee awarded 5 marks to the particular candidate, whereas those who were not to be selected were awarded only 4 marks, as each member awarded one mark to the candidate. As regards the mode of conducting interviews, it had been alleged in a large number of complaints that all candidates, whatever their serial numbers, were called by the Selection Committee at one time in the room and were asked only the routine questions i.e. their names, parentage and place of residence etc.

The above allegations, though, were not substantiated in all complaints yet those were proved correct in quite a few cases. It is recommended that the Punjab Emergency Service, keeping in view its excellent performance in other areas, should also take necessary measures to ensure that marks to the candidates during interviews are awarded strictly on merit. Each member should be made to justify the marks awarded to a particular candidate. The mode of conducting interviews should also be improved.

SERVICES & GENERAL ADMINISTRATION

Policy of Payment against Houses Constructed by PGSHF

Several complainants have approached this office pointing out that they had obtained membership of Punjab Govt. Servants Housing Foundation (PGSHF) before their retirement. After their retirement, they were allotted houses constructed by PGSHF in various schemes according to their entitlement. They were being asked to pay full cost of the allotted house within a period of three months which was not possible for them as the amount of pension/commutation/GPF received by them at the time of retirement was not sufficient to pay the price. While deciding several such complaints/cases, this office directed PGSHF not to deviate from the original objectives (welfare of civil servants/pensioners) while demanding cost of constructed houses from the pensioners. It is recommended that PGSHF should amend its existing policy of demanding payment of the whole cost within a short period of three months. In all such cases, the PGSHF should give a period of atleast one year to the allottees to pay the price in installments. The PGSHF should also reassess the cost of the houses as the price being presently demanded for different categories of houses seems excessive.

GENERAL RECOMMENDATIONS

Irrelevance of Typing Tests for Appointment of Junior Clerks

Several complaints are received in this office regarding irregularities in the holding of manual typing tests in connection with recruitment of Junior Clerks. The facts revealed that a provision for typing tests (typing speed etc) was made long ago in the Service Rules for the posts of Junior Clerks in various Govt. Departments. The system of composing and printing on computers is in practice in every office for the last about 13 years, but no effort has been made by any Govt. Agency to dispense with the redundant provisions of rules relating to typing tests at manual typewriters. It is recommended that Service Rules for recruitment of Junior Clerks should be suitably amended and instead of assessing the merit of Junior Clerks on the basis of manual typing test, the provision for computer tests should be inserted in the relevant rules.

Payment of Financial Assistance on the Death of a Serving Govt. Employee

Many complaints are received by the Office of Ombudsman regarding delay in the payment (lump-sum) of financial assistance to widows/families in cases of in-service death of Govt. employees. The complaints are usually filed by families of low paid Govt. employees. It has been observed that lump-sum payment of financial assistance is promptly made to families in cases involving senior civil servants i.e. those who were in BS-19 and above. Financial assistance is in the nature of a first-aid for a bereaved family. Any delay in the payment of financial assistance aggravates the misery being faced by the bereaved family. The main factor responsible for delay in the payment of financial assistance is reported to be the non-availability of budget. It is recommended that in the first place, sufficient amount of budget should be provided every year for payment of financial assistance in cases of in-service death and secondly, institutionalized arrangements be made for payment of financial assistance immediately after the death even when the budget provision was yet to be made.

Misuse of Quota for Appointment of disabled Persons

This office has received many complaints in connection with appointments/ recruitment of disabled persons against 2% quota prescribed by the Government. Investigation of several such complaints has revealed that the certificates of disability are issued by the Medical Superintendent concerned and officers of Social Welfare Department in a routine manner. Even very minor deficiencies (like nightblindness) are declared as a disability with a view to enabling the certificate holders to secure a job under the special quota without much competition. The contents of these certificates indicate that an organized attempt is being made to misuse a facility which was meant to help only those who were really handicapped and disabled. Some candidates challenged the disability certificates of other candidates but as the certificates were issued by the "competent authorities", they were unable to achieve any result. Since it is a fact that the facility of special quota fixed for the disabled persons is being misused by unscrupulous candidates who are able to get appointments on the basis of disability certificates, it is recommended that the candidates selected against this quota should, before

issuance of orders of appointment, be examined in detail by a special/central medical board to be constituted by the Government (Health Deptt.) for the purpose and only on the recommendations of the said medical board and after further confirmation of their disability certificates, orders of appointment be issued in their favour.

Misuse of the Provisions Regarding Retirement on Medical Grounds

Several complaints received in this office reveal that the provisions contained in the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974, regarding appointment of children of civil servants retired on medical grounds are being widely misused. In one such case, the Principal of a college secured recommendations of the medical board regarding retirement of a class IV employee and appointed his son in his place, but subsequently when the Principal turned against the boy appointed in place of his father for personal reasons, he (the Principal) sent a reference to Health Deptt. for constituting a Medical Board for further medical examination of the employee who had been earlier retired on medical grounds. In all cases where retirements on medical grounds are immediately followed by appointments under Rule 17-A, such retirements should be viewed with skepticism. Apparently, these retirements (on medical grounds) are managed with a view to getting a job without competition. It is recommended that in order to prevent misuse of the provisions of the relevant rules, the process of retirement on medical grounds may be made more strict. Instead of empowering the Medical Superintendent of the Govt. hospitals in each District, a Central Medical Board at divisional level be constituted exclusively for the purpose of medical examination of the applicants/civil servants seeking premature retirement on medical grounds. The Boards should invariably include senior professors/ doctors.

CHAPTER-IV

STATISTICAL ANALYSIS

	Pages
1. Year-wise Receipt and Disposal of Complaints (30.9.96 to 31.12.10)	35 - 36
2. Department / Agency-wise Break up of Complaints Received	37 - 38
3. District-wise Break up of Complaints Received	39 - 40
4. Non-maintainable Complaints Received	41 - 42
5. Nature of Maladministration Reflected in Maintainable Complaints	43 - 44
6. Complaints Pertaining to Maladministration in Service Matters	45 - 46
7. Disposal of Complaints	47 - 48
8. Break up of Complaints Decided after Investigation	49 - 50
9. Break up of Complaints Awaiting implementation of Directions	51 - 52
10. Department/Agency-wise Break up of Directions Awaiting Implementation	53 - 54
11. Month-wise Receipt & Disposal of Complaints	55 - 56
12. Department / Agency-wise Representations Decided by the Governor	57 - 58
13. Month-wise Receipt & Disposal of Implementation Petitions	59 - 60

TABLE-I

YEAR WISE RECEIPT AND DISPOSAL OF COMPLAINTS (30.9.1996 TO 31.12. 2010)

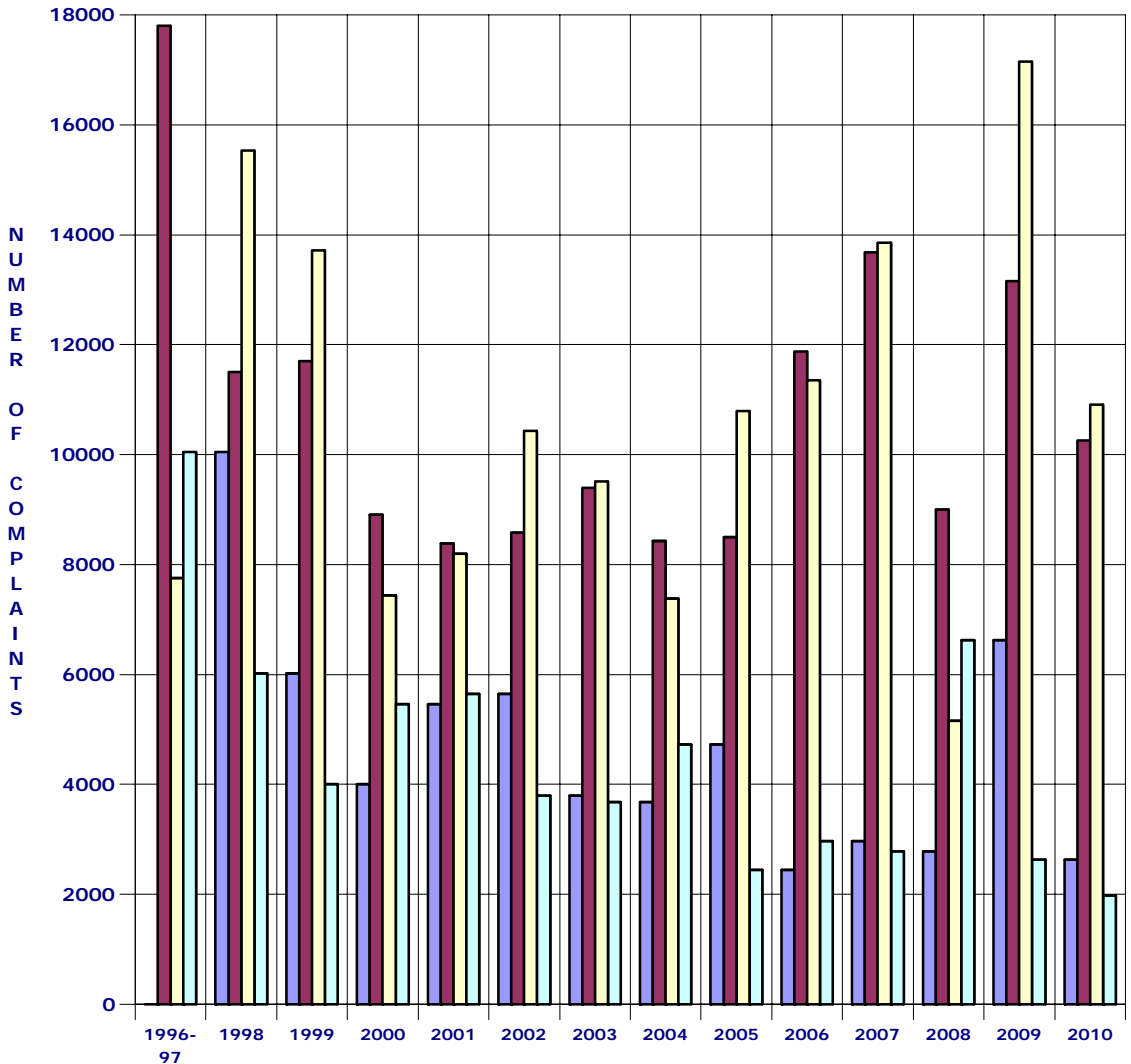
	1996-97	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Brought Forward	-	10,049	6,018	4,001	5,465	5,651	3,800	3,683	4,733	2,440	2,965	2,786	6,628	2,636
Receipt	17,801	11,501	11,696	8,909	8,385	8,586	9,392	8,434	8,503	11,872	13,681	8,997	13,157	10,252
Total Processed	17,801	21,550	17,714	12,910	13,850	14,237	13,192	12,117	13,236	14,312	16,646	11,783	19,785	12,888
Disposal	7,752	15,532	13,713	7,445	8,199	10,437	9,509	7,384	10,796	11,347	13,860	5,155	17,149	10,905
Carried Forward	10,049	6,018	4,001	5,465	5,651	3,800	3,683	4,733	2,440	2,965	2,786	6,628	2,636	1,983

Total Number of Complaints Received: 151,166

Total Number of Complaints Disposed of: 149,183

Carried Forward: 1,983

YEAR WISE
RECEIPT AND DISPOSAL OF COMPLAINTS
(30.9.1996 TO 31.12.2010)



YEARS

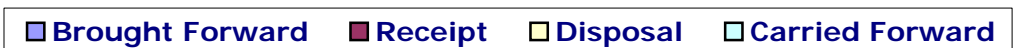


TABLE-II

DEPARTMENT/AGENCY WISE BREAK UP OF COMPLAINTS RECEIVED DURING 2010

SR.NO	DEPARTMENT / AGENCY	COMPLAINTS	%AGE
1	Education	1730	19.12
2	Police	1381	15.26
3	Revenue Administration	1276	14.10
4	Local Govt. & Community Development	642	7.10
5	Health	562	6.21
6	Irrigation & Power	426	4.71
7	Accountant General Punjab	362	4.001
8	Benevolent Fund Boards	321	3.55
9	Water & Sanitation Agencies	209	2.31
10	Universities	192	2.12
11	Communication & Works	189	2.09
12	Boards of Intermediate & Secondary Education	187	2.07
13	Agriculture	141	1.56
14	Development Authorities	136	1.50
15	Excise & Taxation	129	1.43
16	Anti Corruption Establishment	123	1.36
17	Forestry, Wildlife & Fisheries	104	1.15
18	District Governments	98	1.08
19	Food	79	0.87
20	Home/Jails	73	0.81
21	TEVTA	72	0.80
22	Livestock & Dairy Development	56	0.62
23	Zakat & Ushr	52	0.57
24	Auqaf, Religious and Minority Affairs	43	0.48
25	Punjab Public Service Commission	43	0.48
26	Housing, Urban Development & Public Health Engineering	40	0.44
27	Cooperatives	37	0.41
28	PGSHF	37	0.41
29	Bait-ul-Maal	35	0.39
30	Social Welfare & Women Development	35	0.39
31	Population Welfare	30	0.33
32	Labour & Human Resource	28	0.31
33	H&PP	25	0.28
34	PESSI	23	0.25
35	Industries	20	0.22
36	Services & General Administration	18	0.20
37	Transport	18	0.20
38	Mines & Minerals	13	0.14
39	Prosecution Department	12	0.13
40	Punjab Board of Technical Education	9	0.10
41	Parks & Horticulture Authority	8	0.09
42	Information, Culture & Youth Affairs	7	0.08
43	Planning & Development	5	0.06
44	Environment Protection	4	0.04
45	Finance	4	0.04
46	Sports	4	0.04
47	Rescue 1122	3	0.03
48	Tourism & Resort Development Department	2	0.02
49	Punjab Text Book Board	2	0.02
50	Law & Parliamentary Affairs	1	0.01
51	Director General Public Relations	1	0.01
	TOTAL	9,047	100

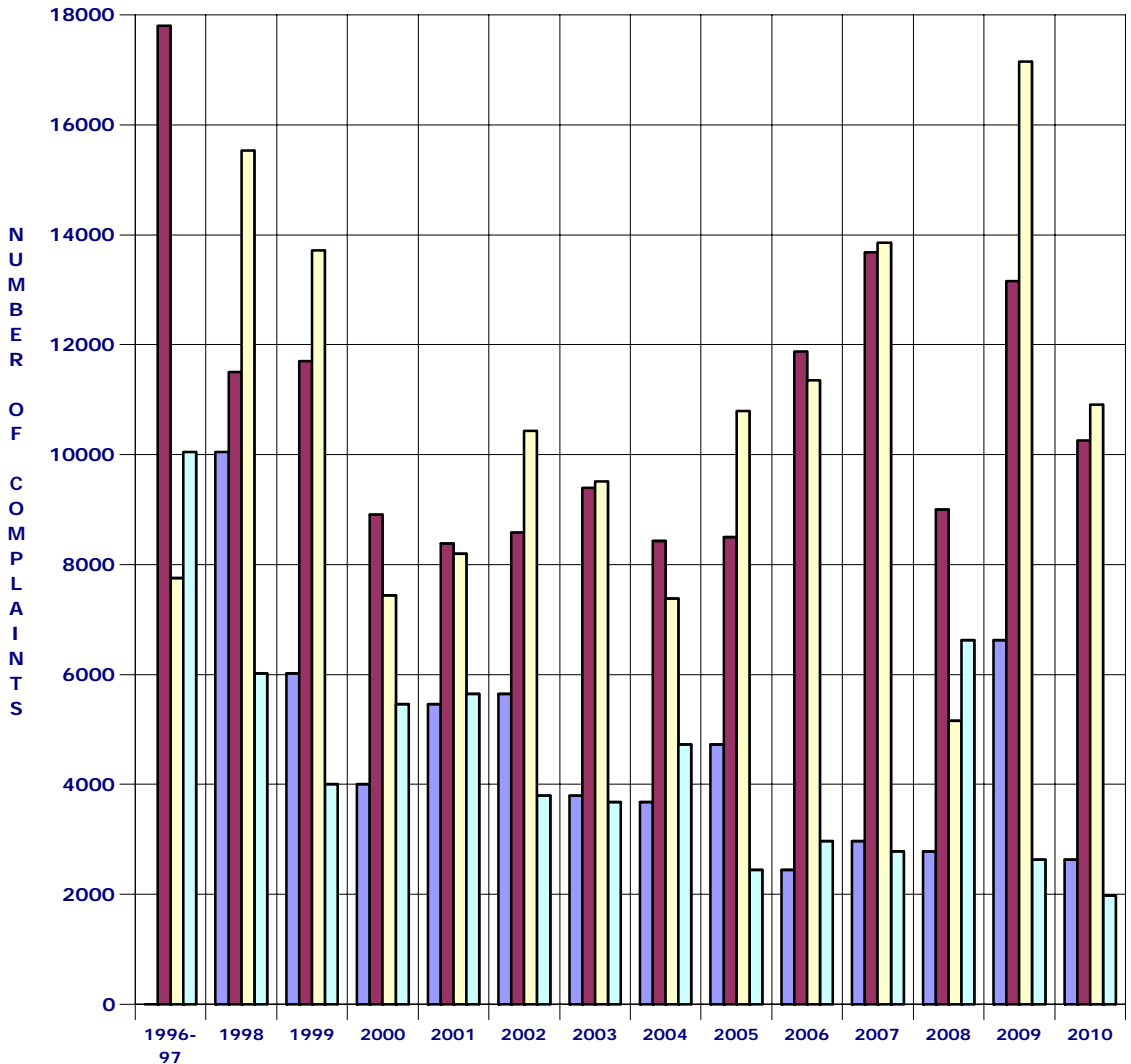
Subjudice/Federal/Private matters/where departments were not mentioned

Grand Total

1,205

10,252

YEAR WISE
RECEIPT AND DISPOSAL OF COMPLAINTS
(30.9.1996 TO 31.12.2010)



YEARS

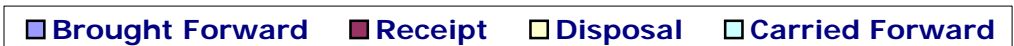


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27	Cooperatives	37	0.41
28	PGSHF	37	0.41
29	Bait-ul-Maal	35	0.39
30	Social Welfare & Women Development	35	0.39
31	Population Welfare	30	0.33
32	Labour & Human Resource	28	0.31
33	H&PP	25	0.28
34	PESSI	23	0.25
35	Industries	20	0.22
36	Services & General Administration	18	0.20
37	Transport	18	0.20
38	Mines & Minerals	13	0.14
39	Prosecution Department	12	0.13
40	Punjab Board of Technical Education	9	0.10
41	Parks & Horticulture Authority	8	0.09
42	Information, Culture & Youth Affairs	7	0.08
43	Planning & Development	5	0.06
44	Environment Protection	4	0.04
45	Finance	4	0.04
46	Sports	4	0.04
47	Rescue 1122	3	0.03
48	Tourism & Resort Development Department	2	0.02
49	Punjab Text Book Board	2	0.02
50	Law & Parliamentary Affairs	1	0.01
51	Director General Public Relations	1	0.01
	TOTAL	9,047	100

Subjudice/Federal/Private matters/where departments were not mentioned

Grand Total

1,205

10,252

DEPARTMENT/AGENCY WISE BREAK UP OF COMPLAINTS RECEIVED DURING 2010

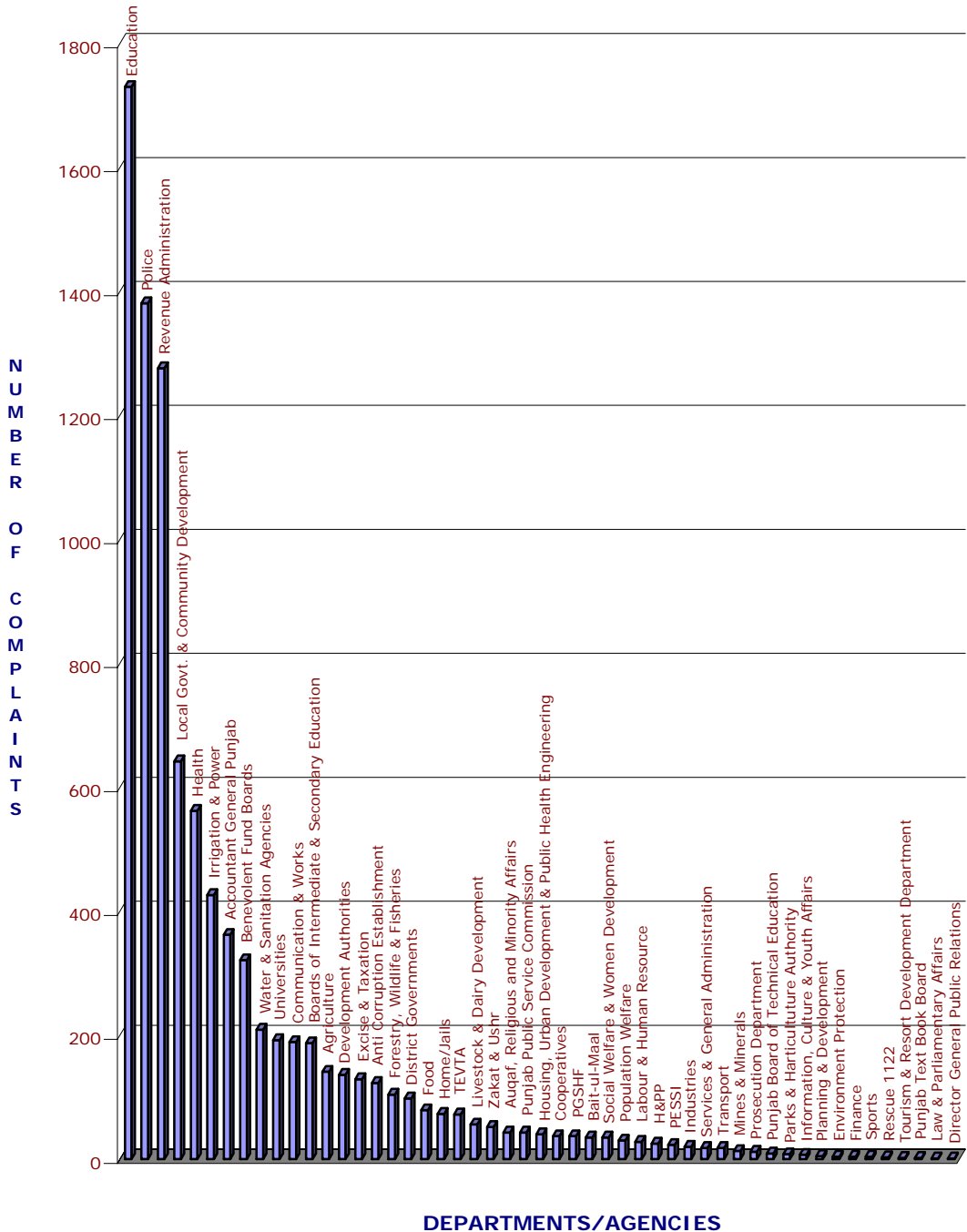


TABLE-III

DISTRICT WISE BREAK UP OF COMPLAINTS RECEIVED DURING 2010

SR.NO	DISTRICT	COMPLAINTS	%AGE
1	Lahore	1216	11.97
2	Faisalabad	627	6.17
3	Sargodha	527	5.19
4	Multan	478	4.71
5	Bahawalnagar	448	4.41
6	RahimYar Khan	424	4.18
7	Rawalpindi	363	3.57
8	Mianwali	307	3.02
9	Gujranwala	300	2.95
10	Bahawalpur	298	2.93
11	Pakpattan	297	2.92
12	Dera Ghazi Khan	289	2.85
13	Muzaffargarh	275	2.71
14	Jhang	274	2.70
15	Okara	274	2.70
16	Toba Tek Singh	274	2.70
17	Sahiwal	267	2.63
18	Sialkot	253	2.49
19	Sheikhupura	250	2.46
20	Kasur	237	2.33
21	Vehari	231	2.27
22	Khanewal	226	2.23
23	Khushab	204	2.01
24	Gujrat	189	1.86
25	Bhakkar	185	1.82
26	Mandi Baha-ud-Din	181	1.78
27	Rajanpur	174	1.71
28	Hafizabad	150	1.48
29	Nankana Sahib	147	1.45
30	Narowal	132	1.30
31	Chakwal	129	1.27
32	Layyah	110	1.08
33	Attock	110	1.08
34	Jhelum	97	0.96
35	Lodhran	93	0.92
36	Chiniot	77	0.76
37	From Other Provinces	35	0.34
38	From Abroad	7	0.07
TOTAL		10,155	100.00

Complaints where districts were not mentioned

Grand Total

97

10,252

DISTRICT WISE BREAK UP OF COMPLAINTS RECEIVED DURING 2010

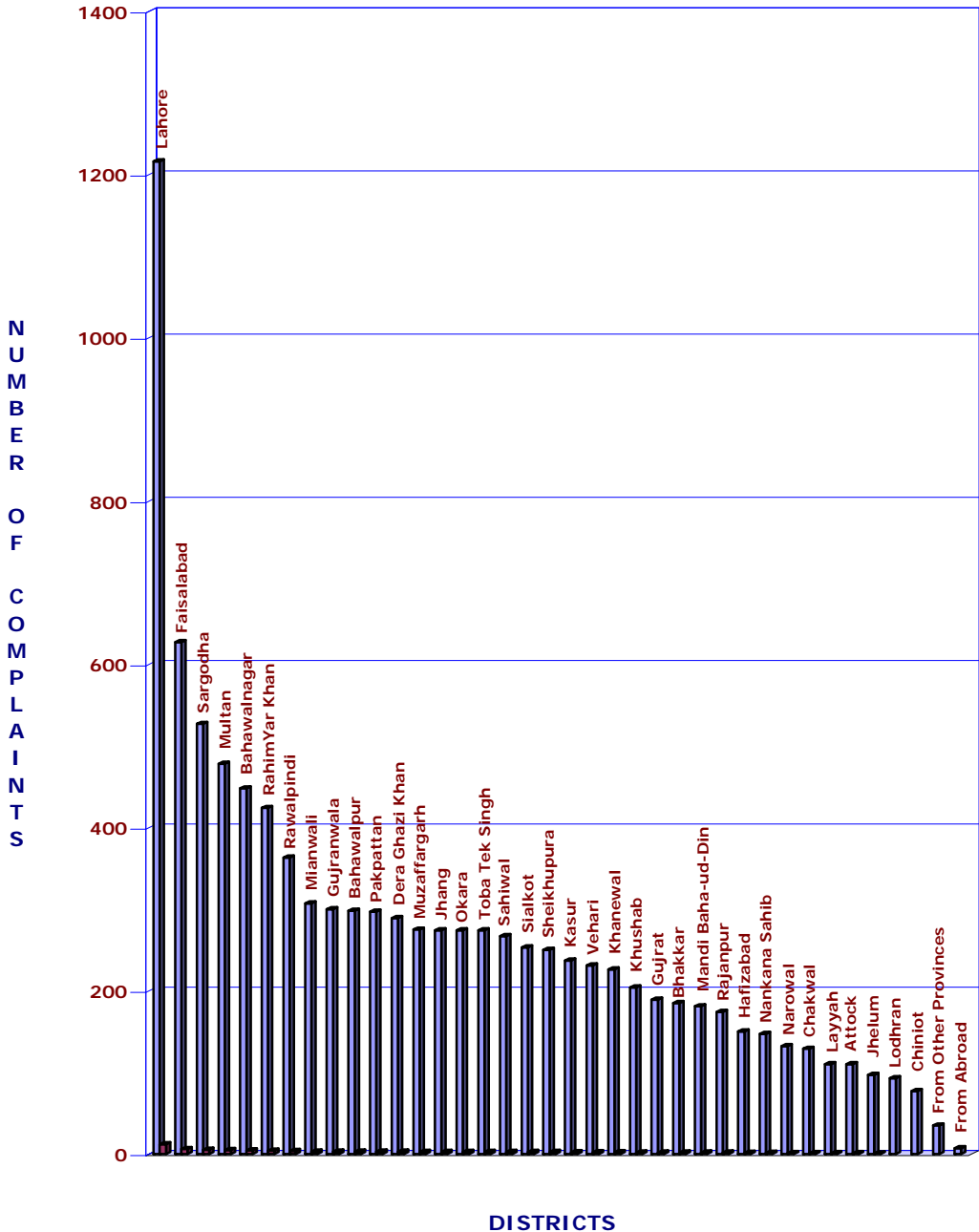
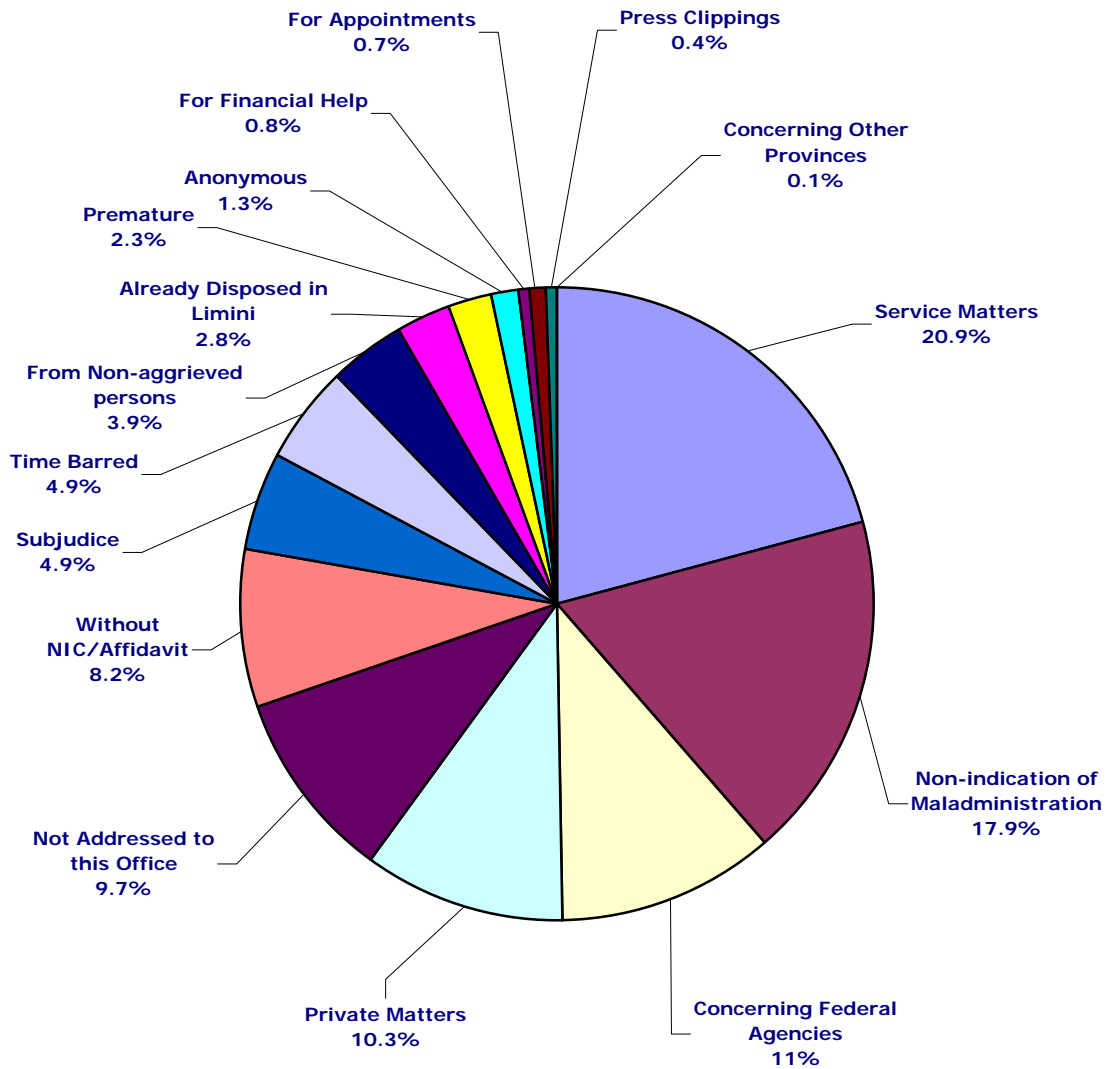


TABLE-IV

NON-MAINTAINABLE COMPLAINTS RECEIVED DURING 2010

SR.NO	CATEGORY	COMPLAINTS	%AGE
1	Service Matters	1076	20.9
2	Non-indication of Maladministration	923	17.9
3	Concerning Federal Agencies	568	11.0
4	Private Matters	531	10.3
5	Not Addressed to this Office	498	9.7
6	Without NIC/Affidavit	421	8.2
7	Subjudice	254	4.9
8	Time Barred	251	4.9
9	From Non-aggrieved persons	201	3.9
10	Already Disposed in Limini	143	2.8
11	Premature	118	2.3
12	Anonymous	69	1.3
13	For Financial Help	40	0.8
14	For Appointments	36	0.7
15	Press Clippings	23	0.4
16	Concerning Other Provinces	7	0.1
	TOTAL	5,159	100.0

NON MAINTAINABLE COMPLAINTS RECEIVED DURING 2010



TOTAL: 5,159

TABLE-V

NATURE OF MALADMINISTRATION REFLECTED IN MAINTAINABLE COMPLAINTS DURING 2010

SR. NO.	NATURE OF MALADMINISTRATION (ALLEGED)	COMPLAINTS	%AGE
1	Inattention, delay, neglect, inefficiency and ineptitude	3,252	64
2	Administrative excesses, discrimination, favouritism, arbitrary, unjust and biased decisions	1,337	26
3	Corrupt practices	504	10
	TOTAL	5,093	100

Total Maintainable Complaints Received 5,093

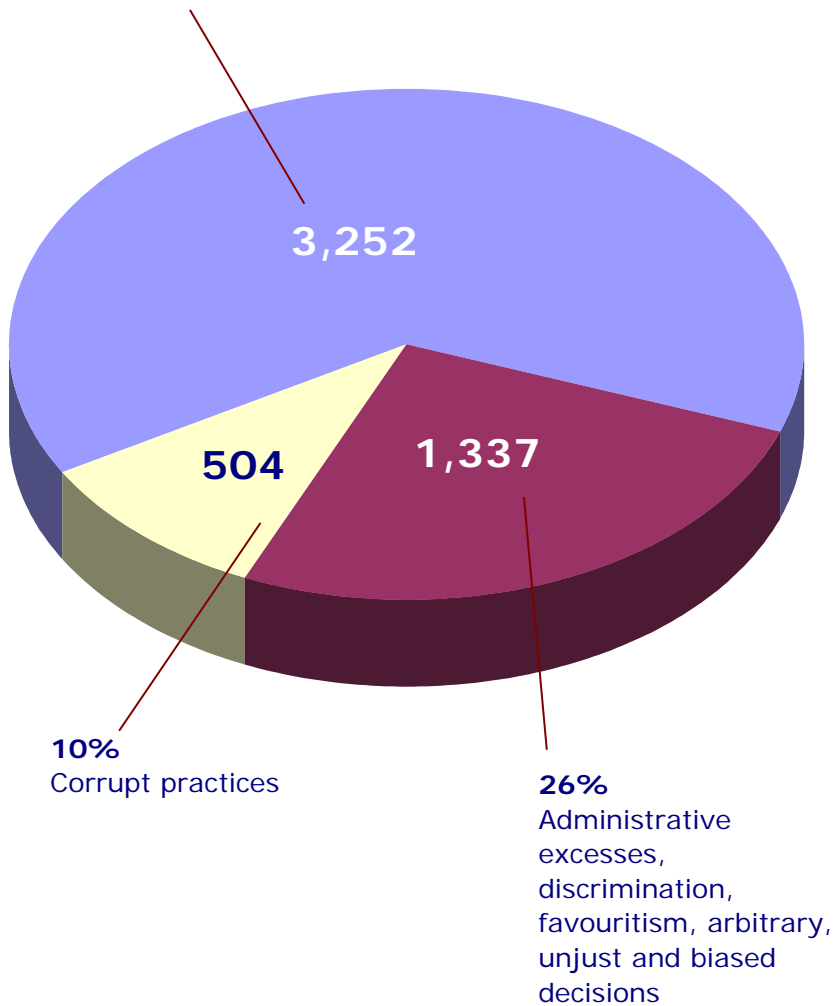
Total Non-Maintainable Complaints Received 5,159

Total Complaints Received 10,252

NATURE OF MALADMINISTRATION
REFLECTED IN MAINTAINABLE COMPLAINTS
DURING 2010

64%

Inattention, delay, neglect,
inefficiency and ineptitude



TOTAL: 5,093

TABLE-VI

COMPLAINTS PERTAINING TO MALADMINISTRATION IN SERVICE MATTERS DURING 2010

SR. NO.	DESCRIPTION	COMPLAINTS
1	Pensionary and Other Retirement Benefits	304
2	Payment of pending bills (Medical, TA/DA etc)	200
3	Appointment Under Rule 17-A of the Punjab Civil Servants (Appointment & Conditions of service) Rules 1974	185
4	Misconduct	164
5	Family Pension	121
6	Release/Fixation of Pay	84
7	Benevolent Fund	58
8	GP Fund	31
9	Selection Grade/Promotion/Move-over	23
10	Grant of Increments	21
11	Appointment Against Quota for the Children of Employees (BS-1 to 5)	18
12	Appointment Against Quota for the Disabled	17
13	Transfer of PPO	16
14	Completion of Service Book/Service Record	11
16	Issuance of Last Pay Certificate	3
	TOTAL	1,256

COMPLAINTS PERTAINING TO MALADMINISTRATION IN SERVICE MATTERS 2010

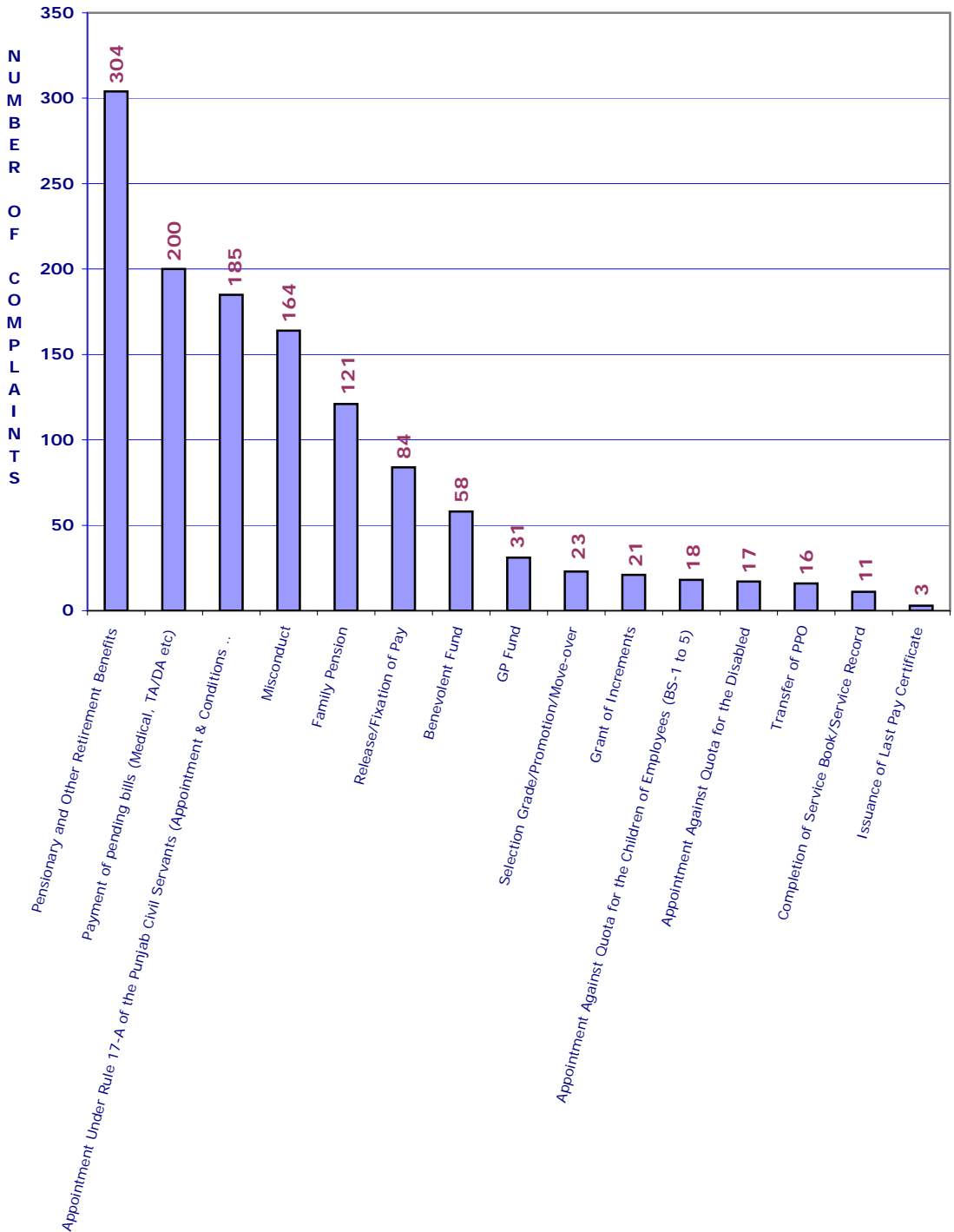


TABLE-VII

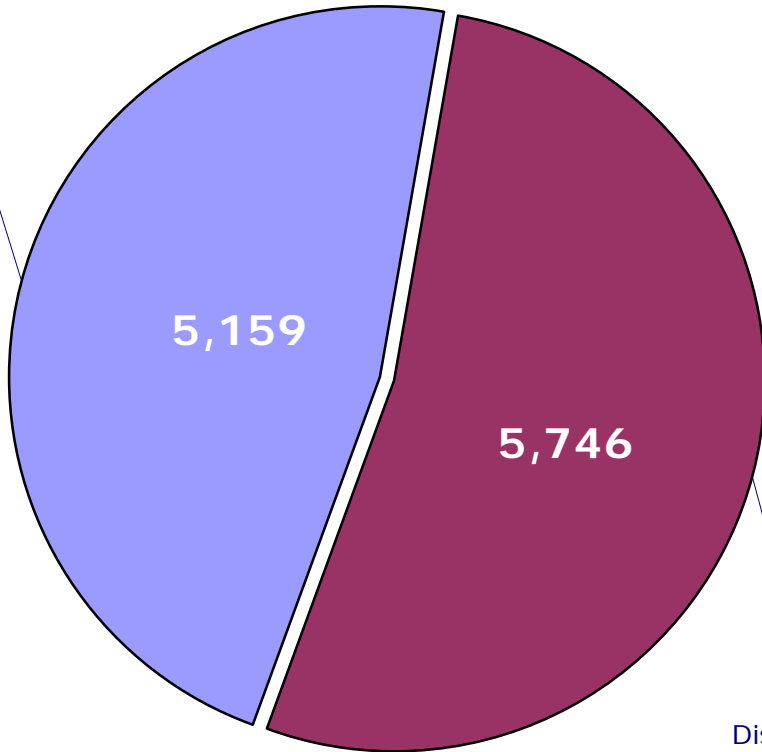
DISPOSAL OF COMPLAINTS DURING 2010

DESCRIPTION	COMPLAINTS	%AGE
Disposed of in Limini i.e. non-maintainable complaints	5,159	47
Disposed of after Investigation (except cases where implementation of directions was pending)	5,746	53
TOTAL	10,905	100

Complaints brought forward	2,636
Complaints received	10,252
Total complaints processed	12,888
Total disposal of complaints	10,905
Carried Forward	1,983

DISPOSAL OF COMPLAINTS
DURING 2010

Disposed of in
Limini being
non-
maintainable
47%



Disposed of
after
Investigation
53%

TOTAL: 10,905

TABLE-VIII

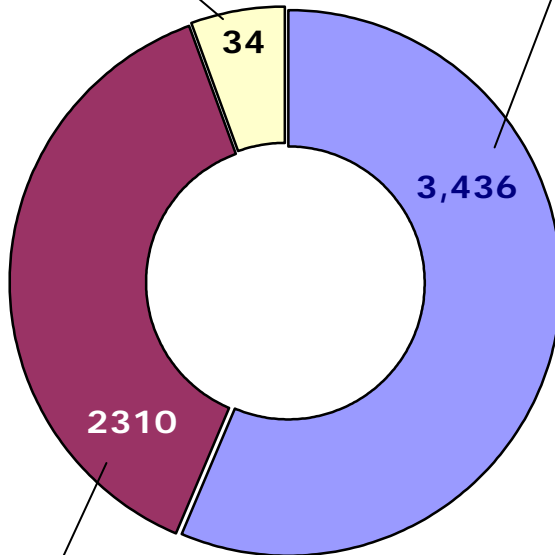
BREAK UP OF COMPLAINTS DECIDED AFTER INVESTIGATION DURING 2010

DESCRIPTION	COMPLAINTS	%AGE
Complaints wherein grievance redressed	3,436	56
Complaints wherein views of the Agencies were upheld	2,310	38
Complaints wherein directions were issued but implementation was pending	344	6
TOTAL	6,090	100

**BREAK UP OF COMPLAINTS DECIDED
AFTER INVESTIGATION
DURING 2010**

6%
Complaints wherein
directions were issued but
implementation was pending

56%
Complaints wherein the
grievance was redressed



38%
Complaints wherein views
of the Agencies were
upheld

TABLE-IX

BREAK UP OF COMPLAINTS AWAITING IMPLEMENTATION OF DIRECTIONS DURING 2010

DESCRIPTION	COMPLAINTS
Directions pending implementation as on 31.12.2009	464
Fresh directions issued during 2010	347
Total directions processed	811
Directions implemented during 2010	467
Directions pending implementation as on 31.12.2010	344

**BREAK UP OF COMPLAINTS AWAITING
IMPLEMENTATION OF DIRECTIONS
DURING 2010**

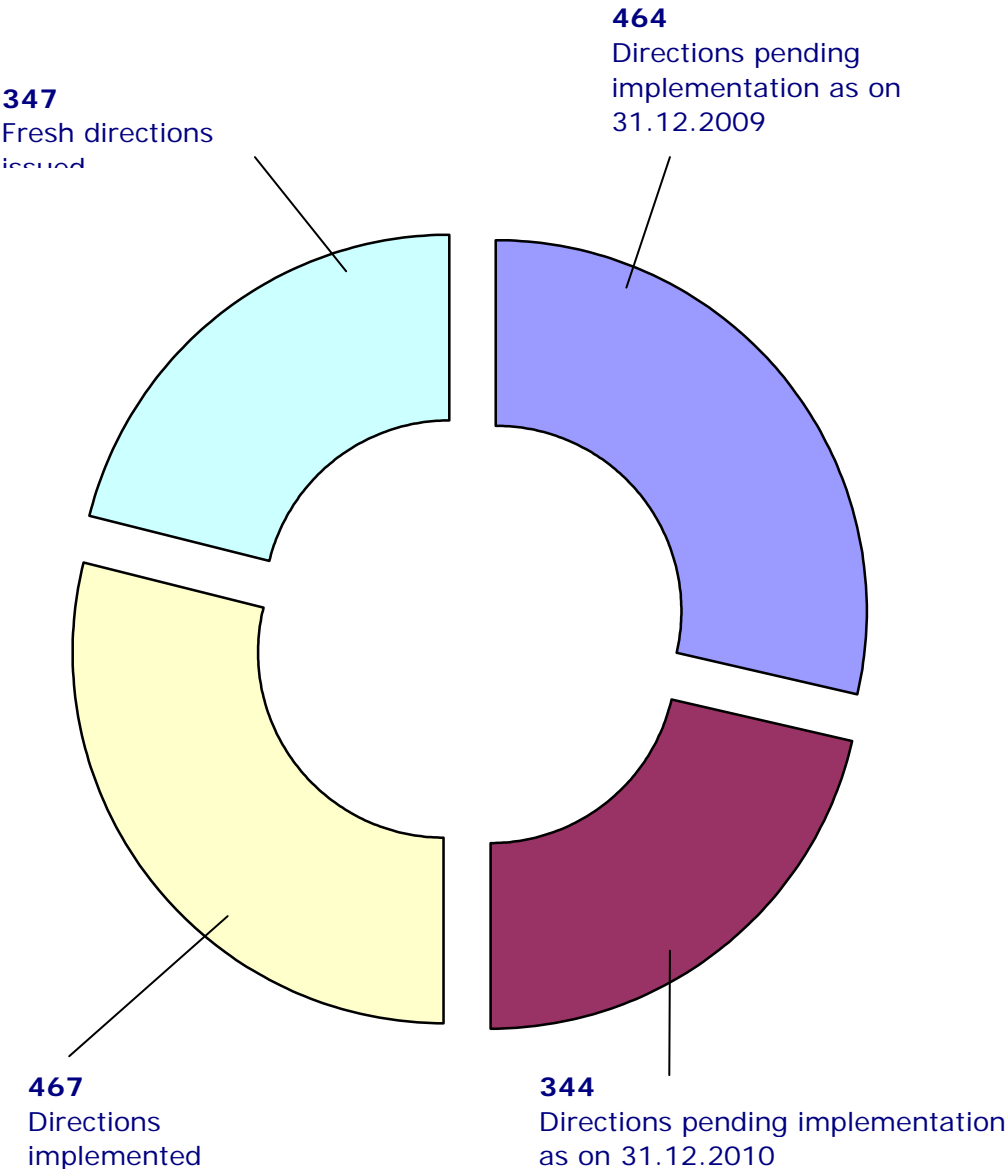


TABLE-X

DEPARTMENT/AGENCY WISE BREAK UP OF DIRECTIONS AWAITING IMPLEMENTATION DURING 2010

SR. NO	DEPARTMENT/AGENCY	TOTAL	MORE THAN 6 MONTHS	MORE THAN 4 MONTHS	MORE THAN 3 MONTHS	MORE THAN 2 MONTHS
1	LG & CD	70	60	2	6	2
2	Revenue Administration	35	30	2	2	1
3	Health	39	35	1	2	1
4	I & P	23	20		3	
5	Police	18	15	2	1	
6	C & W	13	10		2	1
7	LDA	8	7		1	
8	Others	138	88	22	16	12
	TOTAL	344	265	29	33	17

No. of directions pending implementation for more than 6 months **265**

No. of directions pending implementation for more than 4 months **29**

No. of directions pending implementation for more than 3 months **33**

No. of directions pending implementation for more than 2 months **17**

TOTAL **344**

DEPARTMENT/AGENCY WISE BREAK UP OF DIRECTIONS AWAITING IMPLEMENTATION AS ON 31.12.2010

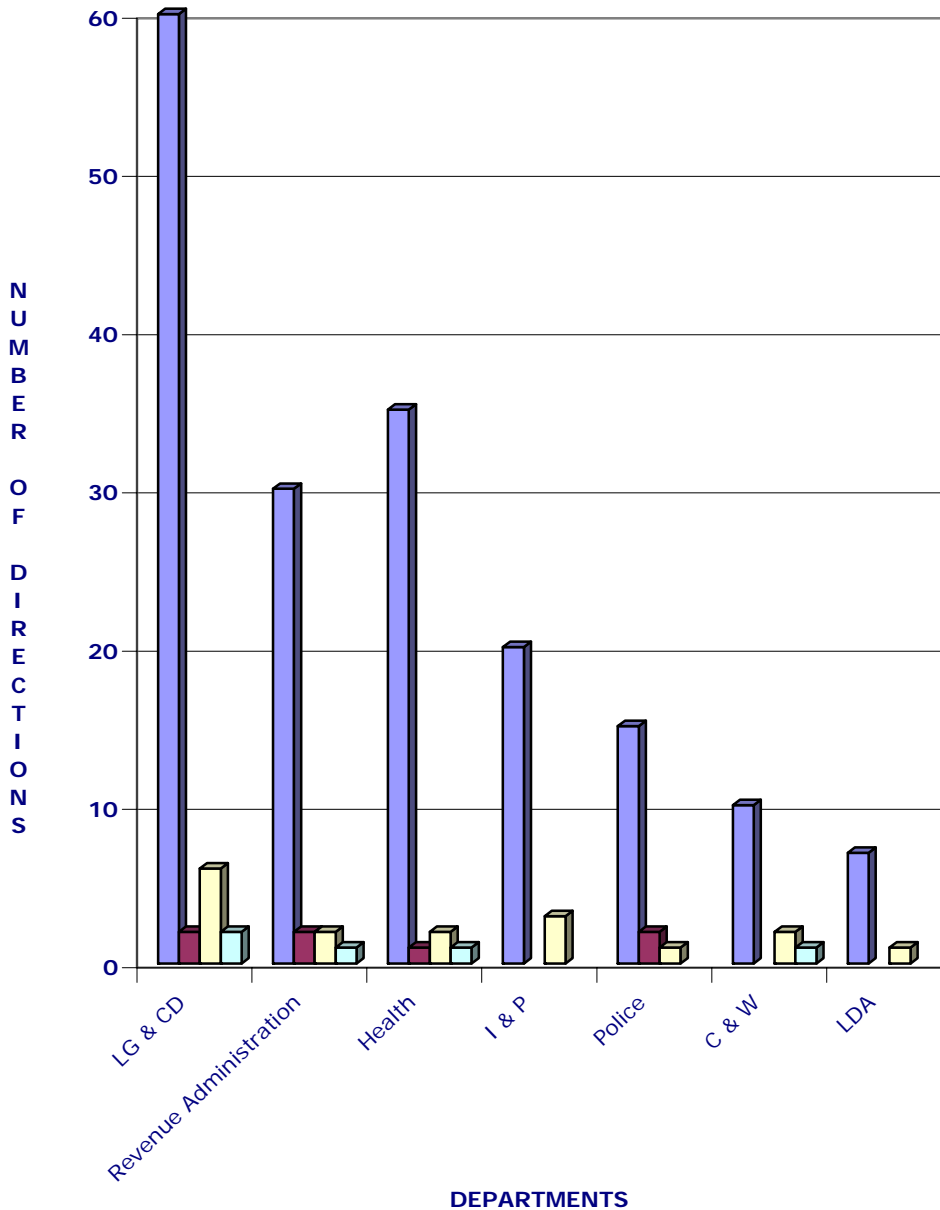


TABLE-XI

MONTH-WISE RECEIPT & DISPOSAL OF COMPLAINTS DURING 2010

MONTH	RECEIPT	DISPOSAL
JANUARY	885	954
FEBRUARY	799	843
MARCH	951	905
APRIL	922	849
MAY	896	908
JUNE	820	948
JULY	759	789
AUGUST	902	980
SEPTEMBER	866	946
OCTOBER	1036	1135
NOVEMBER	632	659
DECEMBER	784	989
TOTAL	10,252	10,905

Complaints Brought Forward	2,636
Complaints Received	<u>10,252</u>
Total Complaints Processed	12,888
Complaints Disposed of	<u>10,905</u>
Complaints Carried Forward	1,983

MONTH-WISE RECEIPT & DISPOSAL OF COMPLAINTS DURING 2010

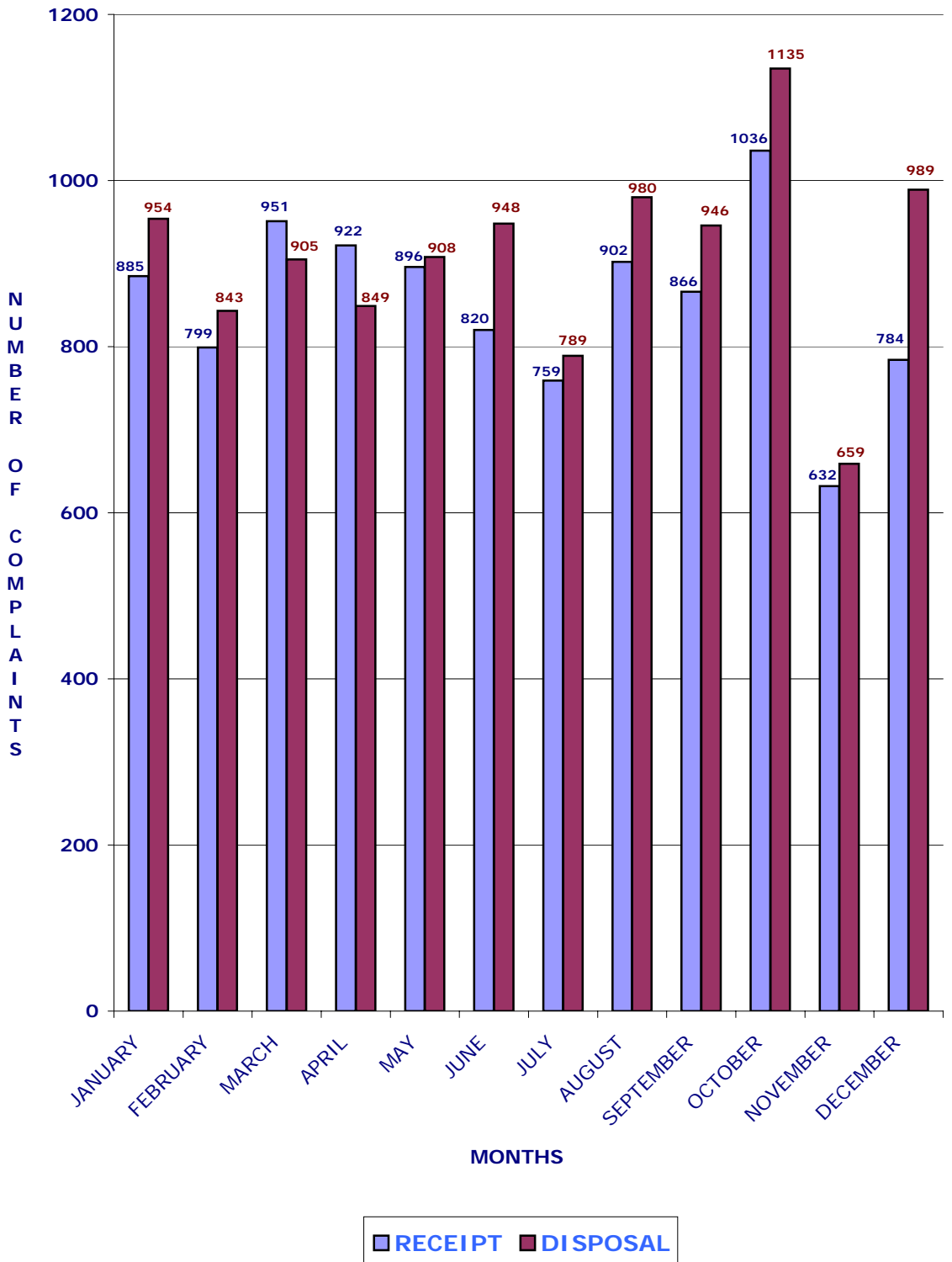
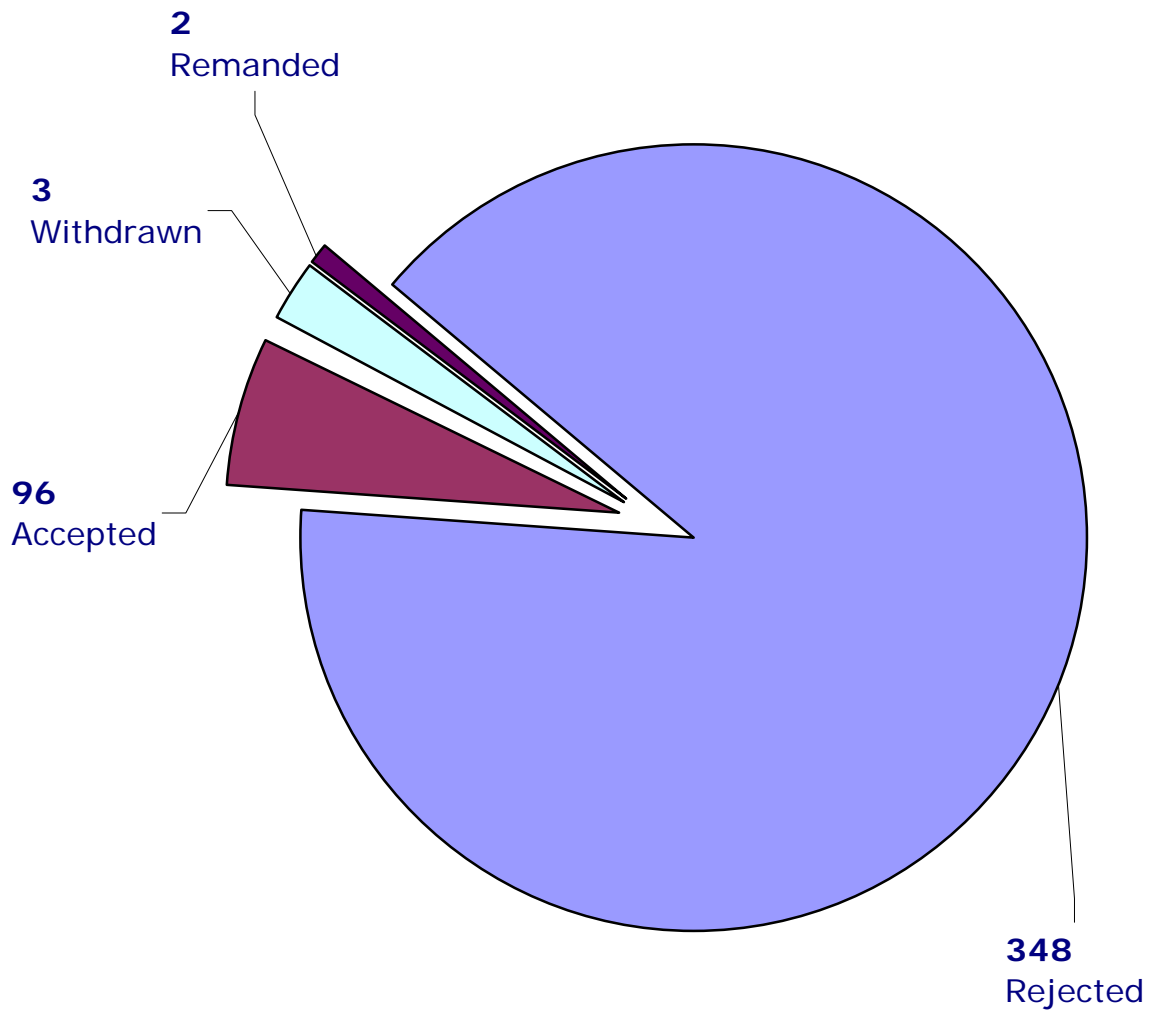


TABLE-XII

DEPARTMENT/AGENCY-WISE REPRESENTATIONS DECIDED BY THE GOVERNOR DURING 2010

SR. NO	DEPARTMENT/AGENCY	ACCEPTED	REJECTED	WITHDRAWN	REMANDED	TOTAL
1	Accountant General Punjab	1	7			8
2	Agriculture	3	4			7
3	ACE		5			5
4	Aquaf & RA	1	2			3
5	Benevolent Fund Board	1	20			21
6	BISE's	2	7			9
7	Board of Revenue	2	2			4
8	Board of Technical Education	2				2
9	Cholistan Dev. Authority		3			3
10	Communication and Works	1	8			9
11	Cooperatives	1				1
12	DCOs/EDORs/DORs	6	42	1		49
13	DAOs	3	13			16
14	CDG	2	10			12
15	Education	18	48		1	67
16	Excise & Taxation	1	4			5
17	FDA		2			2
18	Food		5			5
19	Forest, W&F		6			6
20	Health	14	26	1		41
21	Home	1				1
22	HUD & PHE	2	4			6
23	Industries		2			2
24	IC & YA	1	1			2
25	Irrigation & Power	5	14			19
26	Labour & HR	1				1
27	Lahore Development Authority	5	13		1	19
28	Law & PA		1			1
29	Livestock & DD		3			3
30	LG & CD	8	26			34
31	Mines & Mineral			1		1
32	MDA		2			2
33	Police	9	28			37
34	Population Welfare		2			2
35	Printing Press		1			1
36	PGSHF		1			1
37	PITB		1			1
38	PPSC		3			3
39	PSIC		1			1
40	PWW Board	1	1			2
41	DG, PES (Rescue)		1			1
42	SW, WD and BM		1			1
43	TEVTA	2	2			4
44	Transport	1	2			3
45	Universities	2	15			17
46	WASA		7			7
47	Zakat & Usher		2			2
	TOTAL	96	348	3	2	449

DEPARTMENT/AGENCY-WISE
REPRESENTATIONS DECIDED BY THE GOVERNOR
DURING 2010



TOTAL : 449

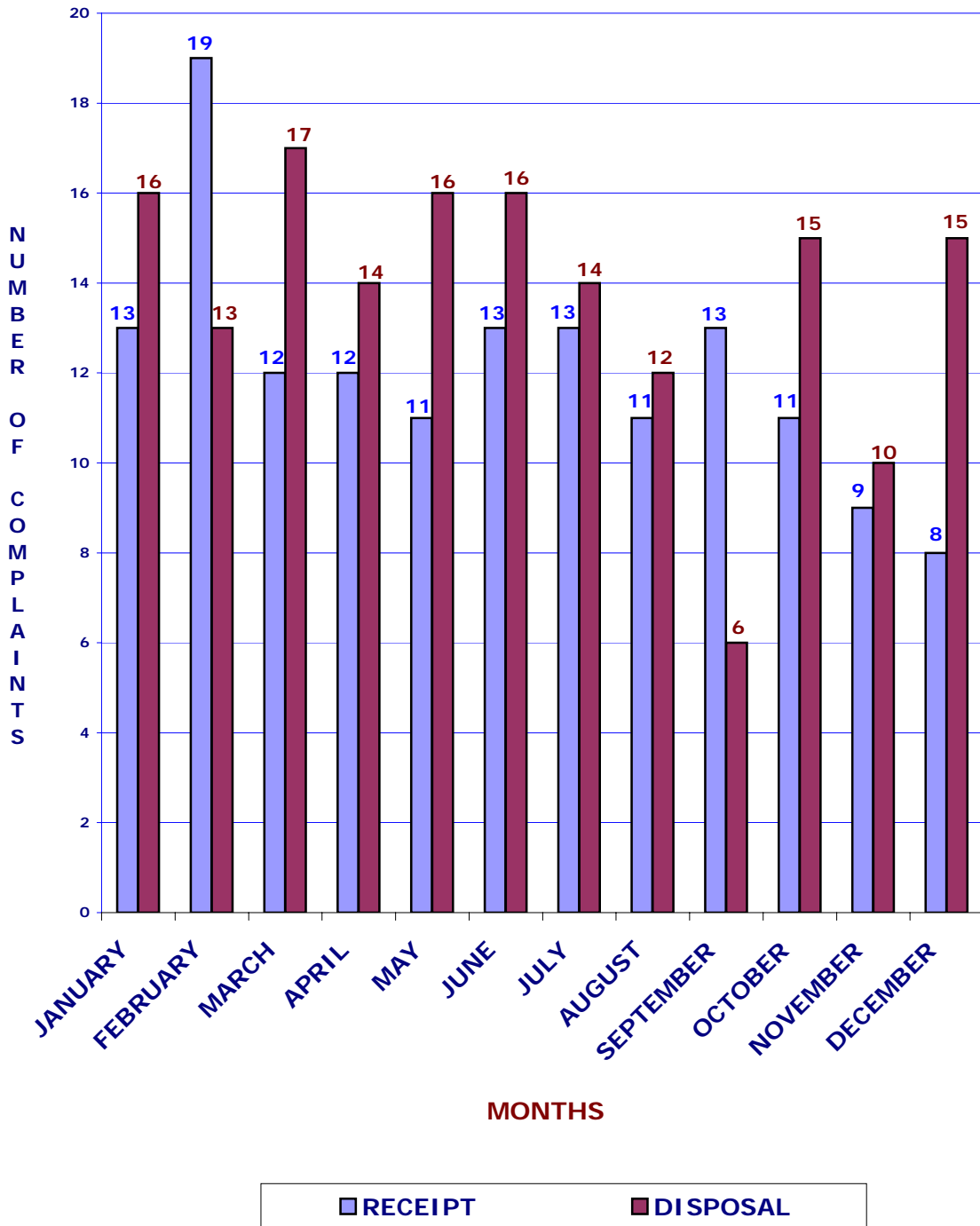
TABLE-XIII

MONTH-WISE RECEIPT AND DISPOSAL OF IMPLEMENTATION PETITIONS DURING 2010

MONTH	RECEIPT	DISPOSAL
JANUARY	13	16
FEBRUARY	19	13
MARCH	12	17
APRIL	12	14
MAY	11	16
JUNE	13	16
JULY	13	14
AUGUST	11	12
SEPTEMBER	13	6
OCTOBER	11	15
NOVEMBER	9	10
DECEMBER	8	15
TOTAL	145	164

Brought Forward	174
Received	145
Total Processed	319
Disposed of	164
Carried Forward	155

MONTH-WISE RECEIPT AND DISPOSAL
OF IMPLEMENTATION PETITIONS
DURING 2010



CHAPTER-V

REPRESENTATIVE CASES

Pages 61 – 138

ACCOUNTANT GENERAL PUNJAB

Complaint No.R-180/4/10-Con-468/4/10

Final Payment of GP Fund

Rashida Akhtar lodged a complaint with this office on 20.04.2010, stating that her husband, a police officer, died during service on 10.01.2009. She complained that she had applied to District Police Officer (DPO), Jhelum, for payment of her late husband's GP Fund on 15.10.2009, who forwarded her case to District Accounts Officer (DAO), Jhelum, for payment of GP Fund but nothing had been done in that respect. She requested for redressal of her grievance.

The matter was taken up with DAO, Jhelum, who reported that the balance transfer letter had already been forwarded to DAO, Rawalpindi, and as soon as the credit memo was received, payment would be made to the widow.

The DAO, Rawalpindi, informed this office that the applicant had neither mentioned GP Fund account number, nor the period of her late husband's posting in her application. That was why he was unable to transfer GP Fund balance to DAO, Jhelum.

On receipt of reports from DAO, Rawalpindi, and DAO, Jhelum, the City Police Officer, Rawalpindi was asked to intimate account number as well as the tenure of service of the deceased. He complied with the directions of this office and got the amount i.e. Rs.125,677/- transferred on 04.06.2010 to DAO, Jhelum. On the intervention of this office, the matter was resolved within 35 days.

Complaint No.M/112/01/09/C-I/21/09

Transfer of GP Fund Balance

Fazlaan Begum, a resident of Muzaffargarh District, stated that her husband Ghulam Sarwar died on 08.06.2003 while working in Education Department. During his life time, her husband had applied for transfer of his GP Fund balance in 2002 from Account No.II/Edu/59373 at Accountant General's Office, Lahore, to A/c No. Edu/MZG/2543 at Muzaffargarh but the needful was not done. After his death, the complainant moved an application and presented the requisite documents to A.G.'s Office, Lahore, but still the balance had not been transferred on the Ledger Card. She added that a clerk in A.G.'s Office had entered the village name as the name of deceased's father. Though the mistake was corrected by them, the officials were reluctant to address the problem. The widow requested for resolving the matter. In its reply, the agency took the plea that A/c No. II/Edu/59373 was actually allotted to Ghulam Sarwar S/O Ghulam Haider and the change could be effected on provision of some solid proof only.

As a result of efforts made by this Office, A.G.'s Office issued instructions for transfer of the standing balance of Rs.1,844/- to District Account Officer, Muzaffargarh.

Holding the A.G.'s Office responsible for maladministration, a direction was given for correction of the mistake and payment of GP fund alongwith profit earned thereon to the complainant. A direction for disciplinary action

against the Clerk who had processed the complainant's case carelessly, was also given.

In its compliance report the Agency informed that final payment authority for Rs. 133,943/- had been issued in favour of the complainant. Action against the Clerk could not, however, be taken because he had died in the meanwhile.

AGRICULTURE

Complaint No.C-2465/04/2010-Adv-II-158/2010

Transfer against Non Existent Post

Complainant, Zafar Iqbal approached this Office stating that he was working as a Sub Inspector in Market Committee (M.C) Raiwind Lahore when he was transferred by Director of Agriculture (E & M) and attached with the Directorate/Head Office vide order dated 07-10-2009. He reported to the Directorate on 08-10-2009 and worked there for two months. He was transferred back to Market Committee Raiwind on 09-12-2009. The complainant maintained that his transfer to the Directorate was without any justification and as no post existed for his adjustment as a Sub Inspector, he was not paid any salary for that period (two months). He repeatedly approached the Director of Agriculture (E & M) for payment of salary for the period he had worked in the Directorate, but did not receive any response. The complainant requested that a direction be given to the Agency for payment of salary to him without further delay.

The Administrator Market Committee Raiwind took the stance that the Market Committee was unable to pay salary to the complainant for the period he was not working in the Market Committee because the post of Sub Inspector in the M.C. had been occupied by another Sub Inspector who was transferred against that post by the Directorate. Two employees could not be allowed salary against a single post. He maintained that payment of salary to the complainant was the responsibility of Director of Agriculture (E & M).

The representatives of the Directorate of Agriculture (E & M) admitted during the hearing of the complaint that the transfer of the complainant from Market Committee Raiwind to the Directorate on 08-10-2009, was not against any specific post. He further stated that difficulty was being experienced in the payment of salary to the complainant as there did not exist any post of Sub Inspector/equivalent in the Directorate of Agriculture (E & M).

The investigation of the complaint revealed that the complainant, a Sub Inspector, was transferred from Market Committee Raiwind through order dated 07-10-2009 'on administrative grounds'. One Mohammad Khalid was posted in his place. The complainant remained attached with the Directorate of Agriculture (E & M) and performed duty there for a period of two months. There was, however, no post (in the Directorate) against which he could draw his salary. As per another order dated 08-12-2009, the Director of Agriculture (E&M) transferred Sub Inspector, Mohammad Khalid from Raiwind. It was held that arbitrary transfer of an official, without first ensuring payment of salary against a specific post, was an act of misuse of powers by the transferring authority. The complainant was facing hardship

(as he continued to be deprived of salary of two months for the last several months) mainly for the reason that he was transferred to the Directorate (E & M) where there was no post for his adjustment and payment of salary. Taking notice of the irregularity committed by Director of Agriculture (E & M) who issued order of transfer of the complainant against a non-existent post, Secretary Agriculture, Govt of Punjab was directed to probe into the matter and to take action against the officer responsible for predicament being faced by the complainant. The Director of Agriculture (E & M) was directed to ensure payment of arrears of salary to the complainant within a period of one month.

Complaint No.2183/05/2010-Adv-II-137/2010

Issues Relating to Sanction of Monthly Grant out of Benevolent Fund

One Riffat Naseem approached this Office stating that her husband, Chaudhry Mohammad Anwar, an Agriculture Officer (BS-17) in District Sahiwal, died during service on 04.3.2002. She applied to the Agency for sanction of monthly grant out of Benevolent Fund. The processing of her case was delayed by the department and finally she was allowed monthly grant for about 9 years w.e.f. 29.9.2009 to 03.3.2017. The complainant further stated that she was entitled to monthly grant for life w.e.f. the date of death of her husband. She requested that direction be given to the Agency to allow her monthly grant out of BF in accordance with law.

When confronted with the issue raised by the petitioner, the Agency/Agriculture department maintained that the complainant's application for sanction of monthly grant out of BF was forwarded to Punjab Govt. Servants BF Board, Lahore. Owing to a dispute between the complainant and the other widow (second wife of the deceased officer), documents relating to the claim were not timely provided. When the documents demanded by BF Board, Lahore, were ultimately furnished, sanction for monthly grant out of BF for the period from 29-9-2009 to 03-3-2017 was accorded. The Provincial Board of Management, Punjab Govt. Servants Benevolent Fund, also took an identical stand maintaining that the complainant's application for sanction of monthly grant out of BF was received on 04-8-2004 i.e. two years after the death of her husband. On receipt of requisite documents, the matter was placed in the meeting of Provincial BF Board on 29-9-2009 and monthly grant was sanctioned with effect from the date of decision of the Board up to 03.3.2017.

Investigation into the matter revealed that the complainant submitted an application on 16-7-2004 for sanction of monthly grant out of BF. The application was mistakenly sent to DCO, Sahiwal, by the Agriculture Deptt. Subsequently, the application was forwarded to BF Board because the matter (monthly grant) related to a gazetted/BS-17 officer. The application remained pending because some documents like "no marriage certificate" etc were not enclosed with the application. The case was ultimately placed in the meeting of BF Board on 29.9.2009 and monthly grant was sanctioned from the same date. It was an admitted fact that the application for monthly grant out of BF was originally submitted in July 2004 i.e. two years after the death of the complainant's husband. The application could not, therefore, be treated to have been submitted in 2009. Likewise, that being a case of an in-service death, the complainant should have been sanctioned monthly grant till life.

The Agency/Provincial Board of Management Punjab Govt. Servants Benevolent Fund was therefore, directed to reconsider the decision dated 29.9.2009 and to sanction monthly grant in favour of the complainant till life w.e.f. the date of receipt of her original application in July 2004.

BOARDS OF INTERMEDIATE AND SECONDARY EDUCATION

Complaint No. M/2125/09/10

Issuance of Result Card

Abdul Wahab Khan stated in his complaint that he submitted his admission form duly attested by Abdul Khaliq Mastoi, Second Master, Govt. H/S Uch Sharif, to the Board of Intermediate and Secondary Education, Bahawalpur, for appearing in the S.S.C. (Annual) Examination, 2010. On receipt of an objection about attestation of the admission form, he submitted his reply alongwith affidavit personally to the Board's office but even then his result was quashed by the Board. The complainant stated that he had not used any unfair means in the examination and contended that his result was quashed due to the hostile attitude of the Headmaster and the Deputy Headmaster of the school.

The Headmaster and the Deputy Headmaster in their reply refuted the charge and stated that the complainant's admission form had not been attested by them and that the student had used bogus stamp and forged their signatures on the admission form as a result of which his result was quashed.

The Board contended that on receipt of a complaint about bogus attestation of admission forms of four candidates belonging to Uch Sharif, a report was obtained from Headmaster, Govt. H/S Uch Sharif, who disowned his stamp and signatures. In the light of that report, a detailed scrutiny was conducted in which some more admission forms with doubtful attestation including the admission form of the complainant were detected. The candidates were proceeded against and after giving full opportunity of defence, the complainant was disqualified for two examinations including Annual Examination, 2010 in which he had appeared. The complainant filed an appeal and the Appellate Committee of the Board after examining the record, decided that the complainant should provide a fresh admission form duly attested by the competent authority after which his result would be declared. The complainant finally supplied a fresh form properly attested by Headmaster of a Govt. High School and his result card was accordingly issued by the Board.

Complaint No. 355/01/2010-Adv-II-26/2010

Request for Quashing of Punishment of Forfeiture of Remuneration

A retired Subject Specialist, Chaudhry Sardar Ali, came up with a complaint stating that BISE, Lahore, had not taken any positive action on the directions of Ombudsman in his previous complaint against punishment of permanent disqualification and forfeiture of remuneration (Rs. 19000/-) awarded to him as Head Examiner in the subject of Urdu by BISE, Lahore. The complainant stated that he was given a brief personal hearing by the

Chairman of the Board and after delay of four months, while the punishment of disqualification was quashed, the penalty of forfeiture of remuneration was maintained. The complainant contended that as he had performed arduous duty as Head Examiner and a minor mistake in not transferring the marks to the title page of the paper of a candidate, was also actually committed by the Sub Examiner (who had been paid remuneration) he could not be denied remuneration.

The Agency/BISE Lahore took the stance that the punishment of forfeiture of remuneration was maintained after hearing the complainant who, according to the Agency, had committed a serious mistake in one paper checked by him as Head Examiner. The complainant reacted by stating that he had been performing duty for BISE, Lahore, as an Examiner since 1975 without any complaint but without considering his past performance, he had been awarded harsh punishment of forfeiture of remuneration amounting to Rs.19000/- for a mistake actually committed by the Sub Examiner. He also argued that the nature of the mistake did not warrant forfeiture of full remuneration. The complainant further pointed out that as per latest instructions/rules of the Board, fine @ Rs.50/- per error involving one mark, was to be imposed and that the Board had acted against its own instructions by maintaining the punishment of forfeiture of full remuneration.

Investigation of the complaint revealed that the complainant had been working for BISE, Lahore, as an Examiner since 1975 and he had never committed any mistake as Sub Examiner or as Head Examiner in the past. A difference of 19 marks was however, detected in one paper checked by the complainant as Head Examiner as the marks awarded by him (which differed from the marks awarded by the Sub Examiner) were not transferred to the title page of the paper. There was found force in the complainant's contention that the Sub Examiner was mainly responsible for the error, but he (the Sub Examiner) had been paid remuneration by the Board. The nature of the error/mistake also did not justify the punishment of forfeiture of full remuneration (reported to be Rs.19000/-). The Board had since rationalized/amended the rules and this fact proved that the rules under which the complainant was originally awarded the penalty (forfeiture of full remuneration etc) were flawed and did not fully meet the ends of justice. The petition was thus accepted and the Agency/Chairman was directed to take a fresh decision on the complainant's appeal/application in the light of existing (latest) provisions of rules/policy on the subject.

Complaint No. M/3592/12/09/Adv/237/09

Issuance of Matriculation Certificate

Hafiz Waqas Shabbir of Multan stated that he passed Matriculation Examination in 2007 and F.Sc. Examination in 2007 from the Board of Intermediate & Secondary Education (BISE), Multan. Later, he took admission in D. Pharmacy in the University of Sargodha, which demanded his original Matriculation Certificate. He approached BISE, Multan, and also paid Rs 350/- as urgent fee for issuance of the certificate but the Board did not issue the same on the pretext that his birth-date was different from the date mentioned in his Matriculation Exam Admission Form and his school record. The complainant contended that the result card was issued to him on the basis of his school record. He requested for resolving the matter.

The report submitted by Controller of Examinations, BISE, Multan, revealed that the complainant's date of birth as recorded in the Registration Return received from his school was 10.06.1989, so the result card was issued to him accordingly. According to the Agency, issuance of the certificate was withheld due to a discrepancy in complainant's school record and the complainant was asked to produce his original school record, besides paying the requisite fee for issuance of certificate.

Subsequently, the complainant provided the requisite papers to BISE, Multan. During hearing of the case, a representative of the Agency produced a photocopy of the certificate and postal receipt for having dispatched the certificate to the complainant.

Complaint No. M/990/05/10

Issuance of Matriculation Certificate

One Ghulam Sarwar, resident of Multan, stated in his complaint that his daughter Sameena Sarwar passed Matriculation Examination from the Multan Board in 2006 but she had not received the Certificate during the last 4 years. He contacted the Board's office and was told that the Certificate had been dispatched to him by registered post on 12.05.2009. Since the certificate had actually not been received, he wrote a letter to the Controller of Examinations of the Board and the Chief Post Master, Multan, in that respect but no response was received from them. He prayed for issuance of certificate to him.

When confronted with the contents of the complaint, the Controller of Examinations informed that the certificate of the complainant's daughter had been sent by post vide regd. cover No.230 at the address given on her admission form. The Post Master, Secondary Board Post Office, Multan, was requested to intimate about the delivery of the said article. It was further intimated by the Controller BISE, Multan, that for obtaining a duplicate certificate, the candidate should apply to the Board on the prescribed form.

During investigation of the complaint, a notice was also issued to the Post Office for ascertaining the delivery of missing article. The concerned Deputy Senior Postmaster informed that the article was delivered to the addressee on 13.05.2009 by the concerned postman.

When the complainant was shown the receipt sent by the Post Office, he disowned the signature of his daughter on that paper. Therefore, another letter was issued to the Senior Deputy Postmaster to intimate the name of the postman and his opinion about the work and conduct of the postman. It was informed that postman Muhammad Ramzan had not been taking interest in his work and was absconding with several parcels, money orders etc and a case had been got registered against him with F.I.A.

It was thus evident from facts/record that the certificate had not been delivered to the complainant's daughter. She was, therefore, not responsible for its loss/misplacement. The Board was directed to issue duplicate certificate to her without requiring her to fulfill the long process required for this purpose.

The complainant later informed by telephone that his grievance had been redressed due to the efforts of the office of the Ombudsman.

Complaint No. R-427/8/10/Adv-169/8/10**Request for Payment of Remuneration**

The complainant stated that he performed duty as an Invigilator during Matriculation examination (annual) 2010 held by BISE, Rawalpindi. Despite lapse of more than 3 months, the dues had not been paid to him on the excuse that non-teaching staff could not perform the said duty under Board's rules. The complainant prayed that the Board be directed to make payment to him.

The matter was taken up with BISE, Rawalpindi which reported that non-teaching staff could not be assigned the duty of invigilation under the rules. Since the complainant was employed as Clerk, he was wrongly appointed as an Invigilator. This plea was not accepted as the complainant had performed the duty under the orders of the Superintendent Examination Centre who was a nominee of the Board. The Controller of Examinations was directed to pay the dues. The complainant confirmed that he had received the payment through a cheque.

Complaint No. 2206/05/2010-Adv-II-138/2010**System of Delivery of Certificates to Private Candidates at their Addresses**

A student, Mobeen Akhtar, approached this Office stating that he passed I.Com. examination from BISE, Gujranwala, in 2007 as a private candidate, but he had not yet been issued certificate of I.Com. by the Board. The complainant requested that a direction be given to the Agency/BISE, Gujranwala, to issue him the requisite certificate without any further delay. On the other hand, the BISE, Gujranwala, took the stance that the complainant had been sent certificate of I.Com. relating to Intermediate examination 2007 on 17-04-2009 by registered mail at the address mentioned by him in the admission form and the Board was not responsible for non-delivery of the certificate to the student.

Probe into the matter revealed that the complainant passed I.Com. examination in 2007 from BISE, Gujranwala. The result of the examination was announced in August 2007. According to the Board, certificate of I.Com. was dispatched to the complainant at his given address in April 2009. The Board, in that connection, placed reliance on an entry in the Register of Certificates. A report of the Post Office sent to the Board, however, showed that the complainant had actually not received the certificate. According to the report of the Post Office, registered article No. 31 dated 17-4-2009 was addressed to one Zahra Ashraf and was delivered to the said addressee. The report (dated 16-7-2010) of the Post Office read as follows. "It is intimated that the registered letter mentioned as per report of the Postmaster Kamonki P/O, has been delivered to the addressee at the name of Zahra Ashraf S/O Ashraf, Mohallah Mata Din, near City Centre Kamonki. The case stands closed at this end". It was observed by this Office that mere dispatch of a certificate (without ensuring delivery to the right addressee/candidate) did not absolve the Board of its legal responsibility. Since, it was established from record/facts that the complainant had not received the certificate of I.Com. examination, the Agency/Chairman, BISE, Gujranwala was directed to ensure

issuance of I.Com certificate (original or substitute) to the complainant without charging any fee etc. within a period of one month.

Complaint No. 6810/11/2009-Adv-II-351/2009

Illogical Stance Regarding Correction of Name

A complainant approached the Office of Ombudsman stating that his real name was Syed Manzoor Hussain, but while sending enrolment return in respect of his son, Mohsan Gilani, who was studying in class IX in 2004, his name was erroneously written as Manzoor Hussain Shah by the management of the school. The Headmaster of the school detected the error when Registration Cards were issued by the Board (BISE, Lahore) and he took up the case for correction of error with the Board on 14-12-2004 i.e. before the issuance of Roll No. slips for Matriculation examination (2005). The Board did not respond and printed his incorrect name (Manzoor Hussain Shah) in the result card issued to him. He further stated that despite being responsible for delay, the Board was demanding a fee of Rs.4500/- for correction on the ground that the matter related to 2004. The complainant requested for a direction to the Agency/BISE, Lahore, for correction of its record and for printing his name as Syed Manzoor Hussain instead of Manzoor Hussain Shah in the result card of his son pertaining to Matriculation examination 2006.

When confronted with the stance taken by the complainant, the Headmaster Govt. High School, Depalpur District Okara, reported that in the school record, the complainant's name (as father of the student/Mohsan Gilani) was written as Manzoor Hussain Shah and the same particulars were originally conveyed to the Board while sending Enrolment Return in 2004, but the school record was subsequently corrected in accordance with form "B" issued by NADRA produced by the complainant and a timely reference was sent to the Board in 2004 to carry out correction in the Registration Card. Relevant record including entries of the Register of Admission & Discharge was also furnished to the Board but the Board had not responded.

The Board admitted that a reference dated 14-12-2004 had been received from the Headmaster of school, but opposed the complaint on the flimsy grounds that the Headmaster should have explained reasons for correcting the entries in the School Register.

Investigation of the complaint revealed that the Board had taken an illogical stand and the objective appeared to extract an exorbitant amount as fee from the complainant. It was found that a very minor change in the record of the Board in respect of the candidate (Mohsan Gilani) had been sought by the complainant as well as the Headmaster of the school. The complainant's name was originally written as Manzoor Hussain Shah in the record of the school and also in the Enrolment Return. On the complainant's application, the record of the school was corrected and the name was written as Syed Manzoor Hussain and the Board was also informed about the minor correction before the issuance of Roll No. slips for Matriculation examination (part 1) 2005. Apparently, a frivolous objection was raised by an official of the Board vide letter dated 24-01-2005, which too was never received by the school. In fact, writing the name as Syed Manzoor Hussain instead of Manzoor Hussain Shah, did not involve any significant change in the particulars/name. The Headmaster of the school had made a valid correction in the Register of

Admission & Discharge and informed the Board well in time (in 2004) before the issuance of Roll No. slips for correction in the Registration Card. A fee of Rs.100/- as per Board's rules was also paid by the school at that time. Asking the complainant or his son to pay further fee at this stage or refusal to carry out a minor correction in the light of existing record of the school was certainly an act of maladministration on the part of the Agency/BISE, Lahore. Chairman, BISE, Lahore, was accordingly directed to carry out the requisite correction without charging any extra fee in the light of original reference dated 14-12-2004 sent by the Headmaster of the school to the Board, without any undue delay.

Complaint No. 7585/12/2009-Adv-II-399/2009

Dispute Concerning Date of Birth

A complainant (Muhammad Khizar Rehman) from Lahore approached the Office of Ombudsman Punjab stating that despite sufficient evidence provided by him BISE, Lahore, was reluctant to correct the date of his birth. According to the complainant he was born on 16-02-1991 but in the certificate of Matriculation (2006), the date of his birth was incorrectly printed as 16-02-1990. The complainant requested for direction to the Agency/BISE, Lahore, for issuing him a revised Matriculation certificate containing corrected date of his birth i.e. 16-02-1991, instead of 16-02-1990.

The Board opposed the complaint maintaining that the complainant had appeared in Matriculation Examination 2006 as a regular candidate and he had himself recorded the date of his birth as 16-02-1990 in the admission form for the said examination. The Board further maintained that the record produced by the complainant was carefully examined by Date of Birth Committee and the Committee was not satisfied - the record of Union Council was found dubious because of over-writing, the record of Ahsan Public School, Begumpura, Lahore, where the complainant had studied, also appeared doubtful. The complainant then produced the record relating to the date of birth of his sister claiming that as she was born on 30.07.1989, he (her brother) could not have been born on 16.02.1990 i.e. after 6-1/2 months as a matter of biological fact. The record of the school where the complainant's sister Zoeya Rehman was enrolled was not found consistent and the complainant's application for correction/change in the date of birth was rejected accordingly.

The complaint was subjected to detailed investigation. During investigation and in the presence of the stakeholders, the complainant produced original Matriculation result card of his sister issued by BISE, Lahore, showing the date of her birth as 30-7-1989 which fact indicated that his request for correction of the date of his birth as 16-02-1991 had a sound basis. It was found that despite some discrepancies in the record produced by the complainant before the Date of Birth Committee, his request for correction of date of birth, when examined in the light of the particulars of his sisters contained in the certificate of Matriculation issued to her by the same Board in 2005, had a sound basis. Since in the record of the Board, the date of birth of the complainant's sister was recorded as 30-07-1989, the complainant's claim for correction of the date of his birth could not be

dismissed. The Board was, therefore, directed to take a decision in the light of the record of the Board pertaining to his sister.

BOARD OF REVENUE

Complaint No. 3482/08/10/C-XII-85/10

Request for Demarcation of Land

The complainant's grievance was that he had submitted an application to DDO (Revenue), Gujranwala, for demarcation of his land measuring 9 Marlas but to no avail. He requested for a direction to the Agency for doing the needful.

On the intervention of this office, the District Officer (Revenue), Gujranwala, reported that the requisite demarcation had been carried out in the presence of the complainant. The complainant also confirmed the action taken by the Agency for redressal of his grievance. Necessary relief was thus provided to the aggrieved.

Complaint No. 3450/08/10/C-XII-83/10

Application against Collection of Illegal Fund

Muhammad Anwar Bhatti, Advocate, complained that Sub Registrar Urban-I and Sub Registrar Urban-II, Faisalabad, were charging Rs.50/- in addition to the usual fee fixed for registration of documents under the guise of "Katchery fund" without any justification. He requested for a direction to the Agency to stop this illegal practice.

The matter was taken up with District Officer (Revenue), Faisalabad, who denied collection of any such fund by the Sub-Registrars and added that the said amount was actually being collected by District Bar Association, Faisalabad, through its representative.

During investigation of the case, it was observed that collection of any unlawful fund in the Katchery premises should be discontinued. Later on, District Officer (Revenue), Faisalabad, informed that instructions had been issued to the Revenue Authorities to ensure stoppage of collection of illegal fund etc. from the public at large. Meanwhile, the complainant also confirmed that the needful had been done by the Agency. A direction was also given to the Agency to ensure that no unlawful fund etc. be collected in future.

Complaint No. 1394/3/2010 C-III-98/2010

Complaint against Patwari for not Doing Wandawa

Matloob Hussain S/O Muhammad Hussain of Chak No.93/12-L, District Sahiwal complained that he gave an application to Tehsildar, Burewala, for the partition of his landed property, situated in Chak No.275/E. Patwari Halqa told in front of some witnesses that the partition of the subject land cannot be done without his assistance and demanded Rs.5,000/- as illegal gratification from him, which the complainant refused to give. He reported against the said Patwari to DDOR, Burewala but all in vain. He requested for completion of partition proceedings and taking action against Muhammad Sarwar, Patwari.

The case was referred to the agency. Deputy District Officer (Revenue), Burewala, replied that as per report of Tehsildar, Burewala, all

documents of partition of the complainant's land had been completed and the complaint stood fructified. The appeal filed by complainant Muhammad Akram made against the decision of Tehsildar, Burewala, had also been adjudicated and the complainant had been handed over possession of his share of land according to the decision of partition proceedings. Hence with the intervention of this Office, the grievance was redressed.

Complaint No. M/175/01/10/C-II/21/10

Release of Government Land from Un-Authorized Occupants

Khurshed Ahmed Sharfi S/o Hassan Muhammad of Chak No. 136/10-R (District Khanewal) came up with a complaint stating that there were two ponds in state land in the Chak for providing drinking water to the cattle. One of the said ponds had been occupied by some influential persons of the area who had also constructed houses thereon. Not only that, they had also cut and sold the trees which surrounded the pond. He requested to get the state land vacated from the un-authorized occupants.

The complaint was investigated. Revenue Department reported on 08.02.2010 that in the revenue record, there was an entry of state land measuring 3 Kanals and 19 Marlas in Khasra No. 39/2 of the Chak. Previously, according to Rapat, No.19 dated 09.09.1998, action was initiated against some persons under section 32/34. Similarly, Deputy District Officer (Revenue), Jahanian, had also ordered on 17.11.2007 to proceed against the unauthorized occupants under section 32/34, but there were Pacca houses on the spot and to remove them, heavy earth moving machinery and police force were required for the purpose. The Police and T.M.A. were not extending cooperation on one pretext or the other. Investigation of the complaint indicated that the state land/cattle pond had been illegally occupied by land mafia due to negligence of the revenue staff who were asked to initiate steps to get the state land vacated. They were pressed for doing the needful without further loss of time. Tehsildar, Jahanian, finally submitted his report dated 04.03.2010 that the state land had been got vacated by pulling down the houses of the illegal occupants and presently the land was in possession of the Government. The officers of the Revenue Department were directed to initiate immediate action against the illegal occupants.

The state land was thus got retrieved from the illegal occupants with the efforts of this office.

Complaint No.2024/05/2010/C-XII-18/2010

Request for Sanction of Mutation of Inheritance

The complainant, Sikandar Rasheed, stated that his mother died on 11.07.2008 and his maternal grandfather had also expired a few months earlier. The Revenue authorities were reluctant to incorporate inheritance mutation in favour of the legal heirs. He contacted Patwari Halqa but no action was taken. He requested for redressal of his grievance.

District Officer (Revenue), Nankana Sahib, reported that the complainant had approached Patwari Halqa for entry of the mutation. He was asked to provide proof of ownership and death certificate of the deceased and other legal documents.

During the hearing proceedings, the Tehsildar informed that on furnishing of the requisit documents by the complainant, mutation had been sanctioned in favour of legal heirs of the deceased.

The complainant verified redressal of his grievance.

COMMUNICATION & WORKS

Complaint No. 445/02/2009 C-VIII 24/2009

Compensation of Land Utilized In Construction of Road

The complainants' grievance was that although Highways Department, Lahore, had utilized their pieces of land in construction of a road, yet compensation was not paid to them. They had requested for a direction to the Agency to pay compensation to them as per law/rules.

In his report, the Agency i.e. XEN, Provincial Highways Division, Lahore, intimated that the complaint pertained to non-payment of compensation in respect of complainants' land utilized in construction of dual carriageway from Burhanpura Drain Bridge over Sundar-Raiwind Road to Raiwind Manga Road, Lahore. The plea taken by the Agency was that an amount of Rs.71,61,000/- was placed at the disposal of Land Acquisition Collector, Punjab Highways Department, Lahore, vide cheque dated the 14.06.1993 for payment of compensation to affected land owners. As per the report submitted by Land Acquisition Collector, Lahore, the said amount was, however, paid to affectees of another road vis widening/improvement of Raiwind Sundar Road.

During investigation of the case, it transpired that the road known as "dual carriageway from Burhanpura Drain Bridge over Raiwind Sundar Road to Raiwind Manga Road, Lahore", was constructed in 1992/1993 and that an amount of Rs.17.056 million was included in the estimate for acquisition of land. Later on, an amount of Rs.71,61,000/- was placed at the disposal of LAC, Lahore, for payment of compensation to the affected land owners. For one reason or the other, however, the said amount could not be disbursed to the affectees of the road under reference. The utilization of complainants' land without payment of compensation being an act of maladministration of the Agency, a direction was given to C&W Department to arrange/provide funds to the executing Agency/LAC, Lahore, for payment of compensation to the complainants in accordance with law/rules.

Complaint No. 6295/10/2006 C-VIII 377/2006

Denial of Pension on Grounds of Adhoc Government Service

Petitioner Allah Ditta, a former Baildar in the Highway Department, Kasur, previously filed a complaint in the year 2006, in this Office that he was appointed as Baildar on adhoc basis in 1986 and he continued to perform the job till he attained the age of superannuation in June, 2005. He stated that pension benefits were being denied to him on the ground that his adhoc appointment was not regularized. The complaint was investigated and finally the case was remitted to the Agency for further consideration as per the rules/law. Since no action was taken by C&W Department, despite the passage of more than three years, the complainant came back with a fresh

petition for redressal of his grievance regarding grant of pension. Taking serious cognizance of the apathy shown by the Agency in the sanction of pension to the complainant, the C&W Department was directed to take a definite decision with the approval of the competent authority in case there was any snag.

The C&W Department submitted a summary to the Chief Minister Punjab/competent authority for regularization of the petitioner's adhoc period from 28.05.1986 to 30.06.2005. On receipt of orders from the competent authority, an order dated 11.02.2010 read with corrigendum dated 22.02.2010 was issued by C&W Department regarding grant of ex-post facto sanction for regularization of the adhoc period of service in relaxation of the relevant rules.

Thus, on the intervention of this Office, the complainant's longstanding grievance was redressed.

DISTRICT ACCOUNTS OFFICES

Complaint No. 1569/04/09/C-IX-86/09, 2368/06/09/-C-IX-111/09

Payment of Pensionary dues

The grievance of Zubaida Bibi of Gujrat, a widow, was that District Accounts Officer (DAO), Gujrat, had ceased payment of her husband's pension. She complained that despite repeated requests, she had not received any response from the Agency.

The matter was taken up with the Agency which informed that the complainant's family pension case had been forwarded to Accountant General, Karachi (Sindh) for issuance of PPO. The matter was then taken up with the above authority which agreed to allow release of pension through AG, Punjab/DAO, Gujrat, for payment to the widow.

Later, DAO, Gujrat, intimated that an amount of Rs.67,995/- as the pension arrears had been paid apart from authorising a sum of Rs. 1167/- as monthly pension into the complainant widow's account in National Bank of Pakistan, Main Branch, Gujrat. Thus, the payment of pension started w.e.f. 01.06.2010. The complainant acknowledged redressal of her grievance by the Agency.

Complaint No. 1060/03/10

Delay in Payment of Family Pension

One Bushra from Bahawalnagar approached this Office stating that her father, Makhan Lal, worked as a Sweeper in District Headquarters Hospital (DHQ), Bahawalnagar. After his death, her mother was entitled to draw the pension, which she did till her death. She further stated that as the deceased's unmarried daughter, she was entitled to receive her father's pension till her marriage. She also stated that she was tired of running from pillar to post for payment of the pension. She requested Ombudsman's Office to help her in getting what was due to her.

The investigation of the case revealed that the complainant had made a valid claim. This Office pursued the matter vigorously, and after a persistent follow-up of the case, Medical Superintendent of DHQ, Bahawalnagar, and

District Accounts Officer, Bahawalnagar, looked into the matter concerning payment of pension to the deceased's daughter. Both the Agencies took up the matter with their concerned administrative departments and got the pension sanctioned in favour of the complainant.

Thus, finally, the matter was resolved in just three weeks' time. The complainant informed that her grievance had been redressed due to efforts made by the Office of the Ombudsman.

Complaint No. 1290/03/06

Payment of G.P. Fund Balance

Complainant Ghulam Sakina Bukhari from Vehari District voiced her grievance stating that she retired as a teacher from Government Girls Middle School (now high school) in Chak No.255/E.B, Tehsil Burewala, Vehari District, in the year 2002 on attaining the age of superannuation. She said that after her retirement she only received pension and gratuity but the amount of G.P. Fund was not paid to her. According to her, the school Clerk namely Muhammad Aslam demanded Rs.10,000 as illegal gratification from her for payment of her G.P. Fund dues. She further stated that she paid him Rs.7,000/- in advance and promised to pay him the remaining amount after getting her G.P. Fund. She contended that after some time the Clerk dealing with her case was transferred from that school and she was not paid G.P. Fund. She requested this Office to help her in the payment of the G.P. Fund dues and return of Rs.7,000/- paid as illegal gratification to the school Clerk.

The investigation of the case showed that the school Clerk did not maintain the Cashbook and the Roll Register for the said period. A report from District Accounts Officer, Vehari, proved that the complainant's G.P. Fund subscription of Rs.179,652/- was drawn by the former Senior Headmistress (Mrs. Nasreen Sheikh) through Clerk Muhammad Aslam, but neither the amount was entered into the Roll Register nor disbursed to the complainant.

On conclusion of investigation this Office directed District Education Officer (SE), Vehari, to get a case registered with Anti-Corruption Establishment (ACE) against the accused, Mrs. Nasreen Sheikh and the Clerk Muhammad Aslam, for embezzlement of the complainant's G.P. Fund money and to recover the said amount of Rs.179,652/- from both the accused persons. The DEO, Vehari, was also directed to ensure payment to the complainant.

The former (retired) Senior Headmistress (Mrs. Nasreen Sheikh) filed a representation before the Governor of Punjab against the decision of Ombudsman's orders. The Governor rejected the representation and upheld the decision of Ombudsman.

Finally, the complainant intimated this Office that she had received her G.P. Fund dues. Notwithstanding the payment of G.P Fund dues, Circle Officer of ACE, Vehari, got a case registered against both accused persons, which was discharged on a written application by the complainant, who had apparently pardoned the accused Headmistress and the school Clerk.

DISTRICT GOVERNMENT

Complaint No. 5809/09/06/POP/C-II-195/2006

Request for Financial Assistance

Muhammad Azam filed a complaint that Muhammad Zaman his uncle was injured in road accident near Luck Morr, Sargodha. Financial assistance Rs.50,000/- as announced by the Government was not disbursed to Muhammad Zaman, the injured.

During proceedings in this office, the claim was found justified and the Hon'ble Ombudsman vide his order dated 29-02-2008 directed the DCO, Sargodha to make payment till 29-03-2008. The DCO assailed the order of the Hon'ble Ombudsman by making a representation to the Governor, Punjab u/s 32 of the Office of the Ombudsman Punjab Act 1997 which was rejected on 31-03-2010. As a result of efforts made by this Office, the requisite payment was made to the injured person.

EDUCATION

Complaint No. C-3871/09/2010-Adv-II-240/10

Charging of Illegal Admission/Registration Fee/Fine from Students

Dr. Ghulam Nabi Shakir, Headmaster Govt. High School, Warburton Gaon, Distt. Nankana Sahib, approached the office of Ombudsman with a complaint stating that under a policy decision taken by the Govt. of the Punjab, regular students of Matriculation studying in Govt. schools were exempted from payment of admission and registration fee which was earlier charged by the Educational Boards. As per instructions of the Boards, the Govt. schools were required to submit particulars of students studying in Matriculation (part-I) to the Boards for registration by 31-05-2010. His school sent enrolment return of students of Matriculation (part-I) to BISE, Lahore, on 31-05-2010 through courier service. The Board demanded fee @ Rs.700/- per student (amounting to Rs.95,200/-) plus special fine of Rs.5,000/- from the school on the ground that the enrolment return of the students was received late. He requested the Board to justify its demand for payment of fine/registration and admission fee, but did not receive any satisfactory response. The complainant maintained that when the Govt. had granted general exemption from payment of admission and registration fee by the students and enrolment return of the students was also sent to the Board on the closing date, there was no justification for charging admission and registration fee and fine. The complainant requested that the Agency/BISE, Lahore, be directed to adhere to the policy decision of the Govt. regarding exemption from payment of admission and registration fee (by regular students) and not to charge fine.

BISE, Lahore, took the stance that the Board being an autonomous body had to generate its own resources/funds by charging fine/fees/service cost. The Govt. schools/ institutions were required to send enrolment returns by 31-5-2010. The complainant, as Headmaster of a Govt. school, did not adhere to the deadline in sending the enrolment return of students of class IX

of his school. The Board, as per its regulations, asked the complainant/his school to pay enrolment and admission fee @ Rs.700/- per student alongwith fine on grounds of late submission of enrolment return.

The investigation of the complaint revealed that the Govt. of Punjab exempted regular students studying in Govt. schools/institutions, from paying admission and registration fee without any condition. This exemption was not circumscribed in its operation under any special circumstances like late submission of registration return etc. The Board failed to refer to any decision of the Govt. to prove that the general exemption in respect of payment of admission and registration fee was conditional. The notification dated 08-04-2010 issued by BISE, Lahore, did not refer to revocation of this exemption under some special circumstances. When the regular students were granted full exemption from payment of admission/registration fee, the Educational Boards could not ask the students to pay enrolment fee and late admission fee (Rs.300/- + 400/-) on the ground of late submission of enrolment return by any Govt. school/institution. The Headmaster, Govt. High School, Warburton Gaon, Distt. Nankana Sahib submitted enrolment return of students of class IX on the closing date (31-5-2010) through courier service. Even if the contention of the Board that enrolment return sent by the school was received late i.e. after the closing date, was accepted, the Agency/BISE, Lahore, was not competent to demand payment of Rs.700/- per student as enrolment fee/late admission fee in the presence of an unequivocal policy decision taken by the Govt. about exemption from payment of those fees. The Board could, if it felt that the enrolment return was submitted late, only ask the school to pay fine of Rs.5000/- as per its rules. Since the demand of the board regarding charging of Rs. 95,200/- (@ Rs.700/- per student) from class IX students of Govt. High School, Warburton Gaon, was an odious departure from the Govt. policy of exemption (from payment of registration/admission fee), the Agency/BISE, Lahore, was held to be responsible for maladministration in terms of section 2(2)(i)(a) & (b) of the Punjab Office of the Ombudsman Act 1997. They were accordingly directed to withdraw the demand for payment of registration fee and the late admission fee etc on the ground of late submission of the enrolment return by the school. A copy of the order was sent to all Educational Boards in the Punjab for implementation.

Complaint No. C-3795/09/2010-Adv-II-236/10

Payment of Arrears of Salary and Revision of Order of Appointment

Munazza Rauf Syed a visiting faculty member in Queen Mary College Lahore stated that she was appointed to teach "O" level students in the College on 25.11.2009 and despite being a single parent, she was performing her duties (as a teacher) with utmost dedication. She was, however, dismayed on denial of salary for the months of July & August 2010. No reasons were conveyed to her for non- payment of salary for those two months. Moreover, she was being discriminated against as she was being paid lesser salary at a fixed rate out of the Endowment Fund whereas the other teachers with the same qualifications and lesser load of work were getting regular and more pay. The complainant stated that her appointment at fixed salary was an act of discrimination and requested for directions to the Agency for disbursement of salary for the months of July & August 2010.

The Principal, Queen Mary College, opposed the complaint maintaining that the college was an autonomous body with a Board of Governors (BoG) which was competent to take any decisions regarding appointment of teaching and other staff. The complainant was appointed by the Principal as a visiting teacher to teach the students of 'O' level. The Principal contested that the complainant was not entitled to receive salary during vacation (July & August) because she was not a regular employee of the college and as she had accepted the offer of her appointment at a fixed salary (Rs.15,000/-PM) she was not entitled to claim salary like a regular employee in a time scale.

The complainant responded to the stance taken by the Principal by maintaining that as she continued to be the employee of the college during vacation, she could not be denied salary for the month of July and August. She also maintained that one Syed Fazal Ullah Naqvi was also appointed as a visiting teacher, but he was being paid higher salary without any interruption, and she was thus being discriminated against.

The facts and the record revealed that there was force in the complainant's claim for payment of salary during the months of July and August 2010. The Agency admitted in its report that the complainant continued to be the employee of the college during the vacations and her service was not terminated during that period. It was thus concluded that as the complainant's service was neither terminated during the period of vacation and nor was there any provision in the order of her appointment about stoppage of salary during the vacation, withholding her salary for the months of July and August was an act of maladministration. The Agency/Principal, Queen Mary College was, therefore, directed to pay salary to the complainant for the subject period. The Principal, Queen Mary College, informed later that she had implemented the directions of Ombudsman by releasing salary to the complainant for the period of vacation.

Complaint No. C-3631/09/2010-Adv-II-225/10

Issuance of Result Card of Matriculation (Part-I) Examination (2010)

Two students namely Qaiser Ali Abbas and Raees Afzal approached the Office of Ombudsman stating that they appeared in Matriculation part-I examination 2009 and cleared that exam, but since the marks obtained by them were not as per their expectations, they again submitted their admission forms and reappeared in the said examination (class IX) in 2010 on the basis of Roll No. slips issued by BISE, Lahore. They were, however, not being issued result cards by the Board. The complainants maintained that as they were allowed by the Board to reappear in the Matriculation part-I examination (2010), there was no justification for withholding their result. The complainants requested for direction to issue them result cards relating to Matriculation (part-I) examination 2010.

When confronted with the contents of the complaint, the Controller of Examinations/ BISE, Lahore, contended that the complainants were not eligible to reappear in class IX examination in 2010 because they had passed that examination in 2009. As per rules of the Board, only those students who obtained less than 33% marks in any subject/paper in Matriculation part-I examination, were eligible to reappear in those subjects during the next year.

The complainants' result cards relating to Matriculation part-I examination were, therefore, not issued in accordance with rules.

The complainants responded to the stance taken by the Board contending that they had not concealed anything when they filled and submitted the admission forms for Matriculation part-I examination 2010. They had even mentioned their previous Roll Nos and enclosed the result cards of class IX examination (2009) issued by the Board. As they were issued Roll No slips, they sat in the said examination. They further maintained that they had not committed any irregularity. The Controller of Examinations of the Board admitted that the result cards of Matriculation part-I examination 2009 issued to the complainants, were valid and on the basis of those result cards, they could appear in Matriculation part-II examination 2011.

The record revealed that the complainants passed Matriculation (part-I) examination in 2009, but instead of appearing in Matriculation (part-II) examination in 2010, they reappeared in Matriculation (part-I) examination. Apparently, the complainants did not conceal the fact about their having previously appeared in Matriculation part-I examination as they not only mentioned their previous Roll Nos, they also enclosed the result cards of Matriculation part-I examination 2009 with their admission forms. They were issued Roll No slips by the Board and they sat in the examination and passed the same again. It was, however, correct that they were not eligible to reappear in class IX examination in 2010 in terms of rule 8 of the Examination Rules, copies of which were enclosed with the admission forms. Since it was evident that the complainants, despite being ineligible to reappear in the examination, were allowed to reappear due to the negligence of the staff of the Agency/BISE, Lahore, the Chairman, BISE, Lahore, was directed to take a positive decision on their request for issuance of result cards relating to Matriculation part-I examination 2010 or to at least assure them about their being eligible to appear in Matriculation part-II examination 2011 on the basis of result cards of class IX examination 2009 which had not yet lost their validity.

Complaint No. C-1578/04/2010-Adv-II-103/10

Sanction of Marriage Grant/Responsibility for Delay

One Mohammad Siddique voiced his grievance stating that as a retired employee (Learning Coordinator) of Education Deptt. (Distt. Nankana Sahib), he submitted an application "through proper channel" for sanction of marriage grant soon after the marriage of his two daughters in July 2006, but despite passage of four years, he had not been paid the said grant. He repeatedly visited the office of EDO (E), Nankana Sahib, and also appeared before the DCO, but to no avail. The complainant requested that directions be given to the Agency to sanction marriage grant (out of Benevolent Fund) without further delay.

EDO (E), Nankana Sahib, took the stance that the complainant submitted an application for sanction of marriage grant to his office on 21-01-2009. However, as he had not enclosed the requisite documents (Nikah Nama etc), he was asked to furnish the same, but he did not come back with the requisite documents. The Agency maintained that the complainant's

application for sanction of marriage grant would be forwarded to DCO, Nankana Sahib, on receipt of the requisite documents.

Investigation of the complaint revealed that the complainant submitted applications for sanction of marriage grant (out of BF) soon after the marriage of his two daughters in July 2006, which were forwarded by DEO (MEE) to EDO (E), Nankana Sahib, vide his memo No.900/BF dated 25-7-2006. The case was however, misplaced by some official in that office. The EDO (E), Nankana Sahib had, for the same reason, initiated action against a Clerk of his office. As it was established from the record that the complainant had timely submitted his applications for sanction of marriage grant (out of BF), he could not be considered responsible for the delay. The Agencies/EDO (E) and DCO, Nankana Sahib, were accordingly directed to process the complainant's latest request/reminder for sanction of marriage grant and to finalize the matter in accordance with rules within a period of two months.

Complaint No. C-3261/08/2010-Adv-II-202/10

Appointment as Secondary School Educator (Computer Science)/Status of the Degree of Alkhair University

One Ashid Baig, a candidate for appointment as School Educator, stated that in response to an advertisement, he applied for appointment as Secondary School Educator (SSE -CS) in Education Deptt./Distt. Kasur. An objection was, however, raised about his degree of MCS issued by Al-Khair University chartered by Azad Jammu & Kashmir Govt. He informed the Deptt. that Al-Khair University was a chartered university and the degrees of that university were recognized by Higher Education Commission, but he was not called for the interview. The complainant requested that direction be given to the Agency/ EDO(E), Kasur, to allow him to participate in the selection process for appointment as SSE (CS).

EDO(E), Kasur, opposed the complaint maintaining that the complainant had obtained the degree of MCS from Al-Khair University, Azad Jammu & Kashmir, which was not allowed to admit any student after 30-04-2009 by the Higher Education Commission (HEC). The complainant's application for recruitment was rejected by the Distt. Scrutiny Committee as according to the Committee, the degree of MCS issued by Al-Khair University was not acceptable.

The complainant responded by maintaining that not only the Al-Khair University was a chartered university, the degree of MCS obtained by him from the said university was confirmed by HEC. He produced original confirmation of the degree by HEC. He also maintained that the university was admitting students and awarding degrees, during the period (2003-04) when he was studying there and if any decision was taken by HEC in 2009, that decision was not applicable in the case of the students who had obtained their degrees in the past.

The record revealed that the complainant submitted an application for appointment as SSE (CS) in Education Deptt./Distt. Kasur. He enclosed a copy of the degree of MCS with his application. He was not allowed to participate in the selection process/interview on the ground that he had obtained the degree of MCS from Al-Khair University (a private university) of Azad Jammu & Kashmir. The documents produced showed that Al-Khair

University was a chartered university and the degree of MCS obtained by the complainant was confirmed by HEC. No record was produced by the Agency to show that the recognition of Al-Khair University was withdrawn by HEC during the period the complainant was enrolled in that university. Since the HEC had recognized the degree of MCS obtained by the complainant from Al-Khair University, it was held that no agency could, at its discretion, reject that degree or stop the complainant from participating in the selection process/interview. DCO and EDO(E), Kasur, were accordingly directed to allow the complainant to participate in the selection process/interview and to assess his merit on the basis of his academic records as per rules.

Complaint No. C-4138/10/2010-Adv-II-260/10

Admission in Post-Graduate Diploma in Speech & Language Therapy/Issue of Age Limit

Saadia Saleem from Lahore approached the office of Ombudsman stating that she was at sr. No. 2 in the merit list for admission in postgraduate diploma course in speech & language therapy in Govt. Training College for Teachers of Deaf, Gulberg, Lahore. However, as she was above the upper age limit of 26 years, (a condition for the grant of admission) she submitted an application to Secretary, Special Education, for relaxation in the upper age limit, but did not receive any response. The complainant requested for directions to the Agency/Special Education Deptt. to relax the upper age limit in her favour so that she could get admission in the post-graduate diploma course.

Secretary, Special Education and Director, Special Education Punjab, when confronted with the complaint maintained that Govt. Training College for Teachers of Deaf, Gulberg, Lahore, was affiliated with the University of Education, Lahore. The college had approached the University for guidance regarding the criteria for admission of candidates in the post graduate diploma of speech and language therapy. The university informed the college that the maximum age limit for admission in the post-graduate diploma course was 26 years, and an advertisement was accordingly issued in August 2010. Several candidates including the complainant who were beyond the upper age limit, had approached the college for relaxation in upper age limit, but in the presence of the conditions laid down by the University, their request of relaxation in age limit was not being considered. Moreover, some affected candidates (above the upper age limit of 26 years) had approached the High Court with a writ petition.

The complaint was investigated in the presence of all the stakeholders. The record showed that when the complainant applied for the subject admission, she was eligible on the basis of her academic record except for the bar of age as she was above the age limit of 26 years, by 2 years, 9 months and 23 days. The Principal of the college did not, therefore, grant her admission and referred the matter to Secretary, Special Education, for advice. Decision from Secretary, Special Education, was awaited when a writ petition was filed by another candidate, Attiqah Qureshi. ICA No. 839/10 filed in the same connection was said to be presently pending adjudication but through an interim order dated 01-11-2010, the Hon'ble High Court had

directed the department to “provisionally” relax the upper age limit in favour of the appellant/Attiqa Qureshi.

The investigation of the case revealed that the University of Education, with which the Govt. Training College for Teachers of Deaf was affiliated, had not debarred any candidate who was above the upper age limit of 26 years, from admission. A note in the summary of proposed post graduate diploma in speech & language therapy prepared by the University of Education read as follows. “The candidates crossing the upper age limit (26 years) shall be granted admission by the competent authority in deserving cases if the candidate fulfills the requirements.” It was obvious, therefore, that even in terms of the proposed criteria for admission in the post graduate diploma course furnished to the college by the University of Education, there was no bar against admission of candidates above the upper age limit of 26 years. No one in the office of Secretary, Special Education, or the Principal of the College had carefully studied the draft guidelines/criteria (furnished by the University of Education) for admission. This indifferent attitude on the part of the concerned agencies had deprived a number of otherwise eligible candidates of admission – against atleast 15 seats which were not filled and were available. The Principal of the college was directed to consider the complainant’s request for admission in the light of the existing criteria determined by the University of Education and also to apply the interim orders of the High Court (in the ICA filed by another candidate) in the case of the complainant and others placed in the same situation.

Complaint No. 3465/8/10/C-V-63/10

Appointment as Laboratory Attendant/Baildar

The complainant stated that he applied for the post of Laboratory Attendant/Baildar in Government Municipal Degree College, Toba Tek Singh, under 20% quota reserved for the wards of in-service government servants since his father was working as a Laboratory Attendant in the same institution. He added that 18 posts meant for general quota were filled but no appointment had been made against in-service quota. He requested for a direction to Education Department to appoint him as Baildar against the said quota.

The matter was taken up with DEO (C), Toba Tek Singh, who reported that vide letter dated 16.5.2009, Higher Education Department had initially stopped filling of grade I to IV posts but later on the ban was lifted vide letter dated 25.10.2010. Out of 10 posts, 2 posts fell within the purview of in-service quota which were, however, not filled due to ban imposed on such recruitment by higher authorities/DCO, Toba Tek Singh. Meanwhile, Principal, Government Municipal Degree College, Toba Tek Singh, reported that two posts of Class IV were lying vacant in his college but recruitment could not be made owing to the reasons cited by DEO(C).

The matter was then taken up with the Higher Education Department, Govt. of the Punjab, Lahore, which intimated that complainant had been appointed as Baildar in Municipal Degree College, Toba Tek Singh.

On the intervention of this Office, the complainant’s grievance was redressed.

Complaint No. 734/02/2010/ C-IX-25/2010

Grant of Financial Assistance

Complainant Kalsoom Bibi of Gujrat District stated that her husband Muhammad Aslam, a teacher at Govt. Primary School, Behanawala, Gujrat District, died on 14.12.2005 while in service. His death, the widow complained, had pushed her into deep financial crisis as she did not have any means of livelihood and had to seek financial help. But her application for financial assistance was reported missing or misplaced in the office of the District Education Officer (DEO). The complainant said she was asked to file an application afresh, which she did. According to her, she submitted another application for financial assistance to the DEO (M-EE), Gujrat, on 02.09.2008, but to no avail. She regretted that she was running from pillar to post and dismayed by the attitude of the DEO's office, she contacted this office for help.

The Agency, EDO (Education) and DEO (M-EE), Gujrat, in their joint report submitted to this office on 18.03.2010 reported that the case had been delayed due to misplacement of the file in DDEO's Office, which was directed to prepare a fresh case. The EDO(E), Gujrat, informed this office that the officials found guilty had been suspended. Furthermore, the EDO(E) stated, a fresh case prepared by his office had been submitted to the DCO for sanction of financial assistance. The EDO (F&P), Gujrat, was directed by phone for speedy disposal of the case so as to save the widow from desperation and disappointment upon which the EDO responded positively. He provided a copy of the sanction order, issued to EDO (Education), for payment of Rs. 300,000/- to the complainant/widow. As follow-up of the case, an official of the EDO(E), Gujrat Office, appeared in this Office on 17.05.2010 and produced a copy of the cheque dated 12.05.2010 for payment of the sanctioned amount of money.

The grievance of the widow was thus redressed on intervention by the Ombudsman's Office.

Complaint No. 1361/03/2010 C-VIII 49/2010

Request for Appointment

The complainant, Ms. Asma Ismail, stated that she applied for the post of Educator in Education Department, Sahiwal. The candidate who was at No.1 in merit for Government Primary School, Chak No.169/9-L was, however, appointed in Government Elementary in School, Chak No.165/9-L. She was at No.2 in merit for Chak No.165/9-L, but the department did not offer the post to her and rather appointed a candidate who was at No.3 in merit. She requested for a direction to the department to issue her appointment order in accordance with merit.

In response to a notice issued by this Office, the Agency reported that the complainant had applied for appointment as Educator in Government Primary School, 169/9-L, Government Primary School, 26/11-L and some other schools. As per merit list, her position in respect of Chak No.169/9-L was 5th whereas it was 14th in respect of Chak No.26/11-L. During first phase of appointment, one Shahzad Ali who was on merit No. 1 in respect of Chak No.169/9-L was appointed vide letter dated 24.10.2009 and the complainant was appointed in Government Primary School 26/11-L vide letter

dated 24.10.2009. She did not join the place of her posting and, therefore, lost her right of appointment in any other school. As for Mr. Shahzad Ali, since he had applied for different vacancies i.e. ESE and SESE, his appointment order in respect of Government Elementary School 165/9-L was also issued who, instead of joining the post in Chak No.169/9-L reported for duty in the other school vis Chak No.165/9-L. It was added that Education Department had not dispatched appointment letters to selected candidates through post and that all appointees were informed telephonically. The complainant did not join her place of posting nor did she approach the department in that regard for about three months. Since the complainant had failed to join her place of posting i.e. Chak No.26/11-L she lost her right of appointment and, therefore, no further appointment order in her favour could be issued in second phase.

During investigation, the Agency admitted that the complainant's appointment order dated 24.10.2009 in respect of Chak No.26/11-L was not sent to her through post and that necessary intimation was conveyed to her through incharge of the said school. The Agency's contention was not found tenable because it was the responsibility of the department to ensure delivery of the appointment order to the complainant which, however, was not done. It was held that the matter amounted to maladministration of the Agency. A direction was, therefore, given to District Coordination Officer, Sahiwal, to examine all aspects of the matter and after hearing the point of view of the complainant decide the same according to law and justice through a speaking order.

In compliance with the above direction, District Coordination Officer, Sahiwal, decided the complainant's case vide order dated 20.08.2010 inter alia with a direction to District Education Officer (M-EE), Sahiwal, to offer appointment to the complainant as Elementary School Educator (ESE) against a vacant post at Government Primary School 172/9-L, Tehsil Chichawatni (a nearby school of GPS 26/11-L). On the intervention of this office, the matter was thus resolved

Complaint No. S-1229/09/2009/C-II-133/2009

Appointment as Bulawi

Complainant Zakia Arshad, a widow, came up with a complaint that her husband had died of heart failure while working as a Junior Clerk at Govt. Girls Higher Secondary School, Chak No.45/S.B, District Sargodha. After his sudden death, it became difficult for her to meet even the family's immediate needs out of her husband's insufficient pension as her husband was the sole bread-winner of his family.

She applied for the job of a Bulawi at Govt. Higher Secondary School, Chak No. 45 South, Tehsil and District Sargodha, against a vacant position to Executive District Officer, Sargodha, as under Rule 17-A she was entitled to the position. Her application was forwarded to District Education Officer (Secondary), Sargodha, on 04.04.2009 under a special quota allocated for the purpose under the rules. But, she complained, her application was kept pending. She requested for a direction to the Agency to appoint her under Rule 17-A.

Representative Cases

The Principal, Govt. Girls Higher Secondary School, Chak No.45 South, Tehsil and District Sargodha, reported that one Zareena Bibi was appointed against the vacancy who was dismissed later on when it was found that her appointment had been made in violation of rules. Resultantly, Zareena Bibi filed a writ petition No. 12792/09, against the school Principal as well as Education Department, which was still pending in the High Court.

During investigation of the case, the complainant contended that since there was no court order concerning the issue, she be appointed temporarily against the vacant position at Govt. Girls Higher Secondary School, Chak No.45 (South). She further suggested that she be transferred to Govt. Girls High School, Chak No.107 South, Sargodha, against a vacant position in case the matter pending in High Court was decided in favour of Zareena Bibi.

During hearing of the case, the complainant was made to understand that her appointment at her desired place/Govt. Girls Higher Secondary School, Chak No. 45 (South) could not be made because the matter was still pending in the court. She was offered to join Govt. Girls High School, Chak No.107 South, as a Naib Qasida, because there was no vacancy of a Bulawi over there. But she refused the offer, saying that the school was away from her home and therefore, it was not possible for her to travel a long distance everyday. DEO (Secondary) was again asked to resolve the issue, who reported that the position of a Bulawi was vacant at Govt. Girls High School, Chak No.41/S.B, in Sargodha, where the complainant could be adjusted.

Finally, the complainant accepted the job offer and confirmed that the school at Chak No.41 was not far from her home and it was convenient for her to join and work there as a Bulawi. Thus, as per orders of DEO (Secondary), Sargodha, the Headmistress of the school appointed the complainant, who informed this office that her grievance had been redressed.

Complaint No. S-291/03/2010/C-II-34/2010

Reimbursement of Medical Bill

Muhammad Khalid Zafar of Tehsil Kalore Kot, Bhakkar District, lodged a complaint stating that during his service as a teacher at Govt. High School, Umerwali, Bhakkar District, he and his son (Abu Bakar) fell ill and their treatment cost him Rs.9,920/-. He contended that he applied to the concerned department for reimbursement of his medical bill but a Clerk in District Education Officer (DEO) Office, Bhakkar, Munir Hussain, delayed reimbursement for about two-and-a-half years. He also stated that the Clerk Munir Hussain had deliberately misplaced his medical bill. He complained to DEO but no action was taken.

In his report, DEO, Bhakkar, admitted that the bill was lost somewhere during the process because the complainant had mentioned someone else's home address due to which the reimbursement could not be made.

The matter was then taken up with District Accounts Officer (DAO), Bhakkar, who reported that reimbursement could be made if original copy of the medical claim was produced. DEO (Secondary), Bhakkar, was directed to send a copy of the claim to DAO, Bhakkar, who followed Ombudsman's directions. As a result, DAO, Bhakkar, issued a cheque for Rs.9,920/- to the complainant who confirmed having received the cheque.

The complainant's grievance was thus redressed.

Complaint No. S-46/02/2009/C-II-14/2009**Non-Payment of Pension Dues**

Shazia Noureen of Sargodha stated that her late husband, Muhammad Hanif, who worked as a Chowkidar at Govt. Primary School Sargodha, died in 2004. She applied to Education Department in Sargodha for payment of pension dues of the deceased but her request went unheeded, with the result that there was no progress despite passage of more than five years.

District Education Officer (DEO), Sargodha, and Deputy District Education Officer (M-EE), Sargodha, said in their joint report that the deceased Muhammad Hanif was found dead in his school room, and his death was considered suicide. Nevertheless, according to Muhammad Nawaz, brother of the deceased, the widow was charged with her husband's murder. So he (the deceased's brother) had moved an application to the concerned authorities, asking not to grant pension dues to the widow. Muhammad Nawaz contended that he had also moved the court against the accused for the murder of his brother. Additional District & Sessions Court judge, Sargodha, had ordered District Police Officer (DPO), Sargodha, to investigate and present his report.

During hearing of the case, Deputy District Education Officer (M-EE), Sargodha, stated that he had not been provided with a copy of the first information report (FIR). It was discovered that no order for registration of a case was issued by Additional District & Sessions Judge, Sargodha, and the petition was disposed of.

Muhammad Nawaz was summoned by this office and asked to produce a copy of the FIR, but he could not produce that. It became clear that as criminal proceedings were not initiated against the accused (widow) for such a long time, the pension matter could not be left pending anymore.

After correspondence with the concerned authorities, including DCO, EDO (F&P), EDO(E) and DAO, Sargodha, the case was decided on the intervention of Ombudsman Punjab's Office and dues of Rs.165,025/- were paid to the complainant, who confirmed having received the same. She also received the Pension Book. The widow's grievance was redressed.

Complaint No. M/3253/10/09/Adv/205**Payment of Delayed Pension Dues**

Manzoor Ahmad Soomro of Khairpur Tamewali, District Bahawalpur, stated that he was appointed as a Class IV employee against a leave vacancy vide order dated 01.03.1979. Later, he was adjusted against a permanent post in Government Girls Elementary School, Chak No. 161 Murad, Hasilpur, wherefrom he retired on superannuation. He complained that he was not paid his pension dues on the plea that orders for his regularisation were not available on record. He stated that since he was not a literate person, he did not understand the problem. He requested for redressal of his grievance.

In his report, Executive District Officer (Education), Bahawalpur, conceded that the complainant was appointed vide orders issued by District Education Officer (W), Bahawalpur and later on, he was appointed in Govt. Girls Middle School, Chak No. 161, Murad, vide order dated 03.06.1979. The complainant's Service Book bore signature of the competent authority. His

appointment was, however, objected to during audit of accounts for 2001-2002 and the recovery was imposed. Due to audit objection, pension papers could not be completed.

During hearing of the case, a representative of the Agency produced a copy of PPO issued in favour of the complainant after regularization of his service.

Complaint No. M/2268/06/09.Adv.No. 126

Grant of Maternity Leave to Contract Employees (Female)

Adeela Saeed of Pirwala, Multan, complained that she was granted maternity leave from 02.02.2009 to 02.05.2009 (without pay) as an SESE at Government Girls School, Bhogi Shaheed Markaz, Tehsil Jalalpur Pirwala, District Multan. Since according to a government notification, maternity leave was admissible to a contract employee with pay, she submitted precedents of District Lodhran and District Bahawalnagar to the department but no heed was paid to her request. She requested for a direction to the Agency for redressal of her grievance.

The Agency took up the plea that as per terms and conditions of the complainant's contractual appointment mentioned in the letter issued to her, there was no provision about grant of maternity leave with pay, nor any instructions had so far been received from the Government for sanction of maternity leave with pay.

Ombudsman's Office observed that on the basis of Recruitment Policy 2004, issued by the Punjab Government, female employees appointed on contract basis were entitled to maternity leave with pay once during five years of service. Since the complainant had more than five years' service at her credit, she was entitled to maternity leave with pay. The Agency was, therefore, directed to revise the order and make payment to the complainant.

According to the compliance report filed by the Agency, a fresh order for sanction of leave with pay was issued in favour of the complainant.

Complaint No. C-178/01/2010-Adv-II-15/2010

Appointment of a Female Candidate as Elementary School Educator in a Boys Primary School/Questions of Option

Robina Kausar from Distt. Bahawalnagar approached the office of Ombudsman stating that she applied for appointment as ESE in various schools including primary/elementary schools for boys. She was entitled to appointment in the Govt. Elementary School for Boys of her village/Chak No. 302/HR Tehsil Fort Abbas on merit, but she was not considered. She placed her point of view before a committee constituted by the DCO. She was assured that she would be considered for appointment in a boys school, but nothing was done practically. On the other hand, several candidates (Asma Rafiq, Saima Rafiq and others) who had likewise submitted separate applications for appointment in boys primary/elementary schools had been appointed.

The complaint was investigated. The Agency/EDO (E), Bahawalnager, maintained that as the complainant had submitted two separate applications for appointment as ESE in the girls and boys primary/elementary schools, she was considered for appointment only in the girls schools being a female

candidate. The complainant controverted the stance taken by the Agency contending that she was discriminated against as in several other cases, female candidates were considered for appointment in boys primary/elementary schools. She referred to the cases of Asma Rafique, Saima Rafique, Ayesha Siddiq, Zarina Kausar, Sakina Kausar and Humaira Asghar who were appointed in male institutions. The Agency had to admit that at least in 125 identical cases, representations were accepted and the female candidates (who had submitted two separate application forms) were also considered for appointment in the boys schools. DMO, Bahawalnagar, informed that the DEO (MEE) was responsible for not processing the complainant's case for appointment in the boys primary/ elementary school after her representation was accepted by competent authority/ committee.

The record showed that the complainant had submitted two separate applications – one for appointment (as ESE) in boys primary/elementary school and the other for appointment (as ESE) in the girls primary/elementary schools in Distt. Bahawalnagar in February 2009. Apparently, the complainant had submitted two separate applications for one category of posts (ESE) contrary to the instructions contained in the advertisement, but as the representations of at least 125 female candidates who had (similarly) submitted two separate applications were accepted, the complainant also filed a representation for consideration of her candidature for appointment as ESE in the boys schools (as per her option). The complainant's representation was accepted by the Appellate Committee and she was allowed to be considered for appointment in the boys schools. Several female candidates (Asma Rafique, Ayesha Siddiq, Zarina Kausar, Sakina Kausar and others) who had similarly submitted two separate applications were appointed in boys schools on acceptance of their representations but discrimination was made against the complainant. Maladministration was thus established against the Agency. EDO (E) was directed to rectify the injustice done to the complainant and to ensure that the complainant was considered for appointment as ESE in the boys school and to take further action (revision of merit lists/appointment etc) in accordance with rules. The directions of Ombudsman were implemented and the complainant was appointed in a boys school on merit in accordance with her option/priority.

Complaint No. C-435/01/2010-Adv-II-30/2010

Extension in the Period of Internship of B.Ed. Female Students without Their Option/consent

Iram Bashir and 15 other female students of B.Ed. approached the Office of Ombudsman stating that they had got admission in B.Ed. course during the session 2008-09 in Govt. College for Elementary Teachers, Kot Lakhpat, Lahore. According to the contents of the prospectus issued by the College, they (as trainee teachers) were required to spend only three months on internship/practical work in different schools. On completion of three months, the period of internship was unilaterally extended and they were forced to spend nine months on internship without any justification. They were paid stipend which was not sufficient. The complainants requested for directions to the agency to stick to the original terms and conditions of B.Ed.

programme and not to force them to complete nine months of internship in schools.

The Agency was confronted with the contents of the complaint. The Directorate of Staff Development maintained that the period of internship was extended from three to nine months for B.Ed. students in order to attract talent and to enhance professional standards of the teachers and that the internees were being paid an amount of Rs.30,000/- each, as stipend to compensate for the extra work done during the extended period of internship. The complainants argued that the Agency had violated the terms and conditions of B.Ed. program as given in the Prospectus and that the peculiar problems faced by female students did not justify any extension in the original period of practical training. The Agency admitted that the consent of the female trainee teachers was not obtained before extending the period of internship. It was also admitted that the exact duration as per the conditions mentioned in the prospectus for students of B.Ed. was only three months. The investigation of the complaint revealed that the complainants/female trainee teachers had not been treated fairly and the agency had extended the period of their practical training in different/remote schools without any reasonable justification. Payment of Rs.30,000/- as scholarship for the extended period was not considered a sufficient amount for compensation. The Agency was directed that the complainants be paid suitable compensation/scholarship for the arduous work done by them during the extended/nine months period of internship. It was further directed that in future, specific consent of the trainees (particularly the female trainee teachers who had to face problems due to extension in the period), be obtained before the grant of extension in the period of internship even if any stipend was to be paid during internship.

Complaint No. C-478/01/2010-Adv-II-31/2010 **Appointment as Elementary School Educator (ESE)**

Anwar Parveen, a candidate for appointment as School Educator in District Pakpattan, approached the Office of Ombudsman contending that her merit (based on her academic qualifications) entitled her to be appointed as ESE in Govt. Girls Primary School, Parnay Shah, Arifwala, Pakpattan, but she was ignored and instead, another female candidate who was lower in the merit list, was appointed in the said school. The complainant requested for directions to the Agency for her appointment as ESE in accordance with her merit/academic qualifications.

When confronted with the contents of the complaint, DEO (WEE), Pakpattan maintained that the complainant was not appointed as ESE in Govt. Girls School, Parnay Shah, because she had done "Shahadat-ul-Almiya" and was accordingly not awarded marks of higher qualification/MA. The complainant responded by contending that she was entitled to receive extra marks of MA (Arabic/Islamiyat) since the qualification of Shahadat-ul-Almiya was equivalent to MA (Arabic/Islamiyat) as per policy of Education Deptt./Higher Education Commission. The Agency's representative admitted during proceedings that as per Govt. instructions, the qualification of Shahadat-ul-Almiya was equivalent to MA (Arabic/Islamiyat) for the purpose of teaching the subjects at college level/appointment as lecturers.

The investigation of the complaint revealed that the complainant was deprived of the marks of MA even though the qualification of Shahadat-ul-Alimiya has been declared equivalent to MA (Arabic/ Islamiyat) by the Education Deptt. for the purpose of teaching the subjects at college level. The complainant did possess the basic prescribed qualification (BA + professional qualification) for appointment as ESE and this fact was not denied by the Agency. The complainant apparently lost her chance for appointment (as ESE) since she was denied extra marks of higher qualification of Shahadat-ul-Alimiya declared equivalent to MA (Arabic/Islamiyat) by the Govt. If the said qualification (Shahadat-ul-Alimiya) was relevant for teaching at college level, there was no valid reason for not considering the said qualification relevant for teaching/appointment at school level. In denying these (extra) marks to the complainant without any reason/ justification, the Agency committed an act of maladministration. The Agency/EDO (E), Pakpattan was directed to award marks of MA/Arabic/Islamiyat (Shahadat-ul-Alimiya) to the complainant and to revise the merit list for appointment as ESE in Govt. Girls Primary School, Parney Shah, Distt. Pakpattan, accordingly.

Complaint No. C-553/02/2010-Adv-II-36/2010

Fresh Appointment as Elementary School Educator (ESE) on Merit after Joining one School

A complainant (Hafiza Amreen Anjum) approached the Office of Ombudsman stating that when she applied for appointment as ESE in District Bahawalnagar, she mentioned Govt. Girls Primary School, Baldia Colony, Haroonabad, and Govt. Girls Primary School, Mohajar Colony, Haroonabad, at Sr. No. 1 and 2 respectively in the list of priorities in her application. In the merit lists of both schools, she figured at Sr. No. 6 and as the female candidates from Sr.No.1 to 5 had not joined those schools because of their appointment against senior posts, she was entitled for appointment in any one of those two schools in Haroonabad. On the other hand, the Clerical staff in the office of DEO (WEE), Bahawalnagar, compelled her to receive an order of her appointment as ESE in Govt. Girls Primary school, Chak 113/6-R which was at a distance of 35 KM from her residence in Haroonabad. Finding herself helpless, she joined that school and then submitted a representation for her adjustment in one of the two schools of her priority in Haroonabad according to her merit, but her request was not being entertained. On the other hand, the female candidates who were lower in merit compared with her had been appointed in those two schools. The complainant further maintained that it was unjust that the candidates lower in merit should enjoy the facilities of a city and she, despite her higher merit, be forced to work in a distant village. The complainant also averred that in several cases despite joining one school, the candidates/Educators were subsequently adjusted in the schools of their first choice/priority by issuing fresh orders, but a different standard was being applied in her case. The complainant requested for a direction to the Agency for her appointment in one of the two schools of Haroonabad mentioned at Sr.No 1 and 2 in the list of priorities.

The Agency/DEO (WEE), Bahawalnagar, resisted the complaint maintaining that as the complainant had once joined a school against one category (as ESE), she could not be appointed in any other school despite her

merit/availability of a vacancy. The complainant controverted the stance of the Agency by referring to the case of Mohammad Jameel who was initially appointed in Govt. Primary School, Moadab, Chak No. 168/7-R(W), where he had joined, but subsequently he was appointed in another school. Likewise, a female candidate Ayesha Siddiqa was initially appointed in GMM School, Chak No. 191/7-R and she joined that school. Subsequently, she was appointed in the school of Chak No. 168/7-R. The Agency finally admitted that deviation had been made from the policy in some individual cases like that of Ayesha Siddiqa.

The record revealed that if at all there was any such policy (of not making fresh appointment once a candidate had joined a post), the Agency had not adhered to the same and had been issuing orders of fresh appointment/adjustment of candidates in other schools despite their having first joined the schools according to initial orders of appointment. The Agency could not deny the fact that Ayesha Siddiqa was initially appointed as ESE in Chak No.191/7-R through order dated 16-11-2009. A certificate from the Headmaster of the school showed that she had joined that school and had worked there. Subsequently, she was appointed (through fresh orders) in GPS, Chak No.168/7-R on 18-01-2010. The complainant had qualified on merit for appointment in Govt. Girls Primary School, Baldia Colony, Haroonabad, or in Govt. Girls Primary School, Mohajir Colony, Haroonabad, being at Sr. No. 6 in the merit lists. As the candidates from Sr. No.1 to 5 had been appointed against senior posts (of Educators) and they had not joined those schools, she was unequivocally entitled to be appointed in one of those two schools according to her choice/priority. She was however, compelled to receive an order for her appointment in a village school at a distance of 35 KM from her residence and apparently the candidates with lower merit were appointed. The Agency was held responsible for maladministration for adopting a policy of discrimination. EDO (E), Bahawalnagar, was directed to appoint the complainant in accordance with her merit in one of the two schools listed by her at priority No.1 & 2 within a specific period. The agency complied with the directions of Ombudsman.

Complaint No. C-750/02/2010-Adv-II-48/2010

Appointment of an Elementary School Educator (ESE) on the Basis of Bogus Documents

Complainant, Imran Fareed Akhtar, approached the Office of Ombudsman stating that he was entitled to be appointed as ESE in Govt. Primary School, Chak No. 197/HB, Distt. Bahawalnagar on the basis of his better merit, but the Agency had issued letter of appointment to one Mohammad Hussain Kanwal by granting him marks for his fake and dubious qualifications whereas the same Mohammad Hussain Kanwal, apprehending a legal action (for his bogus documents) had previously declined to accept the offer of appointment. The complainant requested for directions to the Agency to appoint him as ESE according to his merit by cancelling the appointment of Mohammad Hussain Kanwal.

In its initial reaction to the complaint, the Agency/DEO (MEE), Bahawalnagar, refused to admit the version of the complainant and

maintained that Mohammad Hussain Kanwal was appointed as ESE since in the merit list, he figured higher compared to the complainant. It was also contended that PTC certificate of Mohammad Hussain Kanwal was verified by Education and Literacy Deptt. Jamshoro/Sindh.

The complaint was investigated in depth. Mohammad Hussain Kanwal whose appointment/certificates were challenged by the complainant, was also heard. Mohammad Hussain Kanwal admitted that he had previously opted not to join as ESE, but when he was offered appointment again, he decided to accept the same. He further stated that he had obtained a valid PTC certificate from Jamshoro/Sindh. When quizzed as to how could he get himself enrolled as a student of PTC course in Sindh when simultaneously he was enrolled as a student of D.Com in the Institute of Commerce, Fort Abbas, he could not furnish any satisfactory answer. The representative of the Agency admitted during hearing that the testimonials of Mohammad Hussain Kanwal were not properly scrutinized at the time of his appointment. The Principal Govt. Institute of Commerce, Fort Abbas, District Bahawalnagar, produced the record of enrolment of Mohammad Hussain Kanwal in the years 1994 – 96 which revealed that he was enrolled as a student in D.Com, Class XI, in the Institute on 31.8.1994 and remained a regular student of the Institute uptill 30-04-1996. As per rules, Mohammad Hussain Kanwal could not be a regular student in any other academic course at any other station. It was thus obvious that Mohammad Hussain Kanwal had managed to be appointed as ESE by fraud. He was given an opportunity to face legal action or to resign. He resigned. The resignation of Mohammad Hussain Kanwal paved the way for the appointment of the complainant as ESE on merit in Govt. Primary School, Chak 197/HB, Distt. Bahawalnagar. It was established that the Agency was negligent and guilty of gross maladministration in that the order of appointment of Mohammad Hussain Kanwal was issued on the basis of dubious documents. DCO, Bahawalnagar, was directed to hold an enquiry into the matter and to take further action.

Complaint No. C-1079/03/2010-Adv-II-70/2010

Appointment as Elementary School Educator (ESE)/Change in the Award of Interview Marks

One Altaf Hussain of Distt. Kasur came up with a complaint stating that he was on merit for appointment as ESE in Govt. Elementary School, Hallar Key Pemar, District Kasur, but he was not appointed and one Mohammad Khalid Khan, who was lower in merit because he had obtained lesser marks, was (instead) appointed in the said school. The complainant requested for directions to the Agency for his appointment as ESE in Govt. Elementary School, Hallar Key Pemar, District Kasur, in accordance with the original merit list.

The complaint was opposed by DEO (MEE), Kasur, on the ground that the other candidate Mohammad Khalid Khan who was at Sr.No.17 in the merit list while the complainant was at Sr.No.16, filed a representation to the effect that he had been awarded lesser marks in interview contrary to the policy. His representation was accepted and the marks of interview originally awarded to him were enhanced from 3 to 4. As the said candidate had secured 50.61 marks whereas the complainant had obtained 49.69 marks, he (Mohammad

Khalid Khan) was issued letter of appointment. The stance taken by the Agency was not considered convincing. The complainant argued that interview marks once awarded to the other candidate (Mohammad Khalid Khan), could not be subsequently increased on his representation by the DEO who was not competent to change the decision of the Recruitment Committee. The record produced showed that the said candidate was awarded 4 marks in place of 3 on his representation, by DEO (MEE), Kasur without consulting the Recruitment Committee. It was however explained on behalf of the Agency that as per policy, Mohammad Khalid Khan deserved to be granted 4 (out of 5) marks since he had secured more than 45 marks for his qualification. The representative of the Education Deptt. admitted that no yardstick or criterion was provided in the Recruitment Policy for award of interview marks.

It transpired that the complainant whose name originally appeared at sr. No. 16 with 49.69 marks (including 4 marks of interview) while the name of the other candidate (Mohammad Khalid Khan) appeared at Sr. No 17 with 49.60 marks (including 3 marks of interview) had a bright chance for appointment in the school on merit as the candidates from Sr. No. 1 to 15 had either joined other schools/ senior posts. As per instructions circulated by Education Deptt., only EDO (E) had the powers to resolve any complaint/dispute in connection with appointment of School Educators and the DCO was declared as the appellate authority at district level. The Recruitment Committee, as per Govt. instructions, was also headed by DCO. On receipt of a representation from Mohammad Khalid Khan, DEO (MEE), Kasur changed his score (interview marks) on the evaluation sheet containing the original award. Apparently, it was a case of appeal and only DCO could interfere in the matter. DEO (MEE) was by no means competent to change/increase the interview marks (on the evaluation sheet) once awarded by the Recruitment Committee. No instructions of the Govt. were shown in support of the assertion that the other candidate (Mohammad Khalid Khan) was entitled to get 4 marks instead of 3 on the ground that he had obtained pre-interview marks above a certain slab. Even if any such formula was informally devised by the local officers, the same was not followed in each case. In several cases the candidates who had obtained pre-interview marks above the slab of 45, were granted 3 marks in interview and no subsequent change was made in the award of those marks. According to the Recruitment Policy, award of interview marks (out of total of 5 marks) in the case of School Educators was the discretion of the members of the Recruitment Committee. DEO (MEE), Kasur, who changed the score (interview marks) of the other candidate (to the detriment of the complainant) without any authority was guilty of committing an act of maladministration. Secretary, School Education, was directed to hold an inquiry into the matter in order to fix responsibility and to take further action in accordance with rules. DCO and EDO (E), Kasur were directed to take corrective action in accordance with law/facts to the satisfaction of the complainant.

Complaint No. C-2423/06/2010-Adv-II-156/10

Hazards Faced by Female Teachers Posted in Schools not Located in their Native Towns/Villages

One Sufi Mohammad Anwar Naqashbandi filed a complaint against a lady teacher Safia Bibi posted in the Girls Primary School of his village/Pakka

Dera, Bera Virkan, Distt. Sheikhpura, stating that she remained frequently absent and resultantly the enrolment of students in the school was falling. The complainant requested for strict action against the lady teacher on grounds of absence etc.

In his report, DEO (WEE), Sheikhpura, contended that the complainant had misstated facts and he in fact intended to harass the lady teacher (Safia Bibi) who she was performing her duty regularly and there was no complaint of absence etc, against her. The record of the school was also inspected/checked personally by Dy.DEO (WEE) in that connection.

The complaint was subjected to an in-depth investigation. The facts revealed that the allegations of absence from duty levelled by the complainant against the lady teacher (Safia Bibi) were unfounded. On the other hand, he (the complainant) being a male member of the school council, was found to be black-mailing and harassing the lady teacher who did not belong to the village in which the school was located. The complainant was also found to be misusing his position as a member of the school council. The facts pointed to numerous hazards to which lady teachers posted in the remote villages (away from their homes) were exposed. DCO, Sheikhpura, was directed to investigate the matter through an independent officer (not belonging to Education Deptt.) and to take further action in accordance with the facts of the case. EDO (E), Sheikhpura, was directed to take steps to replace the existing male (private) members of the school management council with female members as far as possible and to end any untoward interference by a male person in the affairs of a female school.

Complaint No. C-3114/07/10-Adv-II-195/2010

Grant of Merit Scholarship to a Disabled Student of MBBS

The complainant, Sara Mustafa, approached this Office stating that she obtained 983 marks in F.Sc. (pre-medical) and was admitted in the 1st year of MBBS in Punjab Medical College, Faisalabad, in December 2009. She applied for grant of merit scholarship "through proper channel" to DPI (Colleges) immediately after her admission, but did not receive any response. On the other hand, a candidate who had obtained 967 marks was awarded merit scholarship. The complainant requested for direction to the Agency/DPI (Colleges) to grant her merit scholarship according to her merit.

DPI (Colleges) opposed the complaint maintaining that the Principal, Punjab Medical College, Faisalabad, had forwarded application forms of 136 students for the grant of scholarship through his letter dated 23-12-2009 but the complainant's name was not included in the list of those students. The complainant submitted an application by herself on 26-12-2009 which being incomplete (as no academic certificate was attached) was rejected.

The Principal, Punjab Medical College, Faisalabad, however, supported the version of the complainant explaining that the student was admitted in MBBS against quota for disabled candidates on 24-12-2009 whereas the last date for submission of applications for merit scholarship by the students was 12-12-2009. The applications received upto 12-12-2009 were, therefore, forwarded to DPI (Colleges) on 23-12-2009. The complainant's name was obviously not included in the list of those students as she was admitted late against reserved seats (of disabled candidates) but her application was

recommended for grant of scholarship and handed over to the complainant for transmission to DPI (Colleges) on 24-12-2009.

The investigation of the complaint revealed that 58 merit scholarships were to be awarded to students admitted in the 1st year of MBBS in PMC, Faisalabad, in 2009. The last candidate, who was awarded scholarship, had obtained 967 marks. The complainant, on the other hand, had obtained 983 marks and was admittedly higher in merit. Her application for the grant of merit scholarship was recommended by the Principal of PMC and sent to DPI (Colleges) on the last date i.e. 24-12-2009 due to her late admission. Her application was rejected without any valid ground by the office of DPI (C). If there was any deficiency in respect of the application or if any academic certificate was not attached, the office of DPI had sufficient time to inform the complainant about that deficiency as the list of students for the award of scholarship was finalized on 28-4-2010. The complainant was not intimated about any deficiency etc and was thus deprived of scholarship to which she, otherwise, was entitled on the basis of merit. The Agency/DPI (Colleges) in not entertaining the complainant's application for the award of scholarship without any valid basis was considered responsible for maladministration in terms of Section 2(2)(i)(b) of the Punjab Office of the Ombudsman Act 1997 and was directed to sanction scholarship in favour of the complainant.

Complaint No. C-3594/07/09-Adv-II-222/2009

Irregularities in Processing of Applications for Appointment as Monitoring and Evaluation Officer (MEO)

One Zubair Ahmad resorted to this Office stating that in response to an advertisement, he applied for appointment as Monitoring & Evaluation Officer (MEO) in Programme Monitoring & Implementation Unit (PMIU)/Education Department before the closing date i.e. 31-03-2009. He fulfilled every condition of eligibility including age limit as mentioned in the advertisement and possessed better record of academic qualifications and experience, but he was not called for any test/interview. He contacted the concerned office and enquired about the reasons for not calling him for interview, but no satisfactory reply was furnished. The complainant maintained that as he was eligible for appointment against one of the three vacancies of MEO, he should have been called for test/interview.

The Agency, when confronted with the complaint, reported that three vacancies of MEO were advertised for recruitment. The complainant also applied for recruitment, but since he had crossed the age of 35 years, he was not called for interview (in consequence of short listing of candidates) in accordance with the decision of the "competent authority" and comparatively younger and energetic candidates were considered more suitable for recruitment. Sixty four candidates, who were considered eligible on the basis of their qualification and experience, were called for the written test and top eighteen candidates were subsequently called for interview.

The complainant came back contending that he was eligible for appointment as MEO, possessed (comparatively) better record of educational qualifications and should have been called for the written test and interview. He also maintained that the Agency had violated its own rules mentioned in the advertisement regarding short listing and had denied him the opportunity

to compete for the posts of MEO without any legal justification. The representative of the Agency when asked to respond to the contentions of the complainant, finally conceded that the complainant was not called for interview due to a misunderstanding/error. He admitted that as per conditions given in the advertisement, the complainant was fully eligible for participation in the selection process on the basis of his age and academic qualifications. He also acknowledged that as per the advertisement/ service rules, there was no condition/provision for not including a candidate in the short list who had crossed the age of 35 years. Finding no plausible explanation for excluding the complainant from selection process, the Agency agreed to make amends by offering the complainant to appear in interview for appointment against another post carrying the same pay scale and responsibility. The record produced proved that some officers had committed a serious irregularity by not calling the complainant though eligible, for the test/interview. However, as the complainant accepted the offer made by the representative of the Agency on the conclusion of investigation, the complaint was disposed of.

Complaint No. C-6445/10/09-Adv-II-325/2009

Appointment against Quota for the Disabled

One Mohammad Arshad voiced his grievance stating that he was a disabled person and was working as IT Lab Incharge in Govt. Boys High School, Jandraka Distt. Okara. He applied for appointment as SSE (Computer Science) in fifteen schools of Distt. Pakpattan, but his application was rejected on the ground that his previous appointment (as IT Lab Incharge/BS-7) had also been made against quota reserved for disabled candidates. The complainant contended that his application was rejected without any justification for appointment as SSE (C.S) i.e. a post carrying higher pay scale. The complainant requested for interference as according to him the Agency was misinterpreting the relevant rules.

EDO (E), Pakpattan opposed the complaint maintaining that as the complainant was employed as IT Lab Incharge in a Govt. school as a disabled person, in terms of instructions contained in the S & GAD's circular letter dated 16-6-1990, he was not eligible for fresh employment in Govt. service against the same quota.

Investigation of the complaint revealed that the Agency had taken a stance which was based on misinterpretation of the relevant rules. The Agency had placed reliance (while rejecting the complainant's application as a disabled candidate) on the contents of S&GAD's circular letter dated 16-6-1990 which read as follows; "Instances have come to the notice of Govt. that some Government servants who were declared incapacitated for further Govt. service and are retired on invalid pension, come up with request for fresh employment in government service against 1% quota reserved for disabled persons under the Disabled Persons (Employment & Rehabilitation) Ordinance 1981. The issue has been examined in consultation with Law & Parliamentary Affairs Deptt. and it has been held that Govt. servants retired on invalid pension are not eligible for employment in Govt. service against 1% quota referred to above. Only such disabled persons are entitled to claim benefit of the said reservations who have not been in Govt. service and are unemployed". It was obvious that this circular letter (dated 16-6-1990) was

applicable to the case of those disabled persons who had first sought retirement on grounds of disability and wanted to be employed (again) against quota reserved for the disabled persons. Obviously, a disabled person had the same rights and opportunities as were available to normal persons and his appointment against a post could not be considered a disqualification/bar for appointment against any senior/better post. For the same reasons, as per its latest advice dated 18-11-2009, Regulation Wing, S & GAD had clarified that the circular letter dated 16-6-1990 was applicable only in the case of those who had retired on grounds of disability. The Agency's refusal to entertain the complainant's application for appointment as SSE (CS) against quota reserved for disabled candidates was, therefore, considered an act of maladministration. The Agency/EDO(E), Pakpattan, was accordingly directed to entertain the complainant's application regarding appointment as SSE (CS).

Complaint No. C-7607/12/09-Adv-II-401/2009

Non-observation of Merit in the Selection of Senior Elementary School Educator (SESE)/ Distt. Kasur

One Mohammad Saeed approached this Office stating that he had participated in the process of selection for appointment as SESE in Govt. High School, Rasulpur, Chak No. 5, Distt. Kasur. He was on merit but he was not selected and despite positive evidence showing that he belonged to the village in which the school was situated he was not awarded full (10) but 8 marks of local residence due to malafides on the part of the Agency.

The Agency when confronted with the contents of the complaint, maintained that prior to interviews, a provisional merit list was displayed for inviting objections in April 2009, but the complainant did not file any objection regarding award of eight marks (of local residence) instead of ten marks. He filed objections in December 2009 when the process of appointments had been completed. The Agency, however, admitted that the complainant was entitled to get ten marks of local residence, and that this would have placed him higher in the merit list at the time of recruitment.

The investigations revealed that the complainant was entitled to get ten marks of local residence, but he was actually awarded eight marks and as a result thereof, he was placed lower in the merit list with 60.15 marks and another candidate who did not belong to the village and had obtained 61.69 marks was appointed as SESE in Govt. High School, Rasulpur, Chak No.5, Distt. Kasur. The Agency was resisting the complainant's request for rectification of the mistake (leading to injustice) on the ground that the complainant had not timely pointed out the irregularity committed by the Agency. In fact the Agency should not have waited for any representation/objections for correction of a serious mistake in the merit list. It was clearly established that injustice was done to the complainant by awarding him lower marks for local residence (an evidence of maladministration on the part of the Agency). The Agency/EDO (E), Kasur, was directed to correct/revise the merit list by awarding full marks of local residence to the complainant in accordance with his entitlement and to take further action regarding the complainant's appointment as SESE.

Complaint No. M/253/02/10

Request for Provision of Details of Gpf Deductions

Allah Bakhsh s/o Karam Dad Qureshi, Tehsil and District Muzaffargarh, served the Education Department for more than 30 years as Naib Qasid. After his retirement on 29.10.2008, he was paid G.P. Fund of Rs.28,892/- only which was much less than what he expected to get after a long service. He prayed for a direction to D.A.O, Muzaffargarh, to furnish complete details of deductions and to recalculate the amount payable to him as G.P.F.

The D.A.O, Muzaffargarh, informed that as a result of scrutiny, it came to notice that the deductions made between 1984 to 1991 from pay of the complainant were missing in the Ledger Cards. Moreover, the complainant had obtained an advance from G.P. Fund which was not fully repaid. The D.E.O (W-EE), Muzaffargarh was asked to supply Service Book and a statement of missing G.P.F credits, but the case had not been received back after removal of objections.

During hearing proceedings, a copy of the response received from DAO., Muzaffargarh, was handed over to DEO (W-EE), Muzaffargarh. The representative of the Education Department finally submitted a report which showed that schedule of verified deductions (from salary) furnished by the DDOs of Tehsil Alipur and Tehsil Kot Adu had been sent to DAO, Muzaffargarh. The latter informed through his report dated 21.07.2010 that final payment authority for Rs.84,977/- had been issued and a cheque for the same amount had been delivered. Had the office of Ombudsman not interfered, the complainant, a low paid employee, would have been deprived of the amount of Rs.84,977/- which was in fact his own money and which he had paid as subscription through deductions from his salary for a period of about 30 years.

Complaint No. M/3060/10/09

Transfer of Pension

Shamim Akhtar R/o Ghulamabad, Multan, stated in her complaint that her husband Haji Muhammad Akhtar Ameer died while serving in the office of DEO (S.E), Jhang. He had another wife namely Rasheeda Begum who died in 1996. According to rules, she was entitled to receive pension share which was earlier being paid to Rasheeda Begum and, therefore, submitted an application to DEO, Jhang, six months ago but no action had so far been taken. She prayed for transfer of the deceased Rasheeda Begum's share in her favour.

In the departmental response received from EDO (Edu), Jhang, it was contended that the complainant was not entitled to the share of deceased (first wife) in view of instructions contained in Finance Department's Notification dated 31.03.1991. The complainant refuted the version of the Agency and supplied a copy of an order passed by the Ombudsman Punjab in a similar case. At the time of joint hearing, the representative of the Agency candidly maintained that he had no objection if share of the deceased could be legally transferred to the complainant.

Investigation of the case revealed that the Agency was misinterpreting the rules. Rule 4.10(5)(a) of the Pension Rules was very clear and share of the deceased co-wife could be transferred to the other co-recipient. The EDO

(Edu), Jhang was, therefore, directed to submit the case to the DAO, Jhang, for revision of PPO. At the same time, DAO, Jhang, was directed to issue the revised PPO in favour of the complainant. Compliance report was required within two months.

The case for revision of PPO was submitted by DEO (S.E), Jhang, to DAO, Jhang, in Feb 2010. As per report dated 21.07.2010 received from the DEO (SE), Jhang, revised PPO had been issued in favour of the complainant while the DAO, Jhang, informed vide letter dated 30.08.2010 that the bill of arrears amounting to Rs.298,901/- had been passed. The complainant also acknowledged payment of increased pension. Thus on the intervention of this office, the grievance of the complainant was redressed.

Complaint No. 5192/09/2009-C-IX-172/2009

Request for Appointment as SESE (Arabic)

A complainant belonging to Gujranwala submitted that she applied for appointment as SESE (Arabic). Her candidature was not accepted although she was B.A. (1st division,) Arabi Fazil and had also passed Arabic Teachers Training Course from Allama Iqbal Open University, Islamabad. She requested for directions to EDO (Gujranwala) for accepting her candidature.

The matter was taken up with DEO (M-EE), Gujranwala, who submitted that the qualification prescribed for the post of SESE (Arabic) was BA with Arabic as an elective subject and Arabic Teachers Training Course from A.I.O.U., Islamabad or Agriculture University, Faisalabad. Since the complainant did not have Arabic as an elective subject in BA, she did not qualify for the post of SESE Arabic.

The complainant during hearing submitted that in the presence of Arabi Fazil certificate, she was not required to have Arabic as an elective subject in BA. The Higher Education Commission, Islamabad, intimated that a student, who had passed B.A. (English only) after having passed Fazil in Arabic, Persian, Urdu, Bengali, Punjabi, Sindhi, Pushto or Baluchi, may be treated as a full-fledged graduate and all facilities presently given to the students of classical languages may be extended to these languages also. The Principal, Oriental College, University of the Punjab, intimated that keeping in view the syllabi of Arabi Fazil and BA with Arabic as an elective subject, both the qualifications may be treated equivalent for the purpose of appointment as Arabic Teacher.

Keeping in view the advice of the Higher Education Commission and the Chairman, Department of Arabic, Oriental College, University of the Punjab, it was established that B.A. without Arabic as an elective subject, plus Arabi Fazil was equivalent to having B.A. with Arabic as an elective subject. The Secretary, School Education Department and EDO (Education), Gujranwala, were directed to accept the candidature of Mst. Shahida Siraj for appointment as SESE (Arabic) and appoint her, if she was otherwise on merit.

The Department filed a representation/appeal which was rejected by the Governor. The Department was directed to implement order of Ombudsman and also to amend the relevant Rules/Policy for the post of Arabic Teacher.

Complaint No. M/3097/10/09**Appointment as a Driver**

Syed Azhar Hafeez Shah stated in his complainant that he applied for the post of Driver in District Training & Support Centre, Lodhran. His appointment order was issued on 20.9.2008. In compliance with the conditions of appointment, he submitted his acceptance, Police verification report and medical certificate to the Incharge of the Centre but he was not allowed to join his duties. He requested that the Agency be directed to allow him to join his duty.

The Regional Programme Manager-I, Directorate of Staff Development, Punjab, Lahore, in his report informed that Government of the Punjab had launched Punjab Education Sector Reform Programme (PESRP) for which the Directorate of Staff Development (DSD) established District Training and Support Centres (DTSC) in each district. This project was initially started in 12 districts and District Lodhran was not included. Later on, the program was extended to other districts in phases. A Selection Committee was constituted for appointment of non-gazetted staff in Lodhran and offer letters (not appointment letters) were sent to the successful applicants. At that time Lodhran was not included in the project hence the complainant was not allowed to join.

During joint hearing of the complaint, the representative of the Agency reiterated that the complainant had been given offer of appointment and the formal appointment order had not been issued. The appointment had been made only against the posts for which budget had been received and remaining posts had been left vacant. According to the complainant, he had been given an offer letter again on 9.12.2009 and if budget was not available, he should not have been issued the letter of offer.

The Ombudsman observed that if letter dated 20.9.08 was only an offer as stated by the Agency, there was no need of medical certificate and police verification report. Moreover, the Recruitment policy stipulated vide clause (iv) of the "steps of Recruitment Process" that the candidates recommended for appointment by the Committee shall first be given offer letters and appointment letters shall be issued on receipt of acceptance from the candidates (clause v). Thus maladministration on the part of the Agency was established because formal letter of appointment was not issued to the complainant despite receipt of acceptance and the completion of other formalities.

The agency was directed to issue a formal appointment letter to the complainant in accordance with the terms & conditions offered in letter dated 20.9.2008 and submit a compliance report within a month.

Subsequently, DSD informed that the appointment order had been issued to the complainant.

Complaint No. 6157/10/2006/C-V-295/2006**Alterations in Merit List**

Ambreen Bibi, came up with the complaint that she was one of the candidates for the post of Educator in Government Girls Primary School, Bakhra, Union Council Kohla. She got first position in the merit list in the year

2006. The said merit list was followed by another during the same year wherein her name was replaced by Mst. Kaneez Fatima. She claimed that it was an illegal alteration. She lodged a complaint with District Coordination Officer, Mianwali, which was sent to Executive District Officer (Education) who wrote to District Education Officer (W-EE) for necessary action but he failed to redress her grievance.

The Agency's report revealed that initially, Mst. Ambreen Bibi was at the top of the merit list followed by Mst. Kaneez Fatima, who pointed out that she had teaching experience to her credit but two (2) extra marks were not given to her. She was granted another two marks. That placed her above Mst. Ambreen Bibi.

The complainant alleged that the experience certificate submitted by Mst. Kaneez Fatima was fake and she was not entitled to upset her position in the merit list.

Investigation revealed that Mst. Kaneez Fatima had never taught in any educational institution run by the public sector. It was therefore, not justifiable to grant her two extra marks for teaching experience.

Thus an appointment order was issued to the complainant.

Complaint No. 2504/08/C-V-102/09

Request for Posting of Teaching Staff in an Upgraded School

The complainants, residents of Chak No. 656/G.B, District Faisalabad, stated that they had donated four Kanals of land in their village for up-gradation of Govt. Girls Primary School to Middle School and its building was also completed in 1995 but the department had not till date posted the requisite staff and consequently, girls from their village continued to suffer. In that regard, they approached the concerned authorities a number of times but to no avail. They requested that EDO (Education), Faisalabad, be directed to post the requisite staff in the school and classes' up to middle level be started.

EDO (Education), Faisalabad, in his report dated 23-5-2008, admitted that the building of the said school had been completed. He further stated that case for up-gradation of the school, duly completed, and requisition for the requisite staff had been forwarded to School Education Department, Govt. of the Punjab, Lahore.

School Education Department, Govt. of the Punjab, reported on 16.11.2009 that EDO (Education), Faisalabad, had been asked to provide more details about the proposed up-gradation of the school and also arrange necessary funds from the District Government. Owing to financial constraints, District Government, however, expressed its inability to finance the project and suggested that School Education Department should approach Finance Department, Govt. of the Punjab, for provision of the required funds. Govt. of the Punjab, however, continued to insist that it was the responsibility of the District Government to fund the project.

Joint hearings of the case continued for a period of more than six months. With the persuasive efforts of this office, the matter was finally resolved. EDO (Education), Faisalabad, in his report dated 19-7-2010 stated that classes' up to middle level had been started.

Complaint No. 1592/4/09/C-V-127/09**Request for Payment of Pensionary Dues**

The complainant stated that his wife, Mst. Mussarat Bano, P.E.T, died on 31st August 2007 while serving as teacher in Govt. Girls Higher Secondary School, Pir Mahal, Toba Tek Singh. Despite passage of two years, Principal of the school had not prepared the family pension case of his deceased wife. She had also refused to hand over the Service Book of his late wife to him. He had approached the concerned authorities, including Secretary, Education Department and the Chief Secretary, Govt. of the Punjab, but to no avail. He requested that Education Department be directed to pay him the dues of his late wife.

Principal of the said school reported on 19-1-2010 that Service Book of the late teacher had been traced out and her family pension case had been forwarded to DEO (SE), Toba Take Singh.

Progress of the case was actively monitored and the department was continuously goaded to make early payment to the complainant. Once the case had been finalized, the Agency showed reluctance to make the payment to the complainant in disregard of instructions contained in Rule 4.10 sub rule (i)(a) in Family Pension Rules 1955. This Office, however, insisted that the relevant rules be correctly interpreted and followed in letter and spirit.

Dues of the complainant were finally paid and the complaint was disposed of as fructified.

EXCISE & TAXATION**Complaint No. 2430/06/10 CR-268/10****Un-authorised Imposition of Property Tax**

Ms. Samina Masood stated in her complaint that she purchased plot No.45-A, Ahmed Block, New Garden Town, Lahore in December, 2004 and was constructing a house thereon after approval of building plan. Her grievance was that she received a notice from Excise & Taxation Department for payment of property tax in respect of plot No.44-A, Ahmed Block, New Garden Town which was owned by one Haji Nawaz and that she was not being listened to and was being pestered to pay the said tax despite the fact she informed the relevant functionaries of the Agency that the said plot was not owned by her.

ETO Zone 6, Lahore reported that property mentioned by the complainant was without any mark/number and that number of the property was considered as 44-A in view of the arrangement of adjoining plots/houses.

The parties were heard jointly. The complainant was represented by her husband who presented the view as was contained in the complaint whereas the departmental representative admitted that they did not have full knowledge about exact number of plot owned by the complainant.

It became clear with an indepth investigation of the complaint that the complainant was being pressed to pay property tax for a plot/property without any verification/confirmation as to its true ownership. It was observed that the Agency was not conducting in a responsible manner while sending

notices to the complainant to pay tax in respect of the property which she did now own. It was, therefore, directed not to harass the complainant and abstain from sending her notices in future.

Complaint No. S-418/04/2010/C-1-73/2010

Request for Issuance of Motorcycle Registration Book

Complainant, Gul Hussain, stated that he purchased a motorcycle and applied for its registration on 16.7.2006 but ETO, Bhakkar, did not issue the registration book despite passage of a long period of 4 years. The complainant requested for a direction to the Agency to issue the requisite registration certificate.

Confronted with the complaint, the Agency informed that the matter was being dealt with by Muhammad Akram, Excise Inspector who had since been compulsorily retired from service. It was added that necessary registration fee had also not been deposited in Govt. Treasury. Hence, it was not possible to issue the registration certificate to the complainant.

During investigation of the case, the complainant contended that he had deposited the requisite fee in ETO's office in 2006 and that he was not at fault if the same was not deposited in Govt. Treasury by the concerned official of the Agency. The representative of the Agency stated that the concerned official who was involved in corrupt practices was compulsorily retired from service and it was not possible for the office to deposit the embezzled amount.

It was observed by this Office that recovery of embezzled amount from the officials of the Agency was the responsibility of the Agency and the complainant could not be penalized for the acts of omission on the part of officials of the Agency. Later on, the Agency informed that necessary registration certificate had been issued in favour of the complainant.

Complaint No.R-523/11/09/Con-155/11/09

Property Tax Exemption

Complainant stated that he alongwith his widow mother, brothers and sisters lived in a house owned by his late father. Excise & Taxation Department, Rawalpindi, issued a notice to his mother for payment of Property Tax although widows were exempted from the said tax. He contended that since the owner of the house was a widow, she was not supposed to pay Property Tax under the law. Instead of exempting her from payment of tax, E&T Department served another notice for depositing the tax which was unfair.

The matter was taken up with Excise & Taxation Officer, Rawalpindi, who reported that the department had advised the complainant to produce a proof of his father's death but he failed to do so. Moreover, the house was a double-storey building which had five rooms, with covered area of 181 sq yards. As such, the house did not meet the exemption criterion under Section 4 GI of the Punjab Urban Immovable Property Tax Act, 1958. The complainant was, therefore, not entitled to exemption under the rules.

At a joint hearing, attended by both the parties, the complainant produced original sale deed according to which the house land measured six

marlas as against his contention that it was a five marla house. The widow was, however, facilitated by reducing the tax besides permission that she should be allowed to make payment of tax in two equal installments. The parties agreed to the solution. The widow's grievance was thus redressed.

Complaint No.S-155/02/2010/C-I-25/2010

Refund of Money Deposited in "Wrong" Account

Sabir Hussain of Sargodha complained that he deposited an amount of Rs.6,200/- in Agricultural Development Bank, Sargodha, for registration of his tractor, but the Bank Clerk deposited the amount in a wrong account. He contended that he approached District Motor Registration Authority for refund of his money but the concerned staff did not pay any attention. He requested that Excise & Taxation Officer (ETO), Sargodha, be directed to refund his amount.

Excise & Taxation Officer, Sargodha, took the stance that the complainant had deposited the amount without his approval. The Agency, however, assured that the fee would be refunded after observing codal formalities.

This Office directed the Agency to refund money to the complainant within 15 days. In compliance, Director Excise & Taxation, Sargodha, reported that an amount of Rs. 6,200/- had been deposited in complainant's account.

FOREST

Complaint No.S-769/07/2010/adv-97/2010

Request for Release of Family Pension Dues

Nasreen Akhtar, the complainant, stated that her husband, Shaukat Javed, after serving as SDO in Forest Department, Govt. of the Punjab, retired on 30.5.2008 and later died on 11.9.2009. She stated that family pension/other dues had not been paid to her so far. She requested for a direction to the Agency for the needful.

The matter was taken up with Conservator of Forest, Faisalabad, who reported that since an enquiry against the complainant's deceased husband was pending, it was not possible to consider request for grant of pensionery benefits to her.

During investigation of the case, it was observed that an inquiry against the complainant's husband had been instituted under the E&D rules whereas in the instant case, action, if deemed necessary, was required to be taken under Pension rules within one year of the officer's retirement and that too if he had caused some financial loss to the Department.

The complainant's husband died after about one year of his retirement but the enquiry stated to have been pending against him was not instituted under Pension rules nor was it finalized within one year of his retirement. Foregoing in view, the Agency was directed to process and finalize complainant's family pension case under the rules and ensure payment of pensionery dues etc. to her without any further delay.

HEALTH

Complaint No. 2805/06/10 CR-290/10

Request for Appointment as Lady Health Supervisor

Ms. Farheen Younas who was MA in English stated in her complaint that she, in response to an advertisement, applied for appointment as Lady Health Supervisor, Halqa Mini Hospital, Ghalla Mandi/Union Council No.51, Sahiwal. Her grievance was that after she was selected for appointment on merit, one Ms. Fauzia Kausar, a Lady Health Supervisor of Kasur District, was adjusted against the vacant post without any legal justification depriving her of the opportunity of appointment. She requested to withdraw the order regarding adjustment of Ms. Fauzia Kausar and to appoint her against the post in accordance with her domicile/academic qualifications.

EDO(Health), Sahiwal stated in his report that the complainant, after the vacancy of Lady Health Supervisor in Union Council No.51/Sahiwal was duly advertised, was selected on merit on completion of recruitment process but Provincial Coordinator, National Programme for Family Planning and Primary Health Care, Punjab, before issuance of her appointment order, adjusted Ms. Fauzia Kausar against the said vacancy.

Hearing proceedings in the complaint were participated by Ms. Farheen Younas complainant, Dr. Khalid Pervaiz, Litigation Officer, office of EDO(Health), Sahiwal, Dr. Muhammad Khalid, Deputy Provincial Coordinator, PPIU and Mr. Nusrat Iqbal, District Coordinator (NP). The complainant gave her view-point whereas representatives of the Agency came up with the view that the Provincial Coordinator had the powers to re-adjust Ms. Fauzia Kausar against the vacancy and that she was also a resident of Sahiwal District.

It became evident from the record produced by the Agency that the complainant was duly selected for the post after observing the recruitment process whereas Ms. Fauzia Kausar who was already working in Kasur was re-adjusted against the vacancy had little to lose because she was already employed. The complainant, therefore, suffered an irreparable loss as she was deprived of appointment which she had earned on merit after much struggle. The Agency failed to prove that Ms. Fauzia Kausar, the re-adjusted employee, actually resided in Union Council which was a pre-condition for her appointment against the vacancy. Even if the Provincial Coordinator was competent to make the impugned adjustment, the exercise of such authority was not warranted once the post was advertised. The injudicious decision of the Agency to divert the vacancy for 'readjustment' of an inservice Lady Health Supervisor working in Kasur District amounted to an act of maladministration. The Agency was, therefore, directed to withdraw orders of re-adjustment of Ms. Fauzia Kausar and issue orders of appointment of the complainant as Lady Health Supervisor for Mini Hospital, Ghalla Mandi, Union Council No.51, Sahiwal.

Complaint No.M/1932/08/10/C-III/149/10

Appointment as Lady Health Worker (LHW)

One, Shamim Wali Muhammad, resident of Chak No.96/D Tehsil & District Pakpattan, complained that after interview her name was placed higher in the merit list of candidates for the posts of Lady Health Workers.

She alleged that one Anam Shehzadi was appointed illegally who possessed comparatively lower qualification and her position was also lower in the merit list.

The Agency in its report conceded that the name of the complainant was on the top of merit list, but as the population of the village was not upto the bench-mark of standard population figures, she was not appointed in that village. However, her real sister was already employed as LHW for that area. The name of Anum Shehzadi was included in the waiting list and so she was appointed. The investigation revealed that the Selection Committee had recommended the name of the complainant for appointment but she was ignored and another candidate for the same post placed in waiting list was appointed. Thus maladministration was proved on the part of the Agency. The Agency was accordingly directed to appoint the complainant according to rules and merit. In compliance, the EDO (Health) Pakpattan, intimated vide letter dated 9.12.2010 that the direction had been implemented and the complainant had been appointed as LHW.

Thus efforts of this Office bore fruit and grievance of the complainant was redressed.

Complaint No. S-523/11/2008/C-II-26/2008

Reimbursement of Medical Bill

Muhammad Tariq, a teacher in Govt. M.C. Primary School No. 14, Satellite Town, Sargodha, stated that he suffered a heart attack during his service in 2004. District Headquarters Hospital, Sargodha, referred him to Punjab Institute of Cardiology, Lahore, for check-up and treatment. He stated that his angioplasty done at PIC cost him more than Rs.132,780/- which was sanctioned by Education Department. Despite approval by Executive District Officer, (Education), Sargodha, the medical charges were not paid to him so far. He requested for redressal of his grievance.

DPI, Lahore, reported that complainant's medical claim was sent to Punjab Government, whereas DDEO (M-EE), Sargodha, submitted that the medical claim had been pending in the office of Special Secretary, Education Department (Schools Wing), Punjab, Lahore. During investigation of the case it transpired that the matter remained unresolved for one reason or the other. The case was pursued with the Agency i.e. School Education Department which finally informed that a cheque in respect of his claim of medical charges had been issued to the complainant. The complainant's grievance stood redressed.

Complaint No. 1392/03/2010C-VIII 47/2010

Reimbursement of Medical Claim

Complainant Muhammad Afzal Ranjha stated that while posted as Junior Instructor, Government Institute of Commerce, Kharian, his wife fell seriously ill and was admitted in Aziz Bhatti Shaheed Hospital, Gujrat, for treatment. Medical Superintendent of the said hospital, however, referred his wife to Pakistan Institute of Medical Sciences, Islamabad, for further treatment vide letter dated 08.04.2006. His wife was admitted in the aforesaid hospital, where, after remaining under treatment for about one month she died. After the death of his wife, he submitted a claim for reimbursement of medical charges to the authorities of TEVTA, Lahore. His

claim was referred to Health Department, Government of the Punjab, which regretted the same on the ground that reimbursement of medical charges in respect of treatment taken at a non-provincial/private hospital was not admissible under the rules. The complainant stated that in a case of identical nature, vide letter dated 21.08.2007 Chief Minister, Punjab, had approved reimbursement of medical charges in relaxation of rules. He requested for a direction to the Agency to consider his case in the light of the aforesaid precedent.

The matter was taken up with Health Department, Government of the Punjab, which intimated that keeping in view the circumstances and hardship being faced by the complainant, his claim had been approved/recommended and the authorities of TEVTA had been advised to accord necessary sanction being the competent authority in this regard. Later on, complainant's claim of reimbursement of medical charges for Rs.79,228/- was approved by TEVTA Secretariat vide order dated 11.05.2010.

The complainant telephonically informed this Office that the requisite medical reimbursement charges had been paid to him by the department. On the intervention of this Office, the complainant's grievance was thus redressed.

Complaint No. 336/01/10/ADV-I-09/2010

Release of Salary

The complainant was employed as "Aya" in Mayo Hospital, Lahore, in 1988 but payment of her salary had been discontinued since August 2008. As per stance of the Agency, she was informed by the hospital management that her salary was stopped by A.G., Punjab, Lahore. It was requested that a direction be given to all concerned to release her pay alongwith arrears for unpaid period.

The Agency/Medical Superintendent, Mayo Hospital, Lahore, reported that the complainant (Razia Begum) was appointed as Aya on 10.12.1988 and her age was recorded as 27 years and 3 months as per medical certificate and her date of birth was entered accordingly in her service book as 14.8.1961. Her date of birth as per her National Identity Card was 3.8.1949. Thus, she was considered superannuated by A.G. Punjab in August 2009 and her salary was stopped.

Accounts Officer (PR-15) of office of A.G., Punjab, Lahore, reported that the Drawing & Disbursing Officer (DDO) was competent to stop salary of non-gazetted employees. Since the complainant had reached the age of 60 years as per data supplied by concerned DDO, her pay was stopped. The representative of A.G. Punjab could not cite the authority under which age of the complainant had been changed after twenty years of service whereas the rules provided that date of birth of an employee could only be changed within two years of entry into service. Realizing this mistake, the concerned Accounts Officer requested that M.S., Mayo Hospital, Lahore be directed to resubmit salary bill of the complainant. The bill as submitted was passed and consequently the complainant received her pay and arrears.

Complaint No. 4155/08/2008 CR-106/2009

Callousness in Medical Profession

Complainant Muhammad Hanif of Sahiwal District approached this office stating that his teenaged son got his fingers chopped off accidentally

while working at a fodder-cutting machine in his village on 11.06.2008. He rushed the boy to District Headquarters Hospital (DHQ), Sahiwal, where he was "treated" for his deep wounds. Surgeon Dr. Wasim Safdar assured Hanif that his son would be operated upon the very next day. Instead, only simple dressing was done and the patient was discharged from the hospital. However, upon removal of bandage the next day, the patient's father was stunned to find out that both the doctor and the hospital staff had lied to him, because only dressing was done instead of the promised operation. The treatment was so expensive that it cost him Rs.25,000 at the DHQ, Sahiwal. According to him he was cheated by the doctor concerned as well as the hospital staff who did not act in accordance with professional ethics. Since the patient's wounds continued to bleed profusely, the doctor advised him to bring the patient to his private clinic for proper treatment and care. He did so. There, the patient was operated upon with the result that his hand was amputated and he had to bear an extra expenditure of Rs.75,000/- on his son's treatment.

The matter was taken up with M.S. DHQ. Hospital, Sahiwal, which reported that an inquiry conducted by three doctors showed that the said patient was admitted to the hospital on 11.06.2008 and first aid was given to him by the on-duty doctor. Later, the report added, the patient was shifted to Surgical Ward-I headed by Surgeon Dr. Wasim Safdar.

It was added that "anti-septic dressing" was immediately done to stop bleeding from the wound. The next day (12.06.2008), the patient was taken to Operation Theatre, where debridement and anti-septic dressing was done under general anaesthesia given by Dr. Wasim Safdar. The report said the patient was discharged on request on 14.06.2008.

Investigation of the compliant revealed that the Agency's report was not satisfactory. The record showed sheer negligence on the part of the doctor and the hospital staff who, instead of operating upon the patient, in emergency, did only the dressing even though the wounds were so deep that they continued to bleed profusely. Moreover, the patient was also discharged from the hospital without complainant's consent.

Taking cognizance of the matter, this office issued a direction to the Secretary, Health Deptt. Govt. of the Punjab, to constitute a committee consisting of senior doctors to look into the case and to take further action in accordance with the findings of enquiry committee.

HOME / PRISONS

Complaint No. 4541/09/08 CR-98/09

Request for Grant of Moveover

The complainant was the widow of one Muhammad Farooq Tareen who had been working as Deputy Superintendent (BS-16) in Prisons Department. On reaching maximum of BS-16 on 01.12.1998, mover over of the complainant's husband became due on 01.12.1999 and the concerned Accounts Officer also issued him a certificate to that effect. He submitted many applications to IG (Prisons), Punjab for grant of moveover but to no avail. He was, however, posted as Additional Superintendent, Central Jail,

Faisalabad (BS-17) on current charge basis. He retired on 04.10.2006 and died on 07.02.2008. The complainant lady requested that her late husband be awarded moveover w.e.f. 01.12.1999 as he had not been given increments on 01.12.1999, 01.12.2000 and 01.12.2001. The matter was taken up with IG Prisons Punjab who reported that moveover case of the complainant's late husband (from BS 16 to BS 17) was sent to Home Department on 01.12.1999. The Departmental Promotion Committee, in its meeting held on 15.01.2002, however, decided to defer the case due to imposition of penalty on 13.06.1998 of withholding his increment for one year without future effect.

The complainant took the plea in her rejoinder that the penalty of withholding of increment for one year without future effect was imposed on her husband on 13.06.1998, but contrary to this order, he was not given increments for the years 1999, 2000 and 2001. She also stated that her husband, during his life time had filed an appeal against the penalty to Secretary Home but no decision had so far been made by him. She requested that annual increments due to her husband be granted as the said penalty was not a bar on such action.

As the complainant's husband was a gazetted officer, his case for grant of moveover was taken up with Secretary Home, Government of the Punjab for examining the case. It was intimated by the Home Secretary vide his letter dated 16.07.2010 that minor penalty of withholding of increment for one year imposed upon the complainant's husband had been set aside and he was declared eligible for grant of moveover. Inspector General (Prisons), Punjab, in these circumstances, was directed to resubmit the case of the complainant's husband for grant of moveover for placing the same before the Departmental Promotion Committee for further orders

Complaint No.2689/06/10 CR-284/10

Complaint against Appointment in Violation of Recruitment/Contract Policy

Ms. Anila Tehseen stated in her complaint that she applied for the post of Naib Qasid (BS-1) in the office of Assistant Director (Reclamation & Probation), Sahiwal Division. She stated further that the post was reserved for women, her father was an inservice employee of the Department and she had also the additional qualification of holding a certificate in tailoring issued by the Social Welfare Department, but she was still not given the job.

Assistant Director, Reclamation & Probation Department, Sahiwal Division reported that the job was quite hazardous as it included taking male prisoners to jail and also to go to far flung areas for delivering notices to the probationers. It was due to these circumstances that the complainant was not considered suitable for the post by the Departmental Recruitment Committee.

The complainant stated in her rejoinder that it was clearly laid down in the advertisement that the post of Naib Qasid was reserved for women but Assistant Director, Reclamation & Probation Department, Sahiwal Division, against the policy of his own Department, had the cheek to say that a female candidate was not fit for the post and instead selected a male candidate.

The complainant, during the hearing proceedings, took the stand as contained in her complaint and the rejoinder whereas representative of the Agency stuck to the stand taken by him in his report stating that female Naib

Qasids, in his opinion, were not fit for induction in the Department and that never before a female Naib Qasid had been given appointment in the Department. He, however, conceded that it was clearly given in the advertisement that the post was reserved for women and that he had not raised any objection when the said advertisement calling upon female candidates to apply for the post was published by his Director in the newspaper.

After examining the issue in this office, it became evident that Departmental Recruitment Committee headed by Assistant Director, Reclamation & Probation Department, Sahiwal Division had clearly violated the Recruitment/Contract Policy and the contents of advertisement on the subject by selecting a male candidate ignoring the complainant's suitability for the job as also that she was daughter of an inservice employee of the Department. Secretary Home, Government of the Punjab was, therefore, directed to take suitable departmental action against him. The recruitment under reference was also cancelled and the Agency was directed to review the process already completed and select the complainant as per merit.

Complaint No. R-284/06/09/Con-65/06/09

Payment of Gp Fund

The grievance of one Shahnaz, widow of Abid Hussain, of Abbottabad, was that her husband died while performing his duties in Central Jail, Sahiwal, in 2001. Despite her repeated requests, GP fund dues of her late husband were not paid to her. She requested for a direction to the Agency to redress her grievance.

Superintendent, Central Jail, Sahiwal, reported that GP fund balance of complainant's deceased husband had been got transferred from Central Jail Guranwala, Sheikhpura and Sialkot. The transfer of GP Fund balance from District Jail, Kasur was still awaited. It was assured that the dues would be paid to complainant at an early date.

Extensive correspondence and frequent telephonic contacts with Superintendent, Central Jail, Sahiwal, bore fruit and the complainant widow got her late husband's GP Fund dues.

Complaint No. 1568/04/2009 CR-95/09

Delay in Payment of G.P. Fund

Complainant Mst. Razia Parveen of Jhang stated that her husband Noor Ahmad, a Senior Clerk at Central Jail, Faisalabad, died while in-service on 04.04.2000. She stated that her late husband's GP fund dues had not been paid to her. She requested for redressal of her grievance.

Superintendent of Central Jail, Faisalabad, reported that Noor Ahmad remained posted as a Senior Clerk at District Jail, Shahpur, District Jail, Jhang, District Jail, Mianwali and District Jail, Multan, but his GP fund dues had not been received in the office of District Accounts Officer (DAO), Faisalabad. The superintendents of concerned jails and the DAO's were asked to explain the position. Resultantly, the Agency reported that GP Fund dues had been received from the DAOs of the concerned jails and were paid to the complainant.

The complainant acknowledged receipt of her dues.

PUNJAB HOUSING & TOWN PLANNING AGENCY

Complaint No.M/2900/10/07/C-I/114/08

Refund of Security Dues

Muhammad Sardar, a resident of Khanewal District, stated that a contract for sewerage repair work in Jahanian Housing Scheme was awarded to M/S Raheel Haider Construction Company. After completion of the work, the executing agency/Housing and Town Planning Agency, Multan, passed the final bill and made the payment. The Agency, however, failed to refund the firm's security despite passage of six years. He requested for a direction to the Agency to refund firm's security of Rs.46,958/.

In its report, the Agency conceded that the complainant firm's security could not be refunded due to adoption of new system of security deposits and that Finance Department had been requested to release funds and to evolve a mechanism for refund of security amounts.

The matter was investigated and this Office observed that despite difficulties arising out of the new system, delay of eight years in refunding the security money amounted to maladministration of the Agency. Secretary, HUD & PHE, Government of the Punjab, Lahore, was directed to make necessary arrangements for refund of complainant's security dues without any further delay.

In its compliance report, the Agency confirmed that security dues had been refunded to the complainant. Thus, on the intervention of this Office, the complainant's grievance was redressed.

Complaint No.M/1348/05/07

Clearance of Pending Liability

Muhammad Ramzan Bhatti, a resident of Multan, stated that some work pertaining to construction of Masjid Maktab Schools was allocated to him by Deputy Director, Housing and Planning, Multan Division, vide order dated 15.05.1999. He completed the work in time and furnished the completion report to the Agency. He complained that payment of his final bill of Rs.1,78,522/- was not made despite repeated requests. He requested for a direction to the Agency to clear his pending liability.

Deputy Director, Housing and Planning, Sub-Region, Multan, reported that complainant's final bill amounting to Rs.178,522/- could not be paid due to non-availability of funds and that payment to the complainant would be made on receipt of funds. The matter was taken up with Education Department, Government of the Punjab, which informed that sanction for payment of balance amount had been accorded by Departmental Scrutiny Committee.

As a result of efforts made by this Office, grievance of the complainant was redressed and a cheque for Rs.1,67,810/- was delivered to him in Ombudsman Punjab's Regional Office, Multan.

Compliant No.S-304/08/2008/C-I-39/2008

Delay in Balloting of Plots in Three Marla Housing Scheme Sargodha

Mr. Faiz Ahmad (complainant) stated that Deputy Director, P.H.A.T.A. Sargodha, received applications in April 2007 for allotment of three marla

plots in a housing scheme in Chak No. 43/N.B., Sargodha. He alleged that the agency had been delaying balloting of plots without any reason. The complainant requested that the agency be directed to expedite balloting of plots without further delay.

The matter was taken up with Deputy Director, P.H.A.T.A. Sub Region, Sargodha, who reported that balloting of plots was delayed because of pendency of a civil suit instituted by some encroachers.

Secretary, Punjab Housing & Urban Development /P.H.E., Government of the Punjab, was directed to ensure early balloting of the plots after vacation of the stay order issued by the court.

Later, Deputy Director P.H.A.T.A. Sub Region, Sargodha, informed that balloting of plots had been conducted on 25.03.2010 and the issue was resolved.

INDUSTRIES

Complaint No.S-839/08/2010/C-1-150/2010

Request for Renewal of Annual Registration of Mosque

Complainant, Malik Sikandar Khan, stated that he was General Secretary of executive committee of Jamia Masjid Farooqia, Padhrar, District Khushab. Annual registration of the said mosque was renewed upto 2003 but their request for further renewal had been kept pending by the Registrar/EDO (F&P), Khushab, without any justification. The complainant requested for a direction to the Agency for doing the needful.

The matter was taken up with Registrar, Joint Stock Companies/EDO (F&P) Khushab, who informed that the renewal case was not processed because the matter remained under litigation between two religious sects of the village which had been disposed of by the court of competent jurisdiction. The Agency assured that the matter would be disposed of without any further delay.

During investigation of the case, the complainant provided documentary evidence in support of his claim. Later, the Agency informed that registration of the mosque was renewed for the period from 2004 to 2010. On the intervention of this Office, the complainant's grievance was thus redressed.

IRRIGATION

Complaint No. 8659/03-POP/C-II-447/2003

Non-Payment of Salary

Muhammad Azhar Hashmi etc. filed identical complaints agitating that they served as Tubewell Operators on adhoc basis in the Irrigation Department, Sargodha Zone but salaries were not paid. After Investigation the Hon'ble Ombudsman vide his decision dated 17-07-2004 having found the claim justified directed the Chief Engineer Sargodha to make payment within two months.

Since the directions, so issued by the Honb'le Ombudsman were not complied with, the Office required the Department to explain its position.

After hectic efforts by this office the Executive Engineer, Drainage Division Mandi Bahauddin vide his report dated 24-10-2010 intimated that payments had been made to the entire satisfaction of the complainants and the proceedings were closed on 27-10-2010.

Complaint No. C-2822/6/2010/C-I-182/2010

Request for Allotment of Residential Quarter No.C-9

Fayyaz Ahmad, an employee of Irrigation Department, serving in pay scale-9, contended that he applied to the XEN for allotment of a residential quarter bearing No.C-9. Some other employees of the department had also applied for allotment of the quarter, therefore, the XEN constituted a committee to recommend allotment on merit and in accordance with the rules. The committee recommended the complainant for allotment of the quarter. Nevertheless, the XEN allotted the quarter to another employee of BS-2 against rules and the recommendations made by the committee. The complainant added that he had already filed an appeal against the orders but it had not been decided by the Authority. He requested that the residential quarter be allotted to him.

During hearing of the case, representative of the Agency informed that the XEN had cancelled the order and allotted the residential quarter in favour of the complainant. The complainant also appeared and confirmed redressal of the grievance.

Complaint No. 5461/12/2008/C-IX-263/2008

Provision of Potable Water

Residents of Chak Cheela No. 49, Tehsil Pattoki, District Kasur, submitted a complaint that their village did not have the facility of potable water and that no scheme had been prepared for supply of clean drinking water. They contended that they were forced to drink contaminated water, which was injurious to health, adding that despite efforts made nothing was done to improve the situation. They requested for a direction to PHE Department and District Coordination Officer (DCO), Kasur, for taking immediate measures regarding provision/supply of potable water to the residents.

As a result of pursuing the matter with the Agency, a water supply scheme was prepared and submitted to the Chief Minister for approval. Formal approval was followed by administrative approval for the project to the tune of Rs. 13.467 millions. Finally, P&D Department released an amount of Rs.5 millions against an estimated cost of Rs.12.869/-million for the current financial year. Foregoing in view, a direction was given to DCO, Kasur, as well as XEN PHED, Kasur, for immediate completion of the project and execution of the scheme.

Thus, relief was provided to the complainants.

Complaint No. M/1046/05/10/C-III/72/10

Violation of "Wara Bandi"

Muhammad Sarfraz, a resident of Mouza Sukhram Pura, Tehsil & District Bahawalnagar, filed a complaint stating that wara bandi in getting canal water was approved by President, Management Committee, Farmers

Organization/Sub Divisional Canal Officer, Bhukan, District Bahawalnagar, vide his decision dated 29.06.2002 whereby his land measuring 2.75 acres was included in C.C.A. The aforesaid decision was not being implemented and he was being deprived of canal water as per to his share.

The Agency/Chief Executive, Area Water Board/Superintending Engineer, Bahawalnagar Canal Circle, Bahawalnagar, reported that decision of the Administrator was challenged by one, Asif Khan, before him. Since the Govt. had imposed a ban on inclusion of new area in "Wara Bandi", therefore, the action on the impugned decision dated 30.05.2009 was suspended till lifting of the ban. Investigation of the complaint revealed that the ban did not apply in the case of the complainant as his land was commanded before imposition of the ban. Thus an act of maladministration on the part of Agency was established. The Agency was, therefore, directed to implement the decision of Administrator/SDO, Bhukan. In compliance of the direction, Chief Executive, Area Water Board/Superintending Canal Officer, Bahawalnagar Canal Circle, Bahawalnagar, rejected the appeal filed by the opposite party and upheld the decision of SDO regarding provision of sufficient canal water for the land owned by complainant.

Thus, owing to the intervention of this office, the grievance of the complainant was redressed.

Complaint No. Imp.S-78/02/2009/C-I-2/2009

Compensation for Land

Fateh Muhammad, a resident of Khushab, complained that his land measuring 25 kanals and 10 marlas in Jabbi Village (North), Khushab District was acquired by Irrigation Department, Punjab, but the concerned authorities did not compensate him despite passage of 17 years. The complainant requested for a direction to the Agency either to retrieve his land to him or to pay compensation in respect of his land utilized by the Department.

The matter was taken up with Executive Engineer, Canal Division, Khushab, who reported that a committee was set up to assess worth of complainant's land acquired by Irrigation Department. The Committee had not yet finalized its recommendations due to objections raised by the complainant with regard to value of the land.

The parties were heard and the complainant agreed to receive compensation of his land at the rate of Rs.96,071/- per acre. The Agency agreed to make payment to the complainant at the negotiated price. Irrigation Department finally informed that compensation money had been given to DO(Revenue) Khushab, for payment to the complainant under the law who reported that an amount of Rs.256,989/- had been paid to the complainant.

The complainant acknowledged payment of compensation to him.

Complaint No. C-629/2/2010/C-I-36/2010

Request for Taking Action Against Delinquent Officials of Irrigation Department

Complainant Muhammad Akram stated that Sub Divisional Canal Officer, Pakka Dalla, Upper Gogera Division LCC (East), Faisalabad and Saeed Ahmad (Patwari) had connived with some of the land owners of Chak

No.61/RB in theft of canal water. He approached the concerned authorities to take notice of theft of canal water but no action was taken against the accused persons. He requested that the concerned officers of Irrigation Department be directed to take necessary legal action against the accused persons without further delay.

The matter was taken up with XEN, Irrigation, Upper Gogera Division LCC (East), Sheikhpura, who reported that the concerned Sub Divisional Canal Officer had been placed under suspension and transferred to some other station while the other official had been proceeded against in accordance with law in addition to their transfer to some other station. It was added that honest officers/officials had been posted in their place to take notice of alleged theft of canal water. The Agency further intimated that land owners whose lands were situated at the tail end were receiving adequate canal water for irrigation of their lands. The complainant showed his satisfaction over the action taken by the Agency.

LAHORE DEVELOPMENT AUTHORITY

Complaint No. C-4080/10/2010-Adv-II-03/2010

Delivery of Possession of Plot

The Complainant, Mian Mohammad Ibrahim, approached the office of Ombudsman stating that he was allotted 3-1/2 Marlas plot No. 591 Block A-II in Gujjarpura Housing Scheme through balloting, in 1992. He paid an amount of Rs. 26,250/- as cost of the plot and applied to LDA for delivery of possession. He was informed that due to a stay order issued by the High Court, his request for delivery of possession could not be processed. When he contacted LDA again, he was told that part plan in respect of the plot was awaited. The part plan was received in 2000-01, but even then his case was not processed and he was asked to furnish attested copies of documents (NIC, photographs and domicile certificate etc) which he had previously provided. LDA then raised the issue of discrepancy regarding his signatures. The discrepancy was resolved in 2004. He received a demand notice in Sep. 2010 from LDA for payment of Rs.1,35,868/- as cost of excess area of the plot. The complainant further stated that the demand for further payment (cost of excess area of the plot) at the prevailing rate was not justified. The complainant requested that direction be given to the Agency/ LDA to charge cost of the excess area in accordance with rates prevailing in 1992.

The Agency/LDA opposed the complaint maintaining that when allotment of the plot was made to the complainant in 1992 and he deposited Rs. 26,250/- as provisional cost of the plot, he was asked to furnish necessary documents i.e. affidavit on stamp paper, attested copies of domicile certificate, photographs and NIC etc. He furnished some documents which were not attested in accordance with requirements of LDA. The complainant also did not contact LDA for about 12 years. Part plan of the plot was received in 2000 and processing of the file regarding payment of dues etc was started. When the complainant contacted LDA again, it was found that there was a discrepancy in respect of his signatures on the documents which was settled in 2004. The file, thereafter, remained in process in the audit

wing of LDA. On the complainant's latest request for delivery of possession, he was issued a letter to complete the legal formalities before issuance of final allotment letter and to pay cost of the excess area (at the DC rate plus 40%), as per rules of LDA.

Investigation of the complaint revealed that the plot (No. 591-A-II/Gujjarpura scheme) was allotted to the complainant in 1992 and he paid an amount of Rs. 26,250/- as provisional cost of the plot. Apparently, the complainant did not agitate for delivery of possession for a long time thereafter. Part plan in respect of the plot was received on 01-11-2000. LDA also asked the complainant to resolve a discrepancy regarding his signatures on various documents. The discrepancy was settled in 2004 and, thereafter, the file was sent to audit wing of LDA for processing of the case regarding payment of dues or any recoverable amount. The audit wing took at least two years to finalize the matter. There was no justification for such an inordinate delay. The complainant could not be held responsible for this delay. The policy of charging cost of the excess area of the plot at DC rate plus 40%, was introduced in May 2001. LDA's demand for payment of cost of excess area in accordance with its latest policy, was not vindicated by delays in the processing of the complainant's case/file in different wings of the Agency, particularly after the receipt of the part plan in Nov. 2000. Considering the facts of the case, therefore, the complaint was partly accepted and LDA was directed to charge cost of the excess area of the plot at DC rate which prevailed in November 2000 when the part plan in respect of the plot was received from Town Planning wing of LDA.

Complaint No. C-2469/06/2010-Adv-II-161/10

Request for Permission to Construct a House on Exempted Plot Transferred to the Complainant

One Taluk Khan came up with a plaint stating that he owned plot No.312, Block L in Sabzazar Scheme, but he was not being allowed to construct a house on that plot by LDA. The complainant further stated that the plea taken by LDA for refusing his request that the land (acquired) fell under the river spurs/Bund, was wrong. Many people who were allocated exempted plots in lieu of land falling under the Bund/spurs etc, had constructed houses, but he was being discriminated against. The complainant requested that directions be given to the Agency/LDA to allow him to construct a house on the exempted subject plot without further delay.

LDA opposed the complaint maintaining that the plot was exempted against land which fell under the Bund/spurs and that being a project of Irrigation Deptt, the said Deptt was required to pay cash compensation to the complainant. LDA had not allowed any exemptee to construct a house on a plot exempted in lieu of land which came under the Bund/spurs.

In his reply to the report of LDA, the complainant stated that the Agency had misstated the facts and there was no valid reason for not permitting him to construct a house. He also maintained that in several other cases relating to land falling under the Bund/spurs, houses had been constructed. The representative of the Agency admitted during the proceedings that plot No 312/Block L/Sabzazar, which was an exempted plot, was intact and LDA had not resumed its possession. He also admitted that

the plot was allocated by LDA despite the fact that the land acquired fell under the Bund.

The investigation of the complaint revealed that plot No. 312, Block L, Sabzazar scheme was an exempted plot which was purchased by the complainant and transferred by LDA on the terms and conditions of original allocation. The allocation of the plot to the original exemptee remained intact. Likewise, transfer of the same plot to the complainant also remained intact. When the plot had been consciously exempted/allocated, there was no legal justification for not approving the building plan on application by the complainant/buyer of the plot. No record was produced by the representative of the Agency to show that Irrigation Deptt. had given any undertaking to accept liability regarding payment of compensation against the land which fell under the Bund/spurs. As it was evident that plot No.312 in Block L/Sabzazar scheme was validly exempted/allocated and LDA transferred the same plot to the complainant in May 2003, there was no legal/valid justification for not entertaining his request (subject to fulfillment of codal formalities) for approval of building plan for the purpose of construction of a house on the said plot. The Agency/LDA was accordingly directed to entertain the complainant's application (as and when submitted) and to take further action in connection with approval of the building plan.

Complaint No. 256/01/2010-Adv-II-16/2010

Extension of Mosque

Complainant, Mohammad Afzal, President Social Welfare Society College Block, Allama Iqbal Town, Lahore, approached the Office of Ombudsman Punjab stating that in the year 1988 the then President of Pakistan had ordered for allotment of additional (adjoining) plots for extension of the mosque located at plot No. 75, College Block, Allama Iqbal Town, Lahore, and LDA had accordingly allotted three adjoining plots (measuring three Kanals) i.e., plot No.62-B, 62-C, in 1990. Reserve price of the plots was paid by Anjuman Darul Uloom Usmania, Allama Iqbal Town, Lahore. On a complaint from Social Welfare Society of the College Block against the Khateeb of the mosque to the effect that he was trying to sell the adjoining plots, the allotment of the said plots was cancelled by LDA in 1990. Subsequently, one of those plots i.e. plot No. 63 was sold by LDA in open auction. Plot Nos.62-B and 63-C, however, remained in the possession of the management of the mosque, but LDA was not ready to grant permission for further construction/extension of the mosque on those (two) plots. The complainant requested for directions to the Agency/LDA to grant permission for extension of the mosque on the said two plots.

LDA opposed the complaint maintaining that allotment of the three plots to Anjuman Darul Uloom Usmania had been cancelled in 1990 as the then Khateeb of the Mosque was found to be trying to sell the plots meant for extension of mosque through "misrepresentation, fraud and forgery". One of those plots was subsequently sold. A writ petition filed by Anjuman Darul Uloom Usmania was dismissed by the Lahore High Court.

The complainant argued that the plots were allotted for extension of the mosque and could not be put to any other use. He also argued that two plots i.e. No.62-B and 62-C remained in the possession of the management of

the mosque throughout and had not been transferred to any other party. The W.P. No.9010/1990 was not decided/dismissed on merits. It was averred on behalf of the Agency that reserve price of the plots had been refunded to the Anjuman and the management of the mosque had no locus standi to claim re-allotment of the plots for extension of the mosque.

Investigation of the case revealed that a mosque was constructed on plot No.75 (measuring 2 Kanals) College Block, Allama Iqbal Town, Lahore, in accordance with the original master plan of the housing scheme. Considering the persistent demand of the local residents, the then Chief Minister issued a directive dated 16.06.1988 for the allotment of three adjoining plots for extension of the mosque i.e. Plot No.63 (measuring two Kanals) and plot No.62-B and 62-C (each measuring ten Marlas) which were originally earmarked for commercial purposes. Approval of the Chief Minister for change in the land use i.e. conversion of these plots into residential/ utility plots was obtained by LDA on a summary dated 22-6-1988. The three plots were accordingly allotted to Anjuman Darul Aloom Usmania on payment of reserve price. In 1990, a complaint was received by LDA according to which Mufti Zia Ul Habib Sabri, Khateeb of the mosque was trying to sell the plots to some persons by misrepresenting the facts (e.g. allotment in his name). LDA, instead of calling upon the Anjuman to start construction for extension of the mosque to avert any chance of surreptitious sale of those plots, proceeded to cancel the allotment and unilaterally refunded the reserve price after deductions through a cheque. The record produced by the representative of the Agency showed that the cheque was cashed but the amount was apparently not received by the Anjuman. Of the three plots, possession of which (on papers) was resumed by LDA after cancellation of allotment, plot No.63 was auctioned and sold. Presently, two plots i.e. 62-B and 63-C were available and in the possession of the management of the mosque.

The record further showed that allotment of the plots (to the Anjuman for extension of the mosque) was cancelled on frivolous grounds as none of the three plots had actually been sold/transferred to any party in the record of LDA. If the Khateeb of the mosque (in whose name the allotment had inadvertently or viciously been made by LDA) had done anything out of greed, his attempt to sell the plots (without knowledge of Anjuman Darul Aloom Usmania), had been successfully foiled. It would have been reasonable for LDA to correct the error in the order of allotment instead of cancellation of allotment of the plots originally made for a noble cause i.e. extension of the mosque. It was an admitted fact that the subject plots were allotted in relaxation of land use policy by the competent authority and the decision (change in the land use for those plots) had taken legal effect since 1990. The argument that the return of the plots to the mosque would be in violation of the land use policy was therefore, not considered tenable. No conclusive evidence was shown by LDA to indicate that refund of the reserve price was actually made to Anjuman Darul Aloom Usmania. A writ petition No.9010/90 was filed by one Mian Muhammad Nawaz against cancellation of allotment of adjacent plots. The writ petition was not decided on merits and it was dismissed being not competent with the following observations; "The questions being raised in the writ petition can be properly raised and settled in a civil suit, as it will require detailed evidence. The petitioner shall be at

liberty to file a civil suit, for appropriate relief, raising all factual controversies, where the issues will be decided on merits". The two plots were still available and vacant. The complainant was not asking for re-allotment of the two plots to the Anjuman. The Agency/LDA could retain ownership of the two plots, but this fact could not reverse the original decision for extension of the mosque atleast on the adjoining two plots (62-B & 62-C), which continued to be in the possession of the management of the mosque. The Agency/DG, LDA was, therefore, directed to allow the Anjuman Darul Uloom Usmania to start construction for extension of the mosque on these plots. The Agency/LDA filed an appeal/representation against the order passed by the Ombudsman which was, however, rejected.

Complaint No. 6737/11/2009-Adv-II-349/2009

Levy of Increased Tax on Transfer of Flat in Model Town Extension Scheme Due to Delay

One Mohammad Akram approached the Office of Ombudsman stating that he purchased Flat No. 192-B in block N, Model Town Extension Scheme, Lahore, in November 2008 and applied to LDA for transfer of the said flat after paying stamp duty of Rs. 3000/-. Parties appeared for identification in the office of LDA on 28-11-2008. Identification process was completed and relevant documents were signed on the same date, but the concerned staff of LDA deliberately delayed the issuance of challan form for payment of transfer fee. He received the challan form from LDA after delay of about eight months on 07-7-2009 and paid transfer fee on 08-7-2009. He, thereafter, requested LDA for issuance of a transfer letter, but instead of issuance of a transfer letter, he was being asked to pay more money as stamp duty and capital value tax (CVT) which had been levied by the Govt. w.e.f. 01-7-2009. The complainant maintained that as LDA was responsible for delay in the issuance of challan form, he was not supposed to pay CVT. The complainant requested for direction to LDA to issue him a transfer letter without demanding payment of any further stamp duty /CVT etc.

LDA took the stance that the complainant's case was delayed because of shifting of office record from LDA Complex, Court Street to Jauhar Town and since CVT had been imposed on transfer of all categories of flats, the complainant could not be exempted from payment of CVT and the prescribed stamp duty. The record revealed that the complainant submitted an application for transfer of Flat No. 192-B block N, Model Town Extension Scheme, Lahore, in November 2008. He also paid stamp duty at a higher rate at that time due to his ignorance. The complainant and the seller were called for identification/ completion of legal formalities in the office of LDA on 20-11-2008. After completion of formalities/ documentation, there existed no justification for delay in the issuance of transfer challan form to the complainant. The challan form was issued to the complainant on 04-7-2000 when CVT had been imposed by the Federal Govt. even in respect of transfer of ordinary flats. The reason given for delay of 8 months i.e. shifting of record to Jauhar Town was not acceptable and the Agency/LDA was obviously responsible for gross maladministration. DG, LDA was directed to hold an inquiry in order to fix responsibility for delay in the issuance of transfer challan and to recover the increased amount of stamp duty and CVT from the

staff held responsible for the delay or to compensate the complainant in any other manner.

LOCAL GOVERNMENT & COMMUNITY DEVELOPMENT

Complaint No. 3000/07/2010 C-X-111/10

Refund of Security

Complainant Irshad Masih stated in his complaint dated 13.07.2010 that vide work order dated 01.07.2007, he was allotted the work of removal of sullage/silt from the drains of Jaranwala City at an estimated cost of Rs.1,75,000/-. He executed the work within time and received contractual dues. The security amounting to Rs.50,000/- was not refunded despite repeated requests. The complainant prayed that TMO, TMA, Jaranwala be directed to refund his security.

The agency (TMO, TMA, Jaranwala) reported that security amounting to Rs.50,000/- had been released to the complainant. The complainant confirmed the receipt of the security amount. The grievance of the complainant was thus redressed on intervention by this office vide Ombudsman's order dated 01.10.2010.

Complaint No. 2540/06/2009 C-X-115/09

Refund of Benevolent Fund Amount

Complainant Syed Zafarullah Shah stated in his complaint dated 13.06.2009 that as a result of devolution dated 01.07.2002, administration of the staff of municipal schools was handed over to the District Government and deduction of Benevolent Fund from the salary of the staff was no more required. District Government, Pakpattan, however, continued deduction of Benevolent Fund from 01.07.2002 to 01.08.2003. The staff of Government M.C. Elementary School No.2, Ghalla Mandi Pakpattan requested through Syed Zafarullah Shah that District Government, Pakpattan be directed to refund their Benevolent Fund deducted after devolutions as those were not covered under the scheme.

The Agency (Deputy DEO(MEE), Pakpattan) reported that the DCO being Chairman, District Benevolent Fund Board was approached for the refund of the deducted amount on which he asked to contact Admn. Officer(BF) Provincial Board of Management, Lahore. Later, Admn. Officer(BF) Provincial Board of Management, Punjab, Lahore reported that the competent authority had approved funds amounting to Rs.1,48,879/- deducted on account of Benevolent Fund from the salary of the employees of M.C. School, Pakpattan. The amount would be reimbursed to each affected individual after verification of claim by the District Accounts Officer.

Syed Zafarullah shah complainant acknowledged receipt of the amount by the staff of Government M.C. Elementary School No.2, Ghalla Mandi and expressed satisfaction. The grievance of the complainant was thus redressed on intervention by this office vide Ombudsman's order dated 28.10.2010.

Complaint No. 3771/09/2010 C-X-143/10**Timely Payment of Pension**

Fayyaz Ahmad and 34 other retired employees of Chief Office Unit, Alipur Chatta, TMA Wazirabad in their complaint dated 20.09.2010 stated that prior to devolution they were able to draw pension from Town Committee, Alipur Chatta during early days of the month. After August 2001, TMA Wazirabad began disbursing pension but the payment was mostly delayed and irregular which added to the financial difficulties of the pensioners. The complainants requested that the TMA be directed to make payment of pension on time.

The Agency (TMO, TMA, Wazirabad) reported that number of retired employees of the TMA had exceeded the serving employees. The expenditure out of pension fund had, therefore, increased as compared to pension contribution. Effort was however, always made for early transfer from TMA general fund to ensure timely release of pension every month.

The Agency quoted paucity of pension funds as a reason which was not tenable. Late disbursement of pension constitutes an act of maladministration on part of the Agency. TMO, TMA, Wazirabad was therefore, directed to ensure disbursement of pension to the retired employees of C.O. Unit Alipur Chatta by the 10th of every month. The complaint was disposed of on intervention by this office vide Ombudsman's order dated 05.11.2010.

Complaint No. 2785/06/2010 C-X-103/10**Payment of Contractual Dues**

Parvez Akhtar, Salamat Ali and Rashid Mehmood contractors in their complaint dated 24.06.2010 stated that the followings schemes were allotted to them by TO(I&S) TMA Shahkot. -

(1)	Parvez Akhtar			
	Sr.#	Scheme	Work Order# / Dated	Estimated Cost(Rs)
	(i)	Construction of Soling from Metalled Road to Dera Ilyas Chak No.32/RB	231 / 30.05.2009	2,00,000/-
	(ii)	Construction of soling from Anwar Dad to Muhammad Ashraf	233 / 30.05.2009	50,000/-
	(iii)	Construction of Drain/Soling from Dera Aftab to Road Salarwala	193 / 30.05.2009	50,000/-
(2)	Salamat Ali			
	(i)	Construction of Soling/Drain Chak No.176/RB	246 / 30.05.2009	5,00,000/-
(3)	Rashid Mehmood			
	(i)	Construction of Drain/Soling Sahi Road Iftikhar Colony Shahkot	251 / 30.05.2009	2,00,000/-

The works were completed within the stipulated period. The complainants pleaded that despite lifting of ban, the Agency was not making payment. They requested that TMO, TMA, Shahkot be directed to pay the contractual dues.

The Agency (TMO, TMA, Shahkot) reported that the following payments had been made to the contractors and receipt of the contractual dues was confirmed by the complainants

Sr. No.	Contractor' Name	Cheque # /	Dated	Amount (Rs)
(1)	Parvez Akhtar,	70835442	14.10.2010	2,42,473/-
(2)	Rashid Mehmood	70835451	03.11.2010	1,43,458/-
(3)	Salamat Ali	70835446	14.10.2010	3,61,998/-
(4)	Rashid Mehmood	70835444	14.10.2010	1,51,173/-

The grievance of the complainants was thus redressed on intervention by this office vide Ombudsman's order dated 04.12.2010.

Complaint No. 3519/08/2010 C-X-129/10

Removal of Encroachment

Fayaz Ahmad Khan in his complaint dated 27.08.2010 stated that Ghafoor Ahmad and other shopkeepers had made encroachments at Chowk Adda Muridwala, Tehsil Samundri by extending their business to footpaths and roads thus obstructing traffic flow and causing inconvenience to pedestrians. The complainant requested that TMO, TMA, Samundri be directed to remove aforesaid encroachments from Chowk Adda, Muridwala.

The Agency (TMO, TMA, Samundri) reported that the TO(Reg.) personally visited Adda Muridwala alongwith anti-encroachment staff and took action against Ghafoor Ahmad and others. He added that the encroachments complained against had been removed. The grievance of the complainant was thus redressed on intervention by this office vide Ombudsman's order dated 07.12.2010.

Complaint No. 2713/06/2009 C-X-120/09

Payment of Pension Dues

Miss Tasnim Kausar in her complaint dated 18.06.2009 stated that she retired as a J.V. Teacher from Government M.C. Girls Middle School, Noorpura Chishtian on completing the age of superannuation. Her pension dues had not been paid despite lapse of more than a year. The complainant requested that DEO(WEE), Chishtian be directed to pay her pension dues.

The Agency (EDO(F&P), Bahawalnagar) reported that pension contribution of the complainant amounting to Rs.1,94,762/- was received from DDEO(W), Tehsil Chishtian for the period 01.07.2002 to 03.02.2008 she served in District Government Bahawalnagar and the pension contribution for the period 09.06.1965 to 30.06.2002 related to TMA Chishtian.

TMO, TMA, Chishtian reported that gratuity relating to the period she served in M.C. Chishtian had been paid to the complainant in the following manner.-

Sr #	Cheque #	Dated	Amount
(i)	96200412	16.03.2010	1,00,000/-
(ii)	96505453	01.07.2010	1,07,000/-
(iii)	68506214	03.11.2010	1,00,000/-
		Total.	<u>3,07,000/-</u>

He also reported that monthly pension was being paid to her regularly. The complainant confirmed the receipt and expressed satisfaction. The grievance of the complainant was thus redressed on intervention by this office vide Ombudsman's order dated 10.12.2010.

Complaint No. 3670/09/2010 C-X-137/10

Appointment under Rule 17-A

Saima Bibi in her complaint dated 08.09.2010 stated that her father Arshad Masih, a sanitary worker in defunct Municipal Corporation, Faisalabad, died during service on 24.02.2008. She applied to City District Government, Faisalabad, for appointment under rule 17-A but no action was taken. The complainant requested that DCO, Faisalabad be directed to appoint her as a sanitary worker against quota for the deceased's children.

The Agency (DO(HRM), City District Government, Faisalabad) reported that vide DCO order dated 23.11.2010, the complainant had been appointed as a sanitary worker and her services placed at the disposal of EDO(MS), City District Government, Faisalabad, for further posting. The grievance of the complainant was thus redressed on intervention by this office vide Ombudsman's order dated 10.12.2010.

Complaint No. 3353/08/2010 C-X-124/10

Transfer of G.P. Fund amount.

Ghulam Rasool Bhatti in his complaint dated 11.08.2009 stated that he remained posted as ATO(I&S), TMA, City Gujranwala from 04.04.2003 to 28.02.2006. After devolution, TMA, Khiali Shahpur Town was nominated as successor to TMA City. General Provident Fund deductions from his salary during above mentioned period stood transferred to TMA, Khiali Shahpur but were not transferred in his account No.PH 372 District Accounts Office Gujranwala despite repeated contacts. The complainant requested that TMA, Khiali Shahpur, Gujranwala, be directed to transfer his GP Fund deductions in A/c No.PH 372 District Accounts, Office Gujranwala.

The Agency (TMO, TMA, Khiali Shahpur Town, Gujranwala) reported that the case of transfer of the complainant's GP Fund from April 2003 to February 2006 amounting to Rs.30,450/- had been forwarded after approval to Tehsil Accounts Officer, Audit Department of the TMA. The complainant confirmed the receipt and expressed satisfaction. The grievance of the widow was thus redressed on intervention by this office vide Ombudsman's order dated 31.12.2010.

Complaint No.S-359/09/2008/C-II-05/2008

Provision of Clean Water

The complainants' grievance was that the residents of Ward No. 39/40, Mela Mandi Road, Old Civil Lines, Sargodha, did not have facility of clean drinking water for their daily use. Despite bringing the matter to the notice of concerned authorities several times, the problem remained unresolved.

TMA, Sargodha, reported that water supply line had to be disconnected at various places due to road expansion by the Highway Department, Punjab. Moreover, the staff of the concerned department working at the site also removed pipelines along with connections installed over there. Despite issuance of reminders, no corrective measures were adopted by the Highway

Department. Hence, water supply lines could not be restored. The Agency further intimated that on taking up the matter with Anti-Corruption Establishment, Sargodha, water pipelines were fitted, but the work still remained incomplete. It was added that TMA was taking necessary measures and the problem would be addressed very soon.

During investigation, pipelines for supply of water to affected areas were installed. The complainant however, requested that independent side-connections from the main supply line be also provided. Later, ATO (C-I) (S) TMA, Sargodha, reported that 1600ft pipeline had already been fitted. The affected residents also filed an application to the concerned Executive Engineer with regard to the problem, who finally ordered TMA, Sargodha, to make arrangements for re-installation of pipelines for supply of clean water to the area. On the intervention of this office, relief was provided to the complainants.

POLICE

Complaint No. 3960/10/10 CR-350/10

Complaint against a Police Official

According to complainant Mst. Kausar Parveen, she got registered a case FIR No.154/10, u/ss 452/376/511/337/506 PPC at PS Shahbor, District Okara against accused Rashad & Zeeshan as both of them forcibly entered her house and tried to rape her. Her grievance was that Muhammad Siddique SI/Investigating Officer, after receiving illegal gratification from the accused, instead of challaning them as per her complaint, sent the case against them to the court u/s 354 PPC only and also registered their cross version u/ss 452/506 PPC. The complainant requested that action be taken against the said police official under the Police Order, 2002.

District Police Officer, Okara reported that it was true that Muhammad Siddique SI/Investigating Officer, instead of challaning the accused u/s 376/511 PPC, made out a case against them u/s 354 PPC and had also recorded their cross version u/ss 452/506 PPC. Ilaqa Magistrate, however, did not agree with the Investigating Officer and sent the accused to judicial lock up u/ss 376/511 PPC and also ruled that cross version was not made out.

The complainant submitted a rejoinder reiterating the stand taken in the complaint. She also participated in the joint hearing and asked for justice. The official complained against stated that he was not at fault because section 452 PPC was not attracted in the case and section 337 PPC was also not attracted keeping in view the facts of the case.

It was concluded by this office that notwithstanding the submission of challan in the competent court, the conduct of Muhammad Siddique SI/Investigating Officer, raised many questions as he attempted to challan the accused u/s 354 PPC only and also registered their cross version and it was the Ilaqa Magistrate who thwarted these attempts. The unprofessional treatment of events in the case was indicative of the I.O's frame of mind as allegedly motivated by graft and corruption. DPO, Okara in these circumstances, was directed to take stock of this situation and initiate disciplinary proceedings against the Investigating Officer.

Complaint No. 2984/07/10 CR-298/10

Request for Action against Police officials

Shahnaz Bibi, sister of complainant Haq Nawaz, was married to Ghulam Sabir Wattoo ASI who divorced her later on. As he refused to return dowry of his sister, she approached the family court and the case was finally decided in her favour. The said police official, therefore, harboured grudge against the complainant. He, alongwith three other police officials namely Muhammad Ashraf, Zafar Iqbal and Shah Mohammad Dogar ASIs entered the complainant's house on 24.04.2010 by scaling over the wall, tortured the inmates and arrested him. They also snatched an amount of Rs.5,000/- and a mobile telephone from him and took him to a private cell where he was stripped naked and tortured for several hours. He was then detained in police lock up after registration of a false case. The complainant requested that action be taken against Ghulam Sabir ASI and his accomplices.

District Police Officer, Okara reported that the allegations levelled by the complainant were found correct to the extent of misuse of official powers by the delinquent police officials and that the other allegations i.e. taking away any money, mobile phone and torture were not proved. Departmental action had therefore, been initiated against the said police officials.

The complainant showed his dissatisfaction on the Agency's report in his rejoinder whereas he and the departmental representative stuck to their stands during the hearing proceedings.

After detailed investigation, it was concluded by this office that a false case against the complainant was registered apparently at the instance of Ghulam Sabir ASI and the other allegations against the latter and his accomplices were also not without basis. DPO, Okara, in these circumstances, was directed to initiate disciplinary proceedings against all the delinquent police officials.

Implementation Petition No.S-118/01/2010/C-1-01/2010

Implementation of Ombudsman's Order dated 2.11.2009

Petitioner, one. Naseem Akhtar, stated that previously she had lodged a complaint in this Office in 2008 to the effect that inspector Muhammad Fareed, S.H.O. Police Station, Satellite Town, Sargodha, and Muhammad Farooq A.S.I. had taken away two of her sons from her house and kept them in illegal detention for many days without any justification. Her complaint was disposed of vide this Office order dated 2.11.2009 with a direction to D.P.O. Sargodha to proceed against the above mentioned police officials under the Punjab Employees Efficiency, Discipline and Accountability Act, 2006 (P.E.E.D.A.). The petitioner stated that no action, however, was taken against the accused officials by the DPO. She requested for a direction to DPO, Sargodha, to take necessary action in compliance with Ombudsman's order dated 2.11.2009.

The matter was taken up with Regional Police Officer, Sargodha, who informed that accused Inspector Muhammad Fareed had left service after getting pre-mature retirement and, therefore, it was not possible to take any action against him. As for Muhammad Farooq, ASI, he had proceeded on deputation to Punjab Constabulary, Farooqabad. It was suggested that

Commandant P.C., Ferozabad, be directed to take the requisite action against the said official.

During investigating of the case, it was observed that relevant laws authorised the appointing authorities to proceed against an official under PEEDA Act, 2006, even if he had proceeded on deputation to any other establishment. Therefore, DPO, Sargodha, proceeded against and penalized the accused official (Muhammad Farooq ASI) vide his order dated 9.6.2010 awarding him punishment of censure under the provisions of the Act *ibid*.

Vide Office order dated 15.10.2010, it was observed that the minor penalty of censure awarded to the accused official was lesser than the quantum of guilt proved against him. The Inspector General Police, Punjab, was, therefore, directed to issue directions to all the R.P.Os and D.P.Os in Punjab to ensure that police officers/officials found involved in unlawful activities should be dealt with sternly in accordance with the nature of the crime committed by them, and, in future, the practice of awarding minor penalty of "censure" to such accused officials be avoided.

In compliance with the direction given by this Office, instructions to all concerned were accordingly issued by Inspector General of Police vide his letter dated 12.11.2010.

Complaint No. 5230/09/C-VII-327/09

Police High-Handedness

Nadeem Khursheed, a resident of Kasur, lodged a complaint stating that a police vehicle hit his wife while they were on their way to a medical store in Phoolnagar to purchase medicines. He contended that the accident had taken place due to dangerous driving by the police vehicle driver. Not only this, when signaled and questioned, Assistant Sub-Inspector (ASI) of the City Police Station, Phoolnagar, joined by some other policemen, jumped out of the vehicle and caught his brother. They took him to the police station where he (his brother) was kept in illegal custody and beaten mercilessly. He said it was only through the intervention of some notables of the area that his brother was ultimately released. He approached this office with the request for directions to take action against the police officials.

Accused ASI Khursheed Ahmad reported that on the day of occurrence the police driver was driving slowly due to a great rush on the main road in Phoolnagar. According to him, the complainant abused the policemen when they parked the vehicle just near them, without any reason. He, however, denied having taken the complainant's brother to police station or torturing him.

Investigation of the case revealed that ASI Khursheed Ahmad was actually responsible for the high-handedness, in connivance with his fellow-policemen at the police station.

Regional Police Officer (RPO), Sheikhpura, was directed to take action against the ASI under Punjab Employees Efficiency Disciplinary & Accountability Act, 2006.

DPO, Kasur, later reported that the ASI had been punished. He added that his promotion had been stopped for two years.

Thus, on the instructions of the Ombudsman, the complainant's grievance against the police officials was redressed.

Complaint No. 2375/08/C.XI-79/08

Misconduct of Police Official

Complainant, Asghar Ali, stated that Khalid Pervaiz, a Sub-Inspector in Police Department, Lahore, did not pay him Rs 2,400/- for his car repair. When he insisted on payment, the police official subjected him to physical torture resulting in loss of his eyesight. He approached the police authorities for redressal of his grievance but to no avail.

The police official (complained against) contended that he had not made the payment in respect of his car repair because he was not satisfied with the work done by the complainant, and that exchange of hot words between them had finally led to a brawl. He, denied the allegation of torture to the complainant.

The matter was investigated and a direction was given to Director, Anti-Corruption (Establishment), Lahore, to take legal action against the accused police official and submit a report within two months' time.

As reported by ACE, Lahore, a case was registered against Sub-Inspector Khalid Pervaiz on 29.12.09 with Police Station, ACE, Lahore Region, under Sections 420/468/471 PPC read with Section 5 of the Prevention of Anti-Corruption Act, 1947.

Complaint No. M/118/01/10/C-I/13/10

Recovery of Stolen Goods

Perveen Akhtar, Headmistress, Government Primary School, Tehsil Sadiqabad, Rahimyar Khan, complained that goods worth Rs 42,820/- donated by UNICEF were stolen from her school at night in 2009. After the theft, she visited Police Station Sadiqabad, met the SHO personally and brought details regarding the incident to his notice. The SHO, however, did not lodge first information report (FIR) for recovery of the stolen goods.

The matter was taken up with District Police Officer (DPO), Rahimyar Khan, who reported that FIR No. 71/10 had been registered at the Sadiqabad Police Station and the case was under investigation.

The matter was investigated and this Office directed DPO, Rahimyar Khan, to take necessary action against the concerned SHO under Article 155/C of Police Order 2002 and also to monitor investigation at personal level.

In compliance with the direction, DPO, Rahimyar Khan, informed that FIR No. 154/10 had been registered against the delinquent SHO under Article 155-C of Police Order, 2002.

Complaint No. 2821/06/10/C-VII-119/10

Action against Police Official

Complainant, Muhammad Shahbaz, stated that one Muhammad Naseer had illegally occupied his land situated at Shahdara, Lahore. A case FIR No.1047/10 u/ss 452/427/148/149 PPC at PS Shahdara was registered against the accused person but police did not take any action because the accused was reported to be an employee of Police Department. The complainant requested for a direction to the Agency to take action against the accused and to get his land retrieved from illegal possession.

As a result of active follow up, the accused purchased the disputed land from the complainant at the market rate. The matter was thus resolved.

PUNJAB PUBLIC SERVICE COMMISSION

Complaint No. 3607/09/10/C-II-46/2010

Eligibility for Interview to the Post of Senior Special Education Teacher

As per facts of the case, the application of the complainant against the post of Senior Special Education Teacher (deaf field) was summarily rejected by the Punjab Public Service Commission for the reasons that the DMC / Transcript did not show the field of specialization in Hearing impairment and that the complainant did not possess 65% marks in M.Ed.

The complainant sought indulgence of this office against arbitrary rejection of her application by the Punjab Public Service Commission with the prayer that she may be provided an opportunity to appear for interview.

The report filed by the Punjab Public Service Commission indicated that the complainant filed representation against rejection of her application. The report further showed that contradiction was found between the transcripts earlier produced and subsequently submitted. In view of doubtful circumstances, the rejection of application was found justified.

Due to intervention of the office of the Ombudsman, the controversy with respect to contradiction between the two transcripts was resolved as the complainant produced certificates duly attested by the Authority. Ghulam Sarwar, Deputy Director, Punjab Public Service Commission appeared and intimated that the Agency had declared the complainant eligible for interview. As such the complaint was disposed of as having borne fruit.

Complaint No.1265/03/10/C-II-07/2010

Appointment as a Lecturer Against 2% Quota for the Disabled

Complainant, Mst. Shagufta Rani, applied for appointment as a Lecturer in Economics against vacancies reserved for disabled candidates. Her name appeared at serial No.29 in the list of successful candidates, whereas according to Public Service Commission only 28 disabled candidates were to be recruited under 2% quota (for disabled) against 1447 vacancies. The complainant approached the office of Ombudsman stating that the Agency (PPSC) had not correctly calculated the quota of disabled candidates.

The Agency / PPSC took the stance that the number of vacant posts of Lecturers being 1447, 28.94 posts / vacancies fell to the quota of disabled candidates with round figure of 28. The investigation of the case revealed that the Agency had acted in violation of Government instructions regarding counting of fraction of 0.50 / above equal to one. The PPSC was required to count the figure 28.94 as 29. The Agency / PPSC admitted its mistake. A direction was, therefore, given to it to select the complainant against the 29th vacancy in accordance with merit. She was appointed as a Lecturer and thus justice was provided to the complainant on the intervention of this office.

SERVICES & GENERAL ADMINISTRATION

Complaint No. 2220/05/2010-Adv-II-135/2010

Policy for the Payment of Cost of House Allotted

Malik Zulfiqar Ali, a retired Distt. & Session Judge, approached this Office with a complaint stating that he got membership of Punjab Govt Servants Housing Foundation (PGSHF) when the scheme was launched in 2004. He retired on reaching the age of superannuation on 16-03-2004. He was informed by the Foundation vide its letter dated 15-03-2010, that house No. 24 Block A (Mohlanwal Lahore) measuring one Kanal had been allotted to him and that he should pay the amount of Rs.57,94,389/- as price (cost) of the house within a period of 90 days w.e.f. the date of issue of the said demand notice. He was also told that in case of delay in the payment of full cost, he would have to pay surcharge @ 10% and if full dues were not deposited by the end of 120 days, allotment of the house would be cancelled. The complainant further stated that the Govt. had provided billions to the Foundation after its inception for the construction of houses for the welfare of serving/retired Govt. servants and that the Foundation was to provide houses to Govt. pensioners on "no profit/no loss" basis. A sudden demand to pay an exorbitant amount of Rs. 57,94,389/- within a short period of three months or to pay surcharge @ 10% or to lose allotment was unjust and against the spirit of the law under which the Foundation was established. The time limit given for depositing the full amount for a pensioner like him who had depended on monthly salary throughout his service was unacceptable. The demand encouraged corruption as allottees were being forced to sell the allotted houses in the property market and resultantly the number of private owners of houses constructed by PGSHF was exceeding the number of Govt. servants/pensioners for whose benefit the scheme was basically launched. The demand was also unreasonable as cost of construction of a house measuring one Kanal should not exceed Rs.38 lacs according to the original estimates. Some influential members of PGSHF had also been given relaxation in time limit for the payment of full price of a house but a different standard was being used in his case. The complainant prayed for direction to the Agency/PGSHF to reassess the price of the house and to withdraw the demand notice regarding payment of full price within a period of three months or surcharge @ 10%, cancellation of allotment and to give him a time limit of three years to pay the full price.

MD, PGSHF opposed the complaint maintaining that as per section 17(5) of PGSHF Act 2004, the complainant could be handed over possession of the house only when he had paid the total cost i.e. Rs.57,94,395/-. The complainant was also required to pay the cost of allotted house (24 Block A, Mohlanwal) within a period of three months under PGSHF Regulations and the allotment was liable to be cancelled if the complainant failed to pay the said amount within the prescribed limit of time. The Agency, however, admitted that in a few cases, the competent authority/Chief Secretary had granted extension of three months for full payment and that the price/cost of Rs. 38 lac was never fixed by PGSHF.

Investigation of the complaint revealed that Punjab Govt Servants Housing Foundation was established under PGSHF Act, 2004 with the

objectives as mentioned in the preamble of the Act "to introduce a scheme for providing houses on no profit no loss basis to Government servants on their retirement, or to their families in case of death during service." Obviously, the intention and the basic objective (as envisaged from the Act) was to provide a facility (as a measure of welfare) to Govt. servants of the Provincial Govt. who paid contribution in easy/monthly installments during the long span of their service in order to get a "ready to occupy" house immediately on retirement. This way, the Foundation had the opportunity to receive almost full (subsidized) cost of a house from a Govt. servant by the time he retired in normal course. The case of those (like the complainant) who were going to retire soon after obtaining membership of PGSHF, was certainly different as they did not pay any substantial amount as contribution by the time they retired. But, they were held eligible for allotment of a house. Despite their case being a bit different, the fact of grant of membership to such near retirement Govt. servants showed that primary consideration was not to earn any revenue/profit. The Govt./PGSHF was, therefore, not supposed to do anything against the objectives of the scheme. The complainant being a retired District and Sessions Judge (BS-20) when the scheme was launched got membership of the Foundation for allotment of a house (one Kanal) in accordance with his grade/pay scale. The complainant like many other members of the Foundation, believed that the cost of a one Kanal house would not go beyond his resources. The Agency/PGSHF never informed the complainant or any other member about the estimated cost in the past. The high price being demanded had compelled many retired Govt. servants to sell (alienate) the allotted houses in the property market as they were unable to pay the price from their own resources. Obtaining a bank loan even if facilitated by the Foundation, was not considered a worthwhile option for obvious reasons. The law (PGSHF Act) had not prescribed any specific time limit for payment of full cost of a house. The limit of 3 months was mentioned in Regulation 10 of PGSHF Regulations which was made by BoD of PGSHF two years after the enactment of the basic law. The very fact (not denied by the Agency) that in some cases the time limit was extended for any period proved that such provisions included in the Regulations were inimical to the interests and welfare of serving/retired Govt. servants. Apparently, the authors of the law were conscious that fixing any period for payment of full cost did not conform to the objectives of the scheme. Compelling a retired Govt. servant to pay full cost (which was not modest by any standard) within a period of three months was considered an act inimical to the welfare of retired Govt. servants and an evidence of maladministration. The Agency (PGSHF) was accordingly directed to extend the period for payment of full price of the house allotted to the complainant for atleast one year, not to impose any surcharge and not to cancel the allotment of the house.

Complaint No. 3003/07/2010-Adv-II-187/2010

Allotment of Flat on Exchange Basis

Mohammad Akram, a Private Secretary (BS-16) in the Punjab Civil Secretariat, approached this Office stating that he was living in Govt. residence/flat No.FE 103 in Wahdat Colony, Lahore. The flat being on the upper floor of the building, his family members had to face immense problems. His brother was a disabled person while his wife was a patient of

cancer. Moving them down stairs (for hospital visits) or taking them upstairs was an uphill task. He applied to Estate Office/S & GAD for allotment of a ground floor flat. He was allotted (ground floor) Flat No.FE 97 subject to vacation by the present allottee who was near retirement. He was waiting to get possession when the flat (FE-97) was allotted to one Naseem Raja, an Assistant in the CM Sectt. The complainant further stated that allotment of the said flat to another person in the presence of a valid allotment order in his favour, was an act of maladministration. He requested that directions be given to the Agency to restore allotment of the said flat in his name.

Reacting to the complaint, Estate Officer/S & GAD took the stance that Flat No. FE 97/Wahdat Colony was allotted to the complainant on exchange basis in lieu of the flat in which he was living subject to vacation. After allotment of the flat to the complainant, one Naseem Raja, an Asstt./Care Taker in CM Sectt. obtained a directive of the Chief Minister regarding allotment of a Govt. residence and he was allotted the said flat by cancelling the allotment (on exchange basis) in the name of the complainant. According to him the Agency had the right to cancel the allotment without any show cause notice.

Investigation of the complaint revealed that the complainant, residing in an upper floor flat (FE-103, Wahdat Colony), was allotted ground floor Flat No.FE 97 on exchange basis in view of his personal/family problems on 16-9-2009 subject to vacation. This flat was not vacated because the occupant Najam un Nisa Gilani, a Lecturer in Education Deptt. who retired in June 2010, was allowed to keep the flat in her possession upto December 2010. The complainant was expecting to get possession of the ground floor flat on vacation of the same when that flat was allotted to one Naseem Raja, an Asstt./Care Taker in the CM Sectt. on 15-6-2010 because of pressure exerted by him. The complainant was not sent any notice or conveyed any reasons for cancellation of the allotment by the Estate Office. The record showed that a summary dated 30-6-2009 was submitted to the Chief Minister by the Agency/S & GAD opposing out of turn allotment of any Govt. residence to Naseem Raja on the ground that his name was registered at Sr.No.153 - i.e. far below in the seniority list of two room senior category. Despite the Agency's contentions against out of turn allotment, it was conveyed on 24-2-2010 that CM desired allotment of a Govt. accommodation to Naseem Raja. No record was, however, produced by the Agency to show that the CM had desired allotment of any specific residence/flat to Naseem Raja. Flat No. FE 97 was allotted to Naseem Raja on 15-6-2010 despite the fact that the said flat was already allotted to the complainant (on exchange basis) on grounds of hardship. Naseem Raja could have conveniently been allotted the flat (FE-103) presently occupied by the complainant if at all he was to be allotted a Govt. accommodation on out of turn basis. Considering the facts of the case, the act of unilateral cancellation of allotment of Flat No.FE-97/WC (on exchange basis) to the complainant (who was facing hardship/problems) and the allotment of the said flat to another official without any legal/ethical justification, was held to be an act of maladministration as defined in Section 2(2)(1)(b) of the Punjab Office of the Ombudsman Act 1997. The Agency/ACS/S&GAD was directed to restore allotment of Flat No.FE 97 in favour of the complainant within a period of three weeks.

Complaint No. 6659/10/2009-Adv-II-337/2009**Allotment of Govt. Residence/Definition of a Sectt. Deptt.**

Abdul Majeed, an Asstt. Chief/BS-18 in P&D Deptt., came up with a complaint stating that he applied to the Estate Office/S & GAD for allotment of a Govt. residence according to his status/entitlement on 08-6-2009. The Estate Office, instead of registering his application for allotment of a house, informed him through a letter dated 07-07-2009 that his request being contrary to the Allotment Policy/Rules, could not be entertained. The complainant further stated that as per para 7 of the Allotment Policy notified on 19-01-2009, he being a Govt. employee of a Secretariat Deptt, was eligible for allotment of a Govt. residence. According to Rules of Business of the Govt. of the Punjab also the P & D Deptt. was a part of the Civil Sectt. Declaring some Govt employees in a Sectt. Deptt. eligible for allotment (of Govt. residence) and depriving others with different designations was discriminatory. The Allotment Policy declared employees (of different designations) of Lahore High Court and Provincial Assembly eligible for allotment whereas neither the High Court nor the Provincial Assembly was a Deptt. of the Provincial Secretariat. The complainant requested for directions to the Agency/S & GAD to entertain his request for the allotment of a Govt. residence in accordance with his grade.

Estate Office/S & GAD opposed the complaint maintaining that the complainant was to be treated as an employee of P & D Board which was not a Sectt. Deptt. The status of P & D Board was yet to be determined. As the complainant was not an employee of a Sectt. Deptt, he was not eligible for allotment of a house in any Govt. colony.

Investigation of the complaint revealed that the Agency/Estate Office (S & GAD) had refused to register the complainant's application for allotment of a house (in a Govt. colony in Lahore) according to his entitlement on the ground that he was an employee in P & D Board and not an employee of a Sectt. Deptt. and that the status of P & D Board was yet to be decided. The record, however, showed that P & D Board was a forum to discuss issues connected with economic planning and development. For this reason P & D Board was nowhere reflected as an agency to carry out any business of the Govt. in the Rules of Business. The Agency was unable to show any record to prove that the complainant was an employee of non Sectt. Agency/P&D Board. The record rather showed that the complainant was an employee of P & D Deptt. Schedule I of the Rules of Business of the Govt. of the Punjab placed P & D Deptt. in the list of Sectt. Deptts. Against the same Sr.No. non-Sectt. organizations under the control of P & D like DG Abad and Punjab Economic Research Institute were listed separately. The Rules of Business clearly showed that the employees of P & D Deptt. designated as Research Officers/Asstt. Chief or Chief of Section were the employees of a Sectt. Deptt. The fact was further established from the contents of the Telephone Directory of Civil Sectt. issued by S & GAD which listed P & D Deptt. among the Sectt. Deptts. and provided information about the official telephone Nos of officers working against various posts including the Asstt. Chiefs. An advertisement appearing in the press on 13-07-2010 invited the candidates to submit their applications for appointment against the posts of Asstt. Chief etc in P & D Deptt. As per the advertisement, applications were to be addressed to the

Secy. P & D Deptt. as the head of a Sectt. Deptt. The representative of the Agency admitted during the proceedings of the complaint that several officers of P & D Deptt. were allotted Govt. residences in the past and one Insram Ellahi, an Asstt. chief of P & D Deptt., was allotted house No. 125-C in GOR-II after the notification of the existing Allotment Policy. The representative of the Agency also admitted, in response to a query, that the allotment policy was not being strictly followed as in several cases Govt. servants who did not even belong to any Sectt. Deptt. or the Provincial Assembly or Lahore High Court had been allotted Govt. residences in GORs and other Govt. colonies in Lahore. The complainant, as per the Rules of Business and other documentary evidence, was a Govt. employee (drawing pay from Provincial Govt. exchequer) working in a Sectt. Deptt. If P & D Deptt. was not a Sectt. Deptt. the Deptt. should not have been headed by a Secy. to the Govt. of Punjab.

The complaint was thus accepted and the Agency/Estate Office/S & GAD was directed to register the complainant's application for allotment of a house in a Govt. colony in accordance with his entitlement/status as an employee of a Sectt. Deptt.

Complaint No. 3349/08/2010-Adv-II-210/2010

Preference for Allotment of House

One Azra Parveen came up with a plaint stating that after the death (during service in 2005) of her husband, Chaudhry Tariq Mahmood, a Medical Technician in Health Deptt., Distt. Gujrat, membership of Punjab Government Servants Housing Foundation (PGSHF) was transferred in her name in accordance with rules. In the Performa of membership of PGSHF, her husband had mentioned Gujrat as his priority No.1 and Lahore as priority No.2 for allotment of a house. As no housing scheme was launched by PGSHF in Gujrat, she was entitled to allotment of a house in a housing scheme at Lahore (her priority No.2) in accordance with rules of PGSHF. She approached the Agency/PGSHF for allotment of a house in Lahore, but her request was ignored and she was being asked to accept allotment of a house in Rawalpindi by changing her priority. The complainant requested that directions be given to the Agency/PGSHF to consider her for allotment of a house in Lahore.

The Agency/PGSHF opposed the complaint maintaining that as no housing scheme was proposed in Gujrat (the complainant's first preference) and the Chief Secy./Chairman, PGSHF had decided not to consider her for allotment of a house in Lahore, the complainant had been asked to change her priority and to accept Rawalpindi as her second choice.

The investigation of the matter agitated by the complainant revealed that the complainant/her deceased husband mentioned Gujrat as first priority and Lahore as second priority. Rawalpindi was mentioned at No.4 in the list of priorities and those priorities were accepted/approved by the Foundation. As no housing scheme for Govt. servants was launched in Gujrat, the complainant was entitled for the allotment of a house in the city of her next priority i.e. Lahore. The complainant was not asking the Agency for any undue or illegal favour. She was asking the Agency to adhere to its own rules by considering her for allotment of a house in Lahore which was her next priority. The Agency/PGSHF in asking her to change her preference against her will and in violation of rules, was considered responsible for

maladministration. The Agency/PGSHF was, therefore, directed to stick to its own policy/rules by granting the complainant's request for allotment of a house according to her next preference/choice i.e. in Lahore.

SOCIAL WELFARE

Complaint No. M/2024/09/10/C-IV/218/10

Appointment as a Child Care Worker

The complainant, Majid Yaseen, stated that he contested for 14 vacancies of Child Care Worker, scale 6, in Social Welfare Department Punjab. He was at Sr. No.1 in the waiting list of candidates and was eligible for appointment in place of one candidate who was being dropped after selection due to overage.

The Agency admitted in its report that the candidate at serial No.5 in the merit list was not eligible on the basis of age but in view of the ban imposed upon fresh recruitments and appointments, the complainant could not be appointed.

The point to be decided was whether the process of selection/recruitment completed earlier i.e. on 14.3.2009, could be hindered/stopped by subsequent ban on appointments imposed on 12.5.2010 i.e. 14 months later. As per advice from Secretary Regulation S&GAD, the complainant being at serial No.1 of the waiting list was deemed to be at serial No.14 of the 14 selected candidates due to ineligibility/dropping of the "over-age" but selected candidate at serial No.5. The Agency was accordingly directed to issue an appointment letter to the complainant.

Complaint No. 3190/07/2010/ C-IX-111/2010

Request for Directions to Social Welfare Department not to Hand Over Qasr-e-Behbood to Another Agency

Vice Chairperson, Bunyad Foundation, stated that Social Welfare Department had signed a memorandum of understanding to hand over the building of Qasr-e-Behbood to Special Education Department for establishment of a male oriented project. The complainant felt that handing over of Qasr-e-Behbood, (built as a Women Development Center) to Special Education Department for utilization as a male dominated project office would be prejudicial to the interests of the women. It was requested that Social Welfare Department be directed not to hand over the building to the Special Education Department.

The matter was taken up with Social Welfare Department, which informed that MOU was signed by the Social Welfare Department with Chief Executive of Punjab Fund for Rehabilitation of Special Persons, a project of Special Education Department. The Social Welfare Department agreed to give them only the second floor of Qasr-e-Behbood as a temporary arrangement until they completed their own building which they planned to construct in the near future. The complainant requested that the said MOU be declared as null and void and the building be immediately taken over by Social Welfare Department to establish offices of Women Development Project.

During investigation of the case, it was observed that the building known as Qasr-e-Behbood was planned and was being constructed solely to accommodate existing Women Development and Social Welfare Center to carry out women-related activities. The intended arrangement to hand over second floor of Qasr-e-Behbood to a male-dominated project was not appropriate. The complaint was, therefore, disposed of with the direction that the building should be completed by the projected date, taken over by the Social Welfare Department, and none of its floors/portions be given to a male oriented project/purpose.

TECHNICAL EDUCATION AND VOCATIONAL TRAINING AUTHORITY

Complaint No. 114/01/2010 C-VIII 03/2010

Payment of Retirement Dues

Complainant, Rahat Saeed Khan, approached this Office stating that he retired as Night Shift In-charge from Government Weaving and Finishing Centre, Shahdara, Lahore. Some recoveries on account of over-payment of salary and penal house rent were, however, illegally shown against him. He brought the matter into the notice of his Department. The concerned department approached Finance Department for advice. He contended that it was his office which owed him Rs.155,396/- instead of any recoverable amount from him. The aforesaid amount was not, however, paid to him. Later, Technical Education and Vocational Training Authority (TEVTA) Secretariat, Lahore, formed a committee to look into the matter and the committee submitted a report in his favour. Instead of paying Rs.155,396/-, the Agency, paid only Rs.105,107/- to him. The complainant requested for a direction to the Agency for payment of balance amount i.e. Rs.50,289/- to him.

Investigation of the complaint revealed that the complainant's claim was valid. The Agency/TEVTA admitted that the complainant was entitled to receive balance amount of Rs.50,289/- and a cheque for the said amount was issued to him accordingly. The complainant acknowledged receipt of the cheque.

UNIVERSITIES

Complaint No. M/3465/11/09

Refund of Dues Paid at the Time of Admission

One Kameel Hassan Kharal, approached the Office of Ombudsman stating that he passed his SSC (Annual) Examination, 2009, with very good marks and sought admission in FSc class on open merit in Govt. College University, Lahore. For that purpose, he paid Rs.21612/- as college dues on 26.8.2009. However, he was not allotted accommodation in the hostel. Therefore, prior to the commencement of classes on 9.9.2009, he submitted an application to the Deputy Registrar of the G.C. University Lahore on 31.8.2009 for cancellation of his admission and refund of fee dues. The University cancelled his admission on 5.9.2009 but refused to refund him the

fee. He prayed for a direction to the G.C. University administration for refund of dues paid by him.

The University contended that as per its rules, no dues other than library fee were refundable to students even if they did not actually study in the University. The investigation of the complaint revealed that the G.C. University had taken a stand which was inimical to the welfare of students and in a country like Pakistan, poor students were made to suffer under the garb of oppressive rules. It was observed that the University had enough time to offer the seat to a candidate next in merit after the cancellation of the complainant's admission which admittedly took place before the start of classes. The University was, therefore, directed to refund the dues and to rationalize its rules.

The University filed a representation against the order of the Ombudsman before the Governor of Punjab which was not accepted. The University ultimately refunded Rs.21612/- to the complainant through an order dated 5.11.2010.

Thus with the intervention of this Office, the grievance of the complainant was redressed.

Complaint No. 3889/09/2010 C-VIII 162/2010

Admission in MA (English) / Qualifying Equivalence of Degree

The complainant's grievance was that she applied for admission in M.A. (English) in the Division of Arts and Social Sciences, University of Education, Lahore, but admission was not granted to her on the ground that her degree of B.Sc. Education (10+4) programme was not equivalent to B.A/B.Sc. degrees and, therefore, she was not entitled to get admission in M.A. English. The complainant requested for a direction to the University to determine equivalence of the programme passed by her leading to her admission in M.A. English.

The Agency vis Division of Arts and Social Sciences, University of Education, Lahore, took the plea that as per the Prospectus, 14 years of education (B.A/B. Sc.) was required to get admission in M.A. English B. Ed. programme, whereas no mention of the programme B.Sc. Education (10+4) had been made in the Prospectus. Thus, the complainant who had passed B.Sc. Education (10+4) programme was not entitled to get admission in MA English B.Ed. Later, however, the University of Education informed that the complainant had been found eligible for admission in MA English B.Ed. on the basis of degree already awarded to her because the same was equivalent to B.A/B.Sc. of other universities. The institution concerned namely Division of Arts & Social Sciences had been advised to admit the complainant in accordance with merit.

During investigation, Division of Arts & Social Sciences submitted a report to the effect that in accordance with criteria provided by the University of Education, the complainant had qualified for admission on merit and that she would be admitted accordingly. On the intervention of this Office, relief was provided to the complainant.

Complaint No. 2941/07/2010 C-VIII-125/2010

Review of Result by Applying Discrepancy Formula

The complainant, Dr. Surya Fazal Hashmi, appeared in M. Phil (Community Medicine) Part-I, Annual Examination 2009 which was conducted

by University of Health Sciences, Lahore. Her grievance was that during Viva Voce of Practical Examination of Infectious Diseases, the Internal Examiner asked questions which were beyond the scope of the subject, became annoyed and threatened that he would not award qualifying marks to the complainant. In view of the above situation, she immediately brought the matter to the notice of Dean, Institute of Public Health and also requested the Vice Chancellor, University of Health Sciences, Lahore, to apply discrepancy formula vis-à-vis her Viva Voce as there was gross disparity in the marks awarded to her by the Internal and External Examiners, but no action was taken by the university to redress her grievance. She, therefore, requested the Ombudsman for a direction to the University to review her result by applying discrepancy formula.

The matter was taken up with University of Health Sciences which reported that the complainant had failed in the subject of Infectious Diseases and that her result was declared as per assessment made by the examiners under the rules. During investigation of the case, it was noticed that in Viva Voce of Infectious Diseases, External Examiner had awarded 24 marks to the complainant whereas Internal Examiner had given her only 04 marks. The point of view of the Agency as well as that of External and Internal Examiners was heard. Perusal of notification dated 01.03.2010 issued by University of Health Sciences, Lahore, revealed that in order to avoid victimization of the candidates by External/Internal Examiners in Viva Voce Examinations, a certain formula was to be applied to lower award with a view to providing relief to the student concerned.

In his findings, the Ombudsman observed that since there was a gross disparity between the marks awarded by External and Internal Examiners, discrepancy formula as contained in University's notification dated 01.03.2010 was applicable which, however, was not applied during compilation of result although the complainant's case was a glaring example of victimization by the Internal Examiner. Terming non-application of the formula in complainant's case as an act of maladministration, a direction was given to University of Health Sciences to apply the said formula as per rules and review the complainant's result in respect of Practical Examination of Infectious Diseases.

In compliance with the direction given by this Office, University of Health Sciences reviewed the complainant's result and declared her successful vide notification dated 10.08.2010. Grievance of the complainant was redressed within one month of filing of complaint.

Complaint No. 6677/10/2009 C-VIII 197/2009

Grant of Grace Marks/Another Chance

Abdullah Saqib, the complainant, stated that he got admission in School of Allied Health Sciences, Lahore (session 2004-2006), for a B.Sc. degree in Medical Laboratory Technology. He sat in the B.Sc. Medical Laboratory Technology (Composite) Examination, 2008, held in April 2009, under University of Health Sciences (UHS), Lahore, but failed in theory component of Microbiology including Parasitology by just two marks. He requested the Vice Chancellor of the University to either grant him two grace marks or allow him another chance to clear the paper. The University, however, took the plea that his request for award of two grace marks was not

tenable in view of the decision of the Board of Governors because the system of five grace marks had been abolished as per Supreme Court's judgment. The complainant contended that as per the prospectus of School of Allied Health Sciences, Lahore, a candidate was entitled to the award of five grace marks if he failed in one subject. Moreover, the Supreme Court's verdict was pronounced in the context of MBBS/BDS Examination and was, therefore, not applicable to the case of B.Sc. Medical Laboratory Technology. He requested that either the University should declare him successful or allow him another chance to clear the compartment so that his academic career was not ruined.

During investigation of the case, the Agency, inter alia, maintained that as per rules applicable in respect of B.Sc. Medical Laboratory Technology Professional Composite Examination, a candidate who failed in the final examination would be given five chances to qualify the said examination and that after availing of five chances his/her name would be removed from the rolls. Since the complainant had already availed of all the admissible five chances and failed to qualify the examination, it was not possible to give him any relief.

The investigation of the case revealed that the University was not interpreting the relevant rule correctly which was as under-

"A candidate who fails in the final examination of the University will be given five chances to qualify it. After five chances his/her name will be removed from the rolls"

A plain reading of the rule supra clearly showed that five chances to qualify the final examination would begin after the candidate had failed in the final examination and, therefore, such a candidate was entitled to six chances in all to qualify the examination. The complaint was accepted and the Agency was directed to grant one more chance to the complainant as admissible under the rules with a view to clearing his compartment. Complying with the above mentioned direction, the Agency intimated that one more chance had been given to the complainant and that he had appeared in the relevant examination held in April, 2010.

Complaint No. 2842/07/2010 C-VIII 121/2010

Payment of Dues

The complainant Muhammad Jamil of M/S M K Builders stated that Project Director, University of the Punjab, Lahore, had allotted a work of renovation to their firm vide work order dated 06.02.2008. The bid amount was Rs.10,75,818/- which was enhanced to Rs.23,12,680/-. The firm completed the work on 25.06.2009 and an amount of Rs.15,72,262/- was paid to the firm. The balance amount in respect of work done i.e. Rs.7,40,418/- had not been paid to the firm so far. The firm requested for a direction to Project Director/Chief Engineer, University of the Punjab, Lahore, for clearance of its pending liability as well as release of security.

The matter was taken up with University of the Punjab which intimated that the work pertained to Centre for South Asian Studies which was functioning within the premises of Punjab University but the financial/budgetary matters of the Centre were controlled by Federal Government. The Project Director/Chief Engineer of Punjab University were providing technical services to the Centre and it was in that context that work

order was issued to the complainant firm by the former. The Director of Centre for South Asian Studies was, however, advised to resolve the matter regarding clearance of complainant firm's pending liability. In the meanwhile, Centre for South Asian Studies intimated that an amount of Rs.6,21,951/- had been paid to the complainant firm vide cheque dated 23.08.2010 and that its security viz Rs.74,042/- would be paid later on in accordance with rules.

As a result of efforts made by this Office, the complainant firm's grievance was redressed and a direction was also given to the Agency to release complainant firm's security at the earliest as per rules.

CHAPTER-VI

IMPLEMENTATION OF RECOMMENDATIONS AS CONTAINED IN THE ANNUAL REPORT 2009

Pages 139 – 180

(DEPARTMENT WISE RECOMMENDATIONS)

AGRICULTURE

Ombudsman's Recommendation

The Agriculture Department Should Not Leave the Purchasers at the Mercy of Commission Agents in Fruits &Vegetables Markets

This Office has received several complaints w.r.t. charging of illegal commission from shopkeepers/purchasers in Fruits and Vegetables Markets in the Province. As per Agriculture Produce Rules, commission at the following rates (which includes market fee) is to be charged only from the farmers who bring their produce (fruits & vegetables) to urban markets:-

- i. 2.50% for fruits.
- ii. 3.12% for vegetables.

(Commission is payable on the basis of value of agricultural produce.)

As most of the purchasers/shopkeepers are usually not aware of the rules governing commission/market fee on agricultural produce, taking advantage of their ignorance and their own secure position as brokers licensed to arrange auction/sale of fruits & vegetables, the commission agents, at least in the markets of small cities and towns, tend to charge double commission from the farmers as well as purchasers at rates ranging from 5 to 10%. This practice has contributed to escalation of prices or big difference of prices of the same items in different towns and cities. Investigation of complaints on the subject revealed that this highly unfair, illegal and foul practice was going on unchecked with the active connivance of staff of Market Committees who did not even daily check the receipt books/auction accounts of Commission Agents who usually did not pay full market fee in accordance with the actual quantity of fruits and vegetables sold/auctioned through them. It is, therefore, not a matter of surprise that several Market Committees in the Province are financially very weak and some of these are not in a position even to pay salary and pension to their staff despite the fact that markets, at least during the season, are flooded with fruits and vegetables and swarmed by purchasers. If the Market Committees play their role effectively, the malpractice of charging of double commission at a high rate may come to an end and this one step may curb escalation of prices to some extent.

It was, therefore, recommended that:-

- i) In all fruits and vegetables markets, notices should be prominently displayed at entry and exit points indicating the exact rates of commission payable by farmers and exemption of purchasers from payment of any commission.
- ii) Rules should be amended to declare charging of double and illegal commission as a criminal offence punishable like an offence of theft. Cancellation of licenses (which seldom takes place) is not an adequate penalty.
- iii) The Govt. (Agriculture Deptt.) should appoint independent monitors to check performance of staff of Market Committees

Implementation of Recommendations

and to scrutinize the cash books and sale accounts of Commission Agents.

- iv) The staff of Market Committees involved in malpractices should be awarded exemplary punishment as a deterrent.
- v) The monopoly of 'Pharridarani' in purchase/ auction should be discouraged as most of the 'Pharridarani' are in league with Commission Agents against the interest of farmers.

Department's Reply/Implementation Report

- i) Instructions from this office have already been communicated to all the Market Committees, Extra Assistant Directors of Agriculture (E&M), Administrators for compliance and the Market Committees have already displayed Rate Boards in the markets as well as at entry and exit points depicting the schedule of legal deductions as per Punjab Agricultural Produce Markets Ordinance, 1978, and Rules framed there-under. The matter has already been taken up in Good Governance Initiatives (GGIs) and reports have been called as Key Point Indicators (KPIs) to evaluate the performance of Market Committees. Weekly meetings are being conducted regularly.

This office has issued similar instructions to the field formations vide this office letter No.28431-66/LO/ E&M/10 dated 03.11.2010.

- ii) Suggestions have been called for from the field format whereafter the Government will be approached at the earliest for legislation. The Extra Assistant Directors of Agriculture (E&M) have already been assigned the duty by the Government.
- iii) Government of the Punjab, Agriculture Department, Marketing Wing, has already appointed Mr. Liaqat Ali Raza, Extra Assistant Director of Agriculture (E&M), Headquarters Office, as Monitoring Officer for all Market Committees to monitor the affairs of Market Committees in Punjab vide letter dated 18th December, 2009. All the Extra Assistant Directors of Agriculture (E&M) in the Province have been directed to visit at least one Market Committee and Grain, Fruits, Vegetable Market in their notified area and submit reports accordingly.
- iv) Various enquiries have been initiated against the staff of the Market Committees involved in malpractices and some of them have been awarded punishment as per Rules.

Services of Three EX-Secretaries of Market Committee, Shah Jewna, alongwith an Administrator/Extra Assistant Director of Agriculture (E&M), have been terminated after completing the codal formalities by the competent authority, vide Order No.SO(D)1-30/2008 dated 2nd July, 2010.

One Secretary, Market Committee, and two Sub-Inspectors have been punished for misconduct, inefficiency, corruption and

embezzlement vide this office Order No.20311-19/Estt./E&M/09 dated 01.08.2009.

- vi) The role of middleman is being discouraged. To eliminate the middleman, direct marketing by the farmers is being introduced in "Itwar Bazars" to provide commodities at cheaper rates to the consumers. The conduct of auctions is also being watched by the Secretaries, Market Committees in Punjab to lower the prices. In Ramzan Bazaars, special arrangements were made to establish "Green Channel"/Fair Price Shops to minimize the marketing margins by eliminating the middlemen/Phari-Daraan. Ombudsman's Recommendations have thus been implemented by the department.

BAIT-UL-MAAL

Ombudsman's Recommendation

Delay in the Disbursement of Financial Assistance etc

Financial Assistance from Bait-ul-Maal in the form of marriage grants, scholarships to students and Permanent Rehabilitation Scheme grants are provided to deserving persons from Bait-ul-Maal. Complaints are received in this Office to the effect that disbursement is delayed because the meetings of District Bait-ul-Maal Committee are not held in time. It is recommended that the processing of applications and the disbursement of funds should be done by taking effective steps and through timely decisions. District Bait-ul-Maal Committees in the Province are not in existence since 30.06.2008 with the result that financial assistance to the deserving persons has practically ceased. It was recommended that immediate steps to be taken for re-constitution of these Committees.

Department's Reply/Implementation Report

The affairs of Punjab Bait-ul-Maal Council are run under Punjab Bait-ul-Maal Act, 1991. The Punjab Bait-ul-Maal Council is a Corporate Body which is constituted under section 2(1) of Punjab Bait-ul-Maal Act. The role of Social Welfare Department is limited and it is the Council which has to formulate the Committees under section 5(1)(2). The Council constitutes the District Bait-ul-Maal Committees which disburse financial assistance to poor, needy and destitute persons.

All District Bait-ul-Maal Committees in the Punjab were de-notified on 25.10.2008. The latest position regarding constitution of District Bait-ul-Maal Committees is that nominations for members of DBMCs are being received from 35 District through the DCOs/Dos. SW and members of Punjab Bait-ul-Maal Council and letters have been written to the concerned to expedite the matter. After receiving nominations of members of DBMCs, the matter will be placed before the Admn. Committee and thereafter before the Punjab Bait-ul-Maal Council for approval. The financial assistance is being provided to disabled persons, patients, widows, orphans, destitute and old age people by the Admn. Committee of the Punjab Bait-ul-Maal Council.

Recommendations of the Ombudsman stand implemented by the department.

BENEVOLENT FUND BOARDS

Ombudsman's Recommendation

i) Delays in the Payment of Family Assistance to Widows etc

Most of the complaints received in this Office related to non-payment of grants under Benevolent Fund Scheme to the widows and orphans of non-gazetted employees. The District Benevolent Fund Boards maintained that heirs of non-gazetted employees could not be paid financial assistance as the Provincial Benevolent Fund Board did not release the funds according to their requirements. The Provincial Benevolent Fund Board, when contacted in this regard, informed that Part-II of the funds, which related to non-gazetted government servants, was under stress because of decreased investment and reduced contribution to the Fund as many appointments were being made on contract basis. The funds relating to gazetted government servants did not face the crisis. The complaints received in this Office revealed that widows and orphans of non-gazetted government servants had not been paid monthly grants during the last three years or more. Families of some deceased government servants had no other source of income except the grant being paid to them from Benevolent Fund. It is therefore, recommended that Provincial Benevolent Fund Board may consider the possibility to amalgamate the amount of Part-I with Part-II of benevolent fund as the very object of introducing the benevolent fund scheme was to provide financial assistance to the government servants and their families irrespective of their status in service.

ii) Farewell Grant to Govt. Servants

The government employees are paid one extra pay as farewell grant at the time of superannuation. Some of those government employees who are not aware of this facility, cannot avail of the same by not applying at the appropriate time, with the result that the stipulated time limit lapses and they are deprived of this facility which is in fact their own money as they had been subscribing to the Fund throughout their service. It is recommended that an effective mechanism be evolved to provide relief in all such cases. It is suggested that when a government servant is about to retire and a notification about his retirement is to be issued by the competent authority, a copy thereof be forwarded/ endorsed to the B.F. Board for payment of one extra salary/farewell grant immediately on his retirement.

Department's Reply/Implementation Report

i) Part-I of the Benevolent Fund is meant for the Punjab Government Gazetted Employees whereas Part-II is meant for the Punjab Government Non-Gazetted Employees. The contributions of these employees are received in different heads of accounts. Furthermore, fresh appointments are being made on contract basis and they are not bound to contribute to the BF. The contention regarding non-payment of Monthly Grants during the last three years or more is not based on facts. The factual position is that in numerous

cases, monthly grants had been disbursed during the period under reference. However, if there was any complaint from an individual, it was mainly because of non submission of No Marriage Certificate from the concerned applicant and this fault was not on the part of the Agency.

In view of the above, it was not possible for the Benevolent Fund Board to amalgamate the amount of Part-I with the amount of Part-II.

ii) Farewell Grant is granted only to the gazetted government employees after their retirement on qualifying service towards pension, superannuation, invalid retirement or death during service. They are under obligation to submit their application within 275 days of superannuation, retirement, on qualifying service, invalid retirement or death during service to the parent department which is required to be submitted to the Provincial Benevolent Fund Board by that office within one year from the date of superannuation/retirement or death of the government servant concerned. The applications received after this prescribed period, are not entertained. Therefore, this office is not in a position to sanction Farewell Grant until and unless the complete application is forwarded to the Provincial Benevolent Fund Board.

It is further pointed out that the decreasing rate of profit on investments (14% in 2007, 13% in 2008, 12.5% in 2009 and 12% in 2010) is adversely affecting the income of the Board, leading to a financial crunch.

BOARDS OF INTERMEDIATE & SECONDARY EDUCATION

Ombudsman's Recommendation

1. Boards should issue revised certificates instead of duplicate certificates in certain cases

This Office frequently receives complaints from students/their parents against Educational Boards in connection with correction of their particulars in Matriculation or Intermediate certificates. It is usually stated in these complaints that the Boards insist on issuing duplicate certificates even in cases where original certificates were not lost and only minor correction or amendment was required to be made in the particulars/names or date of birth etc. After examining and investigating several such complaints, this Office feels that the points made by the complainants carry weight. It appears reasonable that the Board should issue duplicate certificates in case of loss of original certificates. However, when the matter exclusively pertains to correction of particulars, like, for example, printing of Rafique instead of Rafiq (a very minor change) the Boards should issue revised certificates containing corrected/revised particulars. Likewise, the writing of the word "alias" while mentioning the old (discarded) name also appears unnecessary. This Office, therefore, recommends that all Educational Boards in the Province should amend their rules in order to incorporate the following recommendations:-

i) Use of the word "alias" being unjustified, should not be printed with old name.

Implementation of Recommendations

- ii) Old name or the old date of birth should not be highlighted and be mentioned in small letters at the bottom of the new certificate to avert any legal complications in future.
- iii) Instead of a duplicate certificate, new certificate should be called revised certificate.
- iv) Duplicate certificates should be issued only in those cases in which certificates received by the candidates are lost and they want a new certificate to be issued with the particulars as were printed in the original certificate.

2. **The Educational Boards should not demand fee for removal of discrepancy when a student asking for a duplicate certificate, does not want any change in the particulars**

This Office has received many complaints from students/parents against Educational Boards' demand for payment of fee for rectification of a discrepancy on submission of application for issuance of a duplicate certificate. As per existing practice prevailing in the Boards, when a person applies for issuance of a duplicate certificate in the event of loss of original certificate, the staff of the Board starts an exercise of scrutiny of the examination record of the applicant. For instance, his admission form submitted ten or twenty years back is dug out from record. A Clerk may point out that the name of the candidate in Registration Card was written as Ghulam Sarwar Khan and in the admission form as Ghulam Sarwar. The Board then insists that the applicant should first get the discrepancy rectified. The applicant insists that in the original certificate, the name was written as Ghulam Sarwar Khan and he did not want any change in that name, but the Board does not accept his plea and keeps insisting on payment of hefty amount as fee for rectification of the discrepancy. This Office has, in such complaints, been directing the Boards not to raise the issue of discrepancy when the applicant was not seeking any change or correction in the particulars printed in the original certificate, and that the Board should incorporate the same particulars in the duplicate certificate.

It is therefore recommended that:

- i) The Board should confine itself to the particulars as were printed in the original certificate.
- ii) If the particulars printed in the original certificate are the same as should have been printed on the basis of record available in the Board including Registration Card, the Board should issue duplicate certificate without any objection or without raising any issue of discrepancy.
- iii) If the rules of the Boards are required to be amended in this connection, the same should be amended in the interest of the students/their parents.

3. **Charging of Excessive fee and Simplification of procedure etc**

This Office frequently receives complaints from students/their parents about cumbersome procedure and charging of excessive fees by Educational Boards for correction of even minor errors of personal particulars in Matriculation and Intermediate certificates. In one such case (complaint No.4907/10/2008), the complainant narrated the tale of his woes in getting a

minor correction of his name i.e. 'Rafique' incorporated in the Matriculation certificate of his daughter. BISE, Lahore, demanded a fee of Rs.4000/- for printing Rafique instead of Rafiq and thereafter a fee of Rs.1000/- for issuance of the duplicate Intermediate certificate on submission of application on the prescribed form and on production of evidence etc. When the Board finally agreed to correct the spellings of the name (a very simple change), the applicant was asked to submit yet another application for issuance of duplicate certificate.

It is recommended that irrespective of the time gap involved, the Boards should not charge excessive fees for correction of minor errors like amending the spelling, "Rafiq" to "Rafique". Moreover, the procedure presently in vogue for correction of errors needs to be simplified. Applicants should not be asked to pay any extra fee for issuance of a duplicate certificate in such cases where the Board has once charged fee for correction/change. A simple application (containing full particulars) for correction or change should also be entertained. The Boards should review their priorities and emphasis should shift to the satisfaction of students/parents and fees being charged for various services including correction of any mistake should be correlated with the cost of services being provided. The Boards should prominently high-light every requirement/condition in the application form as to what the students/parents were to do. Institutionalized system of guidance be provided to students/parents at the Boards' campuses.

4. Revision of Result only within a specific period

It has been observed that results of the candidates are revised by the Boards & Universities under the available powers even years after the declaration of results but the candidates are not informed of the reasons for such revision. In one of the cases, the result was revised and marks obtained/declared were reduced when the scripts had been disposed of. The affected candidates, thus, have a cause for complaint. Natural justice demands that the candidates should be given the opportunity of hearing before revising their results on account of any errors noticed either during rechecking of scripts or during scrutiny after declaration of results. Instructions be issued by the Boards/Universities and other concerned bodies to revise the results only within a specific period of time after giving an opportunity of hearing to the affectees.

5. Flaws in the System of Maintenance of Examination Record

During investigation of a number of complaints lodged against the Punjab University, it was noticed that the result sheets in respect of various examinations conducted by the University (maintained as permanent record), were tampered with in the cuttings and over writings on marks obtained etc. The Agency, however, invariably took the plea that the concerned candidate/student was also instrumental in the tampering of record in connivance with some officials of the Agency. In addition to this, in some cases it was reported that "Award Lists" which also formed part of the permanent record were not available. This state of affairs indicated inherent weaknesses and flaws in the system of preservation and safe custody of record of permanent nature by the University as well as a lack of accountability process. It is therefore, recommended that the Punjab University in particular and other

Implementation of Recommendations

universities in general should thoroughly review/ recheck the system/procedure for maintenance and safe custody of record particularly the one which fell under the category of permanent record and should chalk out a "standard operating procedure" vis-à-vis such record so that loopholes were avoided and proper check and accountability of the officials handling the record was ensured. This would go a long way in ensuring transparency on the part of the University and would also be helpful in the dispensation of justice vis-à-vis the cases which were filed in this Office.

Department's Reply/Implementation Report

1. i) Use of the word "alias" with old name is not in practice now.
- ii) Old name, father's name and date of birth are being mentioned at the bottom of new certificates as recommended by Ombudsman Punjab. (for example date of birth is changed fromtoon...)
- iii) In the correction cases (except correction in spellings) duplicate certificates are issued. In case of correction in spellings, same certificate as original one is issued.
- iv) In addition to such cases, duplicate certificates are also issued to those candidates who apply for a new certificate after any sort of correction in their names, father's names & date of birth etc.

In this regard, particulars are available in Board record (i.e. original admission form) are considered.

If the candidate applies for duplicate certificate with same particulars as available in Board's record then duplicate certificate is issued without any objection/ delay.

2. No objection is raised if a candidate demands duplicate certificate with same spellings as available in Board's record. Corrections are made only if desired by the candidate.
3. Only Rs.500/- is charged if a candidate applies for a correction in spellings within two years of declaration of the result.
4. After announcement of the result, "Result Cards" of regular students are dispatched to their institutions and the result cards of private students are dispatched to their postal/home addresses through Registered Mail.

In case of loss of any answer book, the concerned department/branch investigates and informs the candidate through a letter in which the candidate is asked the following options: -

- i) Would you like to take the lost paper / exam again?
- ii) Would you like to obtain average marks for your lost paper?

If the candidate applies for re-checking, a letter is issued to convey about any increase or decrease of marks in which it is also informed that the candidate should return the issued result card to the office and have the new revised result card.

Re-checking of answer sheets is made through the following process in the Board.

- i) The students are required to apply for re-checking within 15 days of the declaration of result.
- ii) The candidates are informed about the result of re-checking within 30 days of the last date of forwarding application for re-checking.

The candidates having changed marks are informed through letters about the change if any. Moreover, they are given the option to check their answer sheets personally but mostly the candidates do not bother to contact the office in this regard.

5. Admission form / Result Form Sheets and Award lists are the most important and sensitive record of the office. The record is kept safe in locked racks of iron for 2 years after the declaration of the result. If any kind of revision in the result is required, then a special scrutiner checks the record and also signs the result sheet. After this the revised result is updated in the computer and new revised result card issued to the candidate accordingly.

Recommendations of the Ombudsman have generally been implemented by the department.

BOARD OF REVENUE

Ombudsman's Recommendation

In most of the districts, Revenue Officers do not record orders on mutation sheets in their own hand. Usually the Patwaris present the Register of Mutations before them and that, too, not during their tours but at the headquarters/in their homes. They only tick the entries with regard to the presence of parties and leave the recording of orders to their selected Patwaris/Kanungos and sometimes to those hired for the purpose. Frequency of the practice can be detected easily in the urban revenue estates where a large number of mutations are entered/attested on the basis of registered deeds. So much so that orders in complicated mutations of inheritance/girdawri are also recorded by these unauthorized persons in their handwriting. The unfortunate aspect of the matter is that seldom cognizance is taken by the supervisory officers like DDO(R)s, DO(R)s and EDO(R)s.

The solution to the problem is that every month each DDO(R) should give a certificate under his signatures that all his subordinate Revenue Officers have written orders on the mutations in their own hand.

Attestation of mutations in Ijlas-i-Aam and in the same revenue estate is mandatory. Some very disturbing facts may be unearthed if any research on scientific lines is conducted for knowing the consequences of attestation of mutations at places other than the relevant revenue estates and not in Ijlas-i-Aam.

Likewise, what the Revenue Patwaris usually do is that, instead of going field to field at the time of Girdawri, they sit with one or two persons in a village for doing the needful or just copy out the entries of the registers of

Implementation of Recommendations

their counterparts in the Canal Department and complete the entire task of recording entries in Khasra Girdawri pertaining to a harvest.

One thing is certain that mere issuance of directions on the subject will not do. What is needed is that those flouting the directions contained in Land Records Manual should be given exemplary punishments including dismissal from service. Senior Member, Board of Revenue, Punjab, should take cognizance of the situation for taking remedial action.

It is a common scene in villages that small farmers run after the Patwaris for obtaining copies of revenue record and especially of Fard Malkiat etc. In the first instance, the Patwaris are not available to them. Despite the efforts made in this regard, the availability of Patwaris in their offices (which on paper are located in one of the revenue estates in their Circles) has not been made a reality. These offices are usually non-functional with only the Patwaris' Munshis present there. The basic reason that the Patwaris are not available in their offices is that the concerned Revenue Officers as also the superior officers have never been serious for making the drive successful. Since the Revenue officers and their superior officers never adhere to their tour programmes, they also want the Patwaris to remain available at the headquarters. When, however, the Patwaris are available to small farmers, they invariably do not listen to these people unless they extort money from them. The matter concerning demarcation of land, entering of mutations, correction of record, processing of cases of grant of proprietary rights of state land under various schemes, removal of encroachments from established village paths etc. are unnecessarily delayed by the concerned functionaries.

As per law, only a Revenue Officer not below the rank of Naib Tehsildar is competent to undertake the demarcation proceedings. The position on ground, however, is entirely different as the work on the subject is invariably done by Patwaris and Kanungoes.

Getting a mutation entered and then getting it attested has never been an easy job. Hardly would one find a Patwari who may enter a mutation without extorting money to the maximum. A Revenue Officer is legally bound to attest mutations concerning a revenue estate when on tour to that village/revenue estate.

It would be expecting too much from a Patwari that he makes a report about correction of record or starts processing a case for grant of proprietary rights without any consideration.

Removal of encroachments from village paths is yet another area which has never been given priority by the revenue field staff.

Appeals in revenue matters are not timely decided by DDO(R)s, DO(R)s, EDO(R)s and even by Members, Board of Revenue. A suit for demarcation instituted before Tehsildar/ Assistant Collector First Grade may take years to be decided.

It is high time that Senior Member, Board of Revenue, Punjab, after due consultation with the concerned officers, should evolve a comprehensive Revenue Policy embracing all aspects of revenue administration and then ensure its meticulous implementation.

Corruption in Registration Branches of District and Tehsil Offices is rife. Every second officer and each junior level official wants to be posted as Registering Officer and Registration Moharrir respectively, obviously with ulterior motives. The situation, however, can be easily improved if the concerned officers identify a few officers/ officials of known integrity for posting in these offices.

Corruption in the Registration Branch starts when Registration Moharrirs are given the powers to orally refuse registration of documents. What is done by the Moharrirs is that they straightaway refuse to register a document presented for the purpose when they are not given the money being asked by them. The law on the subject is that no document can be refused registration except through an order passed in writing by the concerned Registering Officer. This fact should be displayed on Notice Boards and should be put to practice as the first step. It would be more appropriate if the documents presented for registration are received by the Moharrir(s) in the presence of the concerned Registering Officer. The second step in registration of a document is handing over the same to the official who is to record the endorsement thereon. It has to be ensured that this official has no contact with the person who has presented the document for registration. If he is to seek any clarification with regard to the contents of the document or on some other point from the said person, the needful be done through/in the presence of the Registering Officer. Thereafter, comes the stage of registration of a document and the collection of registration fee. In no circumstance the process should be left to the mercy of Registration Moharrirs. It is the Registering Officer who is to ensure that consideration amount has been paid by the vendee and received by the vendor, possession of the property has been delivered to the one purchasing it and the donor has gifted the property to the donee and whether the donee has accepted the gift. Registration fee invariably has to be collected by the Registering Officer and valid receipt issued to the concerned person. Before registering a document, the Registering Officer has to satisfy himself that the property in question is situated in the area of his jurisdiction, the deed has been properly stamped as also that the parties are duly identified. He is to ensure that the date on which the document is to be returned to the concerned party is written on back of the receipt. The official assigned the duty of returning the documents to the concerned persons should do the needful within the view of the Registering Officer. The chances of corruption would substantially decrease if not altogether eliminated if the above steps are taken.

It has been observed that possibilities of fraud/forgery are on the higher side and corruption also goes unchecked when Local Commissions are entrusted with the job with regard to execution of documents. Elimination of Local Commissions altogether may not be possible since these are mainly the lawyers who perform this job but entrusting the execution of every registerable document to a local commission has to be discouraged. A large number of copies of registered documents are also issued from the Registration Branch on daily basis. This important process has also to be overseen by the Registering Officer with great care ensuring that at no stage corruption takes place. The things in the area of registration can definitely

Implementation of Recommendations

improve, and improve to a meaningful extent, only if the DCO of a district really wants the improvement to take place.

A Revenue Officer is bound under the law/rules to consign the mutations decided by him on his return from tour. The irony, however, is that neither the tour schedules are adhered to by the Revenue Officers nor do they consign, in some cases for months together, the decided mutations to the Office Kanungoes. It is said that in village Niazbeg of Tehsil City Lahore alone, sometime back, thousands of decided mutations were not consigned by the concerned Revenue Officers. It may be no exaggeration that some Revenue Officers are to be bribed twice, once for deciding a mutation and then for consigning the "Part Sarkar" to the Office Kanungoes. If some one sits with any Office Kanungo for a while, he will definitely come across several persons looking for the copies of their decided mutations which the concerned Revenue Officers had not yet consigned to Tehsil Office. Late consigning of decided mutations in Tehsil offices not only becomes a case of misplacement of these mutations but also the relevant persons are hit by limitation laws since they cannot get copies of their mutations. The difficulty in identifying the culprits is that an Office Kanungo, being a junior official, would never complain against his senior and the Tehsildar would also not like to be a complainant in respect of his fellow colleagues. Decided mutations, after every four years, are made part of "Jamabandi" of the relevant village and the contents of these mutations are incorporated in the said "Jamabandi". Sometimes the concerned people are confronted with an ugly situation in the absence of decided mutations having not been consigned to the Tehsil Office since the latest position with regard to ownership etc. of the properties is not reflected in the record. Senior Member, Board of Revenue, Punjab, should issue directions to all District Officers (Revenue) in the Province to give certificate in the first week of each month that all decided mutations of the preceding month have been consigned to the Tehsil Offices by the Revenue Officers of his district.

Rates have been fixed for supply of copies of revenue record to the concerned person. Patwaris, however, do not adhere to these rates and instead charge the rates of their own choice. What they see in this regard is the urgency of need of a person coming to them for obtaining copies of revenue record. If a landowner comes to them for obtaining a copy of his "Fard Malkiat" for the purpose of selling his landed property or a portion thereof, the rates charged would be on the higher side than those charged when the same person comes for a copy of his "Fard Malkiat" which he may have to produce in any office or before some court. The concerned persons may not mind if the difference of rates is nominal or is slightly on the higher side but the situation decidedly becomes serious when some one is asked to pay the amount of fee almost equal to the value of stamp papers which he has to incur for sale/purchase of the property. The irony is that even senior members of revenue administration have almost reconciled with this malpractice of patwaris. Oral or written complaints made on the subject by the aggrieved ones, unfortunately, are rarely taken seriously.

Rates of different copies of revenue record i.e. Fard Malkiat, Register Khasra Girdawari, Mutations etc. be notified through electronic media as well as through publications in the newspapers with their subsequent periodical repetition and the concerned revenue staff be bound to adhere to charge

these rates by supervisory officers and any dereliction by any of the revenue functionaries be dealt with strictly in accordance with the relevant rules.

The practice in vogue, not long time ago, was that Patwaris, at the time of entering mutations of sale of land for residential purposes, would invariably prepare "Tatimas" on the back of mutation sheets. This practice saved the concerned persons from subsequent problems which they could face in the absence of dimensions/location of the land they were selling/purchasing since the details were contained in the "Tatimas". The concerned Revenue Officers also insisted on the preparation of these "Tatimas" in the absence of which they would not attest the mutations presented to them. The practice, however, is not being followed. The litigation in this regard is giving rise to disputes between the parties. There is no denying the fact that both the situations can be averted if the requisite "Tatimas" are prepared. Unfortunate aspect of the matter is that the concerned Revenue Officers, because of lack of experience and negligence in some cases, do not comprehend the consequences of non preparation of "Tatimas" on the back of mutation sheets.

It is, therefore, recommended that whenever sale of land for residential purposes is made, out of share of any particular "khasra number", the revenue field staff be bound to prepare "Tatimas" on the back of the mutation sheet. The Revenue Officers be directed in clear terms that they should not sanction mutations of sale by allowing transfer of share of "khasra number" in any case. This would safeguard the rights of the purchasers to the extent of land purchased by them for residential purposes. As this is a very important issue involving rights of people, instructions on the subject be issued by Senior member, Board of Revenue, to the Revenue Officers directly, apart from similar directions issued to the senior hierarchy in the revenue set up, for strict compliance followed by consistent follow up.

The objectives of Consolidation of Holdings Ordinance, 1960, was to consolidate the holdings of a land owner preferably at one place in a village for saving the wastage of his water resources, facilitating him to save his time in cultivating his land and sometimes shifting his land nearer to that of those with whom he may be more at ease. Although the objectives of the scheme were very noble yet delay caused in finalization of these proceedings in a village as also the favoritism shown to one land owner at the cost of another, became valid reasons of permanent enmities in villages. The classic example of delay in consolidation of land holdings is witnessed in village Niazbeg in Tehsil City Lahore where the proceedings were initiated in 1960 but "Misal Haqiat" has not so far been prepared.

It is recommended that Member (Consolidation), Board of Revenue, should, keeping in view the size of a revenue estate, fix the time limit during which consolidation proceedings, either taken up initially or under a remand order, must be completed. There may be instructions to this effect but these are not being observed. Strict enforcement of the instructions be ensured.

Department's Reply/Implementation Report

The recommendations pertaining to the Revenue Department contained in Ombudsman's Annual Report have been circulated to all the Executive District Officers (Revenue) in the Punjab vide this office letter

Implementation of Recommendations

No.1817-2010/1724-LR-I, dated 06.08.2010. A copy of this letter was also endorsed to the Secretary, Ombudsman Punjab.

The Board of Revenue, Punjab, has directed the lower formations for strict compliance of the observations / recommendations of the Ombudsman Punjab. Further, they will closely monitor compliance and it will be ensured that recommendations contained in Ombudsman Punjab Annual Report 2009 are complied with in letter and spirit.

EDUCATION

Ombudsman's Recommendation

Scholarship to Students should be Paid under an Equitable Policy

This Office has been receiving complaints from students and their parents against EDOs (E) and DEOs of various districts in connection with award of scholarship at Middle and Primary school level. As per existing policy, scholarships are awarded to students on the basis of merit lists drawn by Distt: Education Officers. The number of scholarships allocated to each district is restricted. It is usually seen that if in any district, 100 scholarships are to be granted, the number of students coming in the range of scholarship, may exceed the total number of scholarships. For instance, students at serial 101 to 110 in the merit list who have obtained 200 marks may not get scholarship while other students from serial No. 90 to 100 who have also obtained the same marks (200) may be granted scholarship. So, the students from Sr. No. 101 to 110 may not be awarded scholarship despite being at per in merit with those fortunate ones who are shown higher in the merit list. Investigation of these complaints has disclosed that the merit lists are prepared at the whims of Distt: Education Officers. In some cases, the students having equal merit were granted scholarship as they were senior/ older in age. This Office is of the view that seniority on the basis of age may be a reasonable basis for determination of seniority of civil servants appointed on the same date (as per existing service rules), but this yardstick can not be applied in the case of students who obtained the same marks and are at per in merit. The younger in age should have rather been given credit by including them in the merit list. This Office therefore, makes the following recommendations for ensuring equitable award of scholarship to the students: -

- i. If marks obtained are the same, then younger ones in age should be preferred and placed higher in the merit list. Or
- ii. All students obtaining same marks when the number exceeds the total number of scholarships allocated to a district, should be awarded scholarships by providing additional budget.

A proper and objective policy in this regard should be formulated and notified by Secretary School Education.

Department's Reply/Implementation Report

These instructions have been forwarded to all the Executive District Officers (Education) in the Punjab, for onward transmission to the Merit Scholarship Sanctioning Authorities for their implementation in letter and spirit.

EXCISE & TAXATION

Ombudsman's Recommendation

Issuance of Registration Books without Ensuring Payment of Registration Fee

It has been observed that Registration Books of vehicles are issued by the competent authorities without ascertaining the payment of requisite fee etc. Such Registration Books are, later on, declared as bogus when the owner approaches the Department in connection with transfer of ownership. The owners are then held responsible for non-payments/short payments instead of taking any action against those who had signed the Registration Books without ensuring deposit of fee. It is, therefore, recommended that stern action be taken against those responsible for not ascertaining the payment of fee before issuance of registration documents. It has also come to light that departmental functionaries accept cash payment of fee but do not deposit the same in Govt. treasury. It is recommended that a fool proof system be adopted in order to defeat the possibilities of cheating and pilferage of revenue on the part of officials of Excise & Taxation Department.

Department's Reply/Implementation Report

The observations of Ombudsman, Punjab, have been circulated to all the Directors, Excise & Taxation in the Punjab for strict compliance in letter and spirit. All the Directors, E&T, have furnished compliance reports wherein it has been stated that MMIS project has been launched in the districts under which daily audit of payment receipts with the computer record is being carried out by the AETO/Internal Auditor. It has been further stated that in case of any specific instance, action could be taken against the delinquents under the rules.

The Ombudsman's Recommendations have thus been implemented by the department.

HEALTH

Ombudsman's Recommendation

Walk-In Interviews

It has been noticed in consequence of investigation of various complaints mainly emanating from District Bahawalnagar that appointments were being made by Health Department through 'walk-in interviews', contrary to the present policy/practice according to which appointments are made on the basis of comparative merit of all applicants after completion of required formalities. In one such complaint (No. 8885/11/07 C.V-144/07), selection of dispensers was made by EDO (Health), Bahawalnagar through 'walk-in interviews' from amongst candidates on a particular day as per schedule given in the advertisement. This resulted in the elimination of many candidates with better merit appearing on the next dates. In another complaint (No. 618/02/08 C.V-06/08), a female candidate alongwith other candidates was to be interviewed for appointment as School Health Nutrition Supervisor on a particular date as per oral information given to the

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candidates. When she turned up on the fixed date, she saw a notice pasted on the notice board showing that the interviews had been cancelled. The interviews were conducted on a subsequent date without any intimation to the candidates through newspapers or call letters. The interviews were later on scrapped by DCO on complaints but the fact remained that an attempt was made to give appointments to those who had lesser merit compared to those who were not interviewed for the posts. The system of 'walk-in interviews', therefore, needs to be dispensed with. Secretary Health, Government of the Punjab should issue appropriate directions to all concerned.

Change in the Category of Patients with Ulterior Motives

Investigation of some complaints has revealed that some doctors had wrongfully given priority to the private patients over those patients who were entitled to free treatment under the pretext of institutional/private practice. In one such case, the complainant's father brought to Punjab Institute of Cardiology, Lahore, for heart surgery, was examined by one doctor of the Institute and was then referred to another one of the Institute who persuaded him to shift to a private hospital where he was operated upon and an expenditure of over two lac rupees was incurred by the complainant. The complainant's contention was proved correct during investigation. The matter was referred to Secretary to Government of the Punjab, Health Department for enquiry by a senior officer for ascertaining whether the decision not to operate the patient in Punjab Institute of Cardiology, Lahore, was bonafide and based on convincing reasons and whether he was persuaded/encouraged/forced to get himself operated upon privately. This is not the only complaint of its type as similar complaints on the subject were also filed earlier in this Office. In the view of this Office, priority for an operation or any other medical or surgical intervention should not depend on the fact whether one is a paying private patient or is entitled to reimbursement by the Government or to free medical treatment in a hospital. The only criterion in this regard should be the seriousness of the patient's condition and no other consideration. Similarly, in no case a situation be created where a patient once admitted for free treatment is compelled to change his/her category as a paying private patient. It is recommended that these issues be immediately addressed by framing proper rules.

Negligence in the Performance of Professional Duties

In a complaint about sub-standard medical treatment provided to the complainant's mother who ultimately died on that count, the matter was referred to EDO (Health), CDG Faisalabad, who reported that Dr. Muhammad Hayat, Casualty Medical Officer and two members of Nursing Staff were responsible for professional negligence. The matter (action against those responsible) is pending decision with Secretary Health. It is possible that the doctor and the members of Nursing Staff may be awarded some punishment at the end of the day but the question arises whether such a penalty could be commensurate with what they had done. Likewise in another complaint, one, Muhammad Naeem, brought his newly born son to the Nursery of Services Hospital, Lahore. He purchased the prescribed injection from the market and handed over the same to the Student Nurse on duty who, instead of giving injection to the child, continued talking to some one over her mobile phone, then misbehaved with the complainant and inserted Bernula to the child

whose arm was bleeding but the child was discharged immediately thereafter. The Student Nurse was administered a warning when enquiry was completed. In complaint No. 1897/04/08 ADV-I/71/08, one Ward Boy of Tehsil Headquarters Hospital, Chunian, was alleged to have given a wrong injection to the complainant's ailing son due to which his condition worsened leading to his death. The irony, however, is that the Ward Boy was awarded the minor punishment of Censure only. In yet another case (complaint No. 8177/12/06 ADV-I/380/06), the complainant's sister met with an accident and the bone of her right thigh was fractured. She was immediately taken to Services Hospital, Lahore, where her blood grouping and cross matching was wrongly made by the concerned technicians. Negligence of the doctor who operated upon the patient and that of the anesthetist was also established during investigation. This matter is also pending with Secretary Health for further enquiry/action on the direction of this Office.

These cases/instances reveal that there is a tendency, at least amongst the senior doctors, to protect their subordinates by awarding them very minor punishments like warnings and censures. It is recommended that the Health Department may form a Board of competent doctors at appropriate level for enquiring into such complaints of professional malpractices resulting in serious damage to the patients. It is important that whosoever is found at fault and without professional sincerity, should invariably be taken to task and given punishment commensurate with the offence. The situation would improve only if an effective accountability mechanism is in place.

Quacks and Health Department

This office has received many complaints for action against quacks. More often than not, it is the poor and the illiterate who fall victim to quackery, which is a real menace to public health. Drug Inspectors, due to inefficiency as also due to ulterior motives, have failed to check the spread of quackery. It was alleged in complaint No. 82007/10/07 ADV-I/258/07 that two persons had opened illegal clinics in a village in Kasur district and were carrying on their business with the blessings of the functionaries of Health Department. Investigation of the complaint revealed that the allegations were not baseless. Curbing of the menace is not an impossible task if the Drug Inspectors could be made to work. Arresting one or two quacks in a village and searching them in city streets is by no means a tough assignment. Drug Inspectors can be directed to submit a quarterly certificate to District Officer (Health) that no quack was carrying on business in the area of their respective jurisdiction. This Office had made certain recommendations in its earlier Annual Reports for drafting a proper law to check the menace of quackery but no serious action has yet been taken by the Provincial Government. It will be a great service to the people at large if an effective law is enacted to check quackery. The menace of quackery can not be fully overcome unless the health facilities in the villages are strengthened and made fully functional.

Irregularities in the Appointment of Lady Health Workers etc

Investigation of some complaints revealed that EDO (Health), Okara had made appointments of six Lady Health Workers on 'provisional' basis

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without advertising the posts and directed the appointees to report at Hujra Shah Mugeem in the district. The matter was referred to Secretary Health, Government of the Punjab, for proceeding against EDO (Health), Okara under the law. In a few other cases, the concerned DCOs and EDOs (Health) had exceeded their powers in making appointments of Health and Nutrition Supervisors whereas these powers, in fact, rested with Secretary Health. These are only a few instances of malpractices committed during recruitment of medical staff etc. whereas the number of such cases is quite large. It is recommended that Secretary Health, Government of the Punjab and the other concerned officers in the department should monitor the process of recruitment more closely. It would be appropriate if a separate cell was established for the purpose.

Reimbursement of Medical Charges Incurred in Private Hospitals

Rule 6(i)(b) of the West Pakistan Government Servants (Medical Attendance) Rules, 1959 provides that if there was no government hospital nearby, a Government servant would be entitled to medical treatment free of charge in any hospital other than a Government hospital at or near such place as can, in the opinion of the authorized medical attendant, provide the necessary and suitable treatment.

Investigation in a number of complaints concerning reimbursement of medical charges claims after medical treatment in Federal Government and private hospitals has shown that reimbursement is disallowed in such hospitals even in cases of emergency, where it was impossible for the patient either to go to a Provincial Government Hospital or to get a referral from the authorized medical attendant in emergency. For instance, if a Government servant suffered a sudden heart attack/stroke or had met with an accident, he was to be taken to the nearest available hospital, whether it was Provincial or Federal or a private hospital. Thus, in such cases, the provision of providing free medical treatment to the Government employees became meaningless.

It is recommended that the Health Department should examine this important issue and make suitable amendments in the rules for catering to the emergent cases where obtaining of referral was not possible but treatment in a non-provincial government hospital was unavoidable to save the life of a patient.

Department's Reply/Implementation Report

Appointments to various posts in the Health Department are being carried out through PPSC and local boards after observing all the codal formalities. The 'walk-in interview' is no more being practised by the Department.

Institutional private practice is allowed as per Section 12 of Autonomous Medical Institutions Act, 2003.

The Act safeguards the rights of the patients and the very fact pointed out is to be addressed through this Act and any violation of the Act shall be previewed in its context.

All institutions are to execute the policy strictly as per ambit of this Act.

The Health Care Commission Bill 2009 has been adopted through which rights of the patients and doctors are protected. All complaints shall be enquired through the Commission and under rules framed thereof.

As for quacks, all the Drug Inspectors have been issued instructions in this regard and periodic check on the menace of quackery is being kept. However, to uproot the same fully, needs some time as the public at large somehow also confide in these quacks and many have got support of the local public, which makes the task of the Drug Inspectors more difficult.

Furthermore, the Health Care Commission Bill, 2009 is also an effort to curb the menace of quackery.

Health Department is striving hard towards making the province "Quackery free".

All the attached/subordinate offices of this department have been issued instructions to follow the recruitment rules, procedure and policy of the Government issued from time to time for strict compliance. For this, Government of the Punjab, Health Department, nominated its representatives to monitor these recruitments to be fair, in accordance with law, rules and policy. It is, however, mentioned that presently Chief Minister, Punjab, has imposed a ban on recruitment for the posts in BS-6 to BS-15. However, transparency and rules of fair play will be observed as and when recruitment process will be started.

As per provisions contained in the West Pakistan Government (M.A) Rules, 1959, the Authorised Medical Attendent of Provincial Government Hospitals are made competent to refer any patient to a non-provincial Government Hospital for such treatment not available at the provincial Govt. Hospitals.

In case of treatment by a private hospital, there is no provision to allow reimbursement in the private hospital except referred by the AMA on production of the certificate justifying the referral due to non-availability of such facilities either at the provincial Govt. Hospital or at non-provincial Government hospital.

Health Department is strictly implementing the provisions of the rules and facilitates the Provincial Govt. Employees for reimbursement of their medical charges.

In cases where the claimants get treatment in emergency, in private or non-provincial hospitals, such cases require relaxation of rules by the competent authority. Such cases are processed by their respective Departments and summaries are routed through the Health Department and Finance Department for onward submission to the Chief Minister for appropriate decision/relaxation of rules.

IRRIGATION & POWER

Ombudsman's Recommendation

Delay in the Sanction of Canal Water

Divisional Canal Officers process cases regarding sanction of canal water and inclusion of lands in CCA (Culturable Command Area) with inordinate delay and send their recommendations to the concerned Superintending Canal Officers for approval who also do not dispose of these cases expeditiously. The performance of Superintending Canal Officer, Depalpur Canal Circle, who decided an appeal on 14.02.2008 received in his office on 13.09.2003 may be cited as an example. The Secretary to Government of the Punjab, Irrigation & Power Department, took notice of this maladministration on the directions given by the Ombudsman (Complaint No. C-9368/12/07 C-I-57) and proceeded against the delinquent officers/officials under PEEDA Act, 2006. It is recommended that Secretary, I&P should also issue directions to all concerned to dispose of cases/appeals within a specified time.

Writing of Orders in the Handwritings of Others

It is been noticed during investigation of several complaints filed against Irrigation & Power Department that Divisional Canal Officers/Sub Divisional Canal Officers, while disposing of applications/appeals do not write orders in their own hand and this important task is being done by their subordinates who do not have adequate legal knowledge. This creates complications. It is recommended that this practice should be stopped forthwith. Secretary, Irrigation & Power Department should issue instructions to his subordinate officers in this regard.

Department's Reply/Implementation Report

Although there is a complete ban on inclusion of new areas into CCA, however in this connection, Chapter No. 10.3(b) of Revenue Manual contains instructions/procedure for disposal of such cases which is reproduced below: -

Chapter No. 10.3(b) Chakbandi Cases.

- i. Chakbandi cases include increase or decrease in size of Chak.
- ii. Bifurcation /division and amalgamation of Chak.
- iii. Shifting of the outlet to a new source on the same or different channel.
- iv. Inclusion of new area into CCA from within outlet Chak or outside canal boundary.
- v. Exclusion of un-irrigable area from existing Chak.
- vi. Sanction of link watercourses.

Any irrigator can apply for the above-mentioned changes needed for his area, to the Divisional Canal Office. On receipt of the application, the same is forwarded to the concerned Sub-Divisional Canal Office, who in return forwards it to the concerned Zilladar for preliminary investigation into the matter. The Zilladar is required to inform the concerned irrigators for recording their statements. Such statements are invariably recorded at site.

The Zilladar will record his investigation report bringing out the merits or demerits of the proposed change. He will then forward the case to the Sub-Engineer for preparation of command statement. The Sub-Engineer shall prepare the command statement and give reference of the level book and its pages alongwith benchmark form. He shall record his report regarding increase/decrease of the command from the proposed source. He shall also attach the proposed form of Alteration (A-form) alongwith the report. The case on receipt in the Sub-Division must be thoroughly examined. The Sub-Divisional Officer must inspect the site and see whether the command statement prepared by the Sub Engineer is prima facie in order. He is required to check working head of the existing outlet and that of proposed outlet if there is a change of source. Otherwise, he shall calculate the working head from the command statement prepared by the Sub Engineer. The Sub Divisional Officer is required to record his report stating whether he recommends the change or not. The case is then forwarded by him to the Divisional Canal Officer. On receipt in the Divisional Office, the Divisional Head Draftsman shall check the command statement, and case shall be presented to Divisional Canal Officer by Head Vernacular Clerk for further orders. The time frame within which the Chakbandi case under Section 20 of Canal & Drainage Act is required to be prepared before it is put to Divisional Canal Officer for consideration shall be as under: -

a.	Preparation of case in Zilladar's office including that of Patwari.	20 days
b.	Time for SDCO to pass order to Sub Engineer for observation of level and preparation of command statement.	5 days
c.	Preparation of command statement by observing levels at site by the Sub Engineer.	15 days
d.	Scrutiny of case in SDCO's office including preparation of report for DCO and check of command statement at site.	15 days
e.	Scrutiny of case in DCO's vernacular office/drawing branch.	5 days

After considering the report of Zilladar, the Sub Engineer and Sub Divisional officer, the Divisional Canal Officer shall form his opinion whether the case is according to policy instructions of the Department, as contained in Section 20 of Canal Act, and shall issue notice under relevant Section of the Canal Act to the concerned irrigators of the existing as well as proposed sources. In case of non-expediency, he shall return the case for informing the applicant. The case shall be heard by the Divisional Canal Officer on fixed date, time and place as given in the notice. After hearing objections of the interested irrigators, he shall record his decision. The case decided by Divisional Canal Officer under Section-20 of Canal Act is subject to final orders by the Superintending Canal Officer within 90 days. The irrigators who have objections on decision of the Divisional Canal Officer can prefer an

appeal before the Superintending Canal Officer within 30 days of the order passed by the Divisional Canal Officer. The Superintending Canal Officers shall hear the objections giving notice to the appellants as well as to respondents and after considering view point of both the parties, he shall pass orders according to the provision of Section-20/20B of Canal Act as the case may be. The order passed by the Superintending Canal Officer shall be final and binding on the concerned parties.

The above instructions were circulated among field formations with the direction to all concerned to dispose of cases/appeals; they should write orders in their own hand.

Recommendations given by the Ombudsman have thus been implemented by the department.

LAHORE DEVELOPMENT AUTHORITY

Ombudsman's Recommendation

LDA Should Formulate Policy for Finalization of Exempted Plots

This Office continues to receive complaints regarding delay in the allocation of exempted plots in lieu of land acquired by LDA. Main reason given by the Agency/ LDA for delay in the grant of exemption is omission of the names of land owners in the award. The Agency/ LDA feels content by advising the concerned owner of land claiming exemption, to approach the Revenue Deptt. for an amendment in the award. Revenue Deptt. has its own ways to deal with cases relating to amendment in the awards and the Robkars sent by LDA to Revenue Officer in that regard are seldom attended to. The complainants are then asked to pursue their cases with the Revenue Deptt. in judicial proceedings. This Office feels that when it is established through record of land transferred to LDA at the time of launching of a scheme that a complainant / petitioner owned land under a specific Khasra in the area and the said land was also acquired by LDA, then LDA must help the owner of land for an amendment in the award for the purpose of allocation of an exempted plot(s). It is therefore recommended that: -

- i) LDA should approach the Revenue Deptt. at an appropriate level in order to get cumbersome procedure for amendment in the award simplified.
- ii) A deadline should be fixed through an advertisement (for public information) in the press for the claimants of exemption in existing colonies/housing schemes for filing their claims with the stipulation that no application after the dead line would be entertained.
- iii) A special cell should be established in LDA to deal with all complaints involving grant of exemption. That cell should be made exclusively responsible for expeditious disposal of exemption cases.

Department's Reply/Implementation Report

i) The record/award is prepared and maintained by the office of LAC, LDA, on the basis of information received from Revenue Department. In case any amendment is made in the Revenue record, the applicant submits a request to the LAC, LDA, for necessary changes in the award.

On receipt of a request from any claimant for amendment in the award, the same is referred to the EDO (Rev.) because he is the competent authority to allow such amendment. As per clarification of the Government of the Punjab dated 15.07.09, the Land Acquisition Collector, LDA, is not the competent authority to make amendment and incorporate the name of any claimant in the acquisition record.

In case any simplification in the present procedure is required, the Law Department, Government of the Punjab, can take up the matter with the Provincial Assembly for making necessary amendments in the existing procedure. Till such time the EDO (Rev.) is the competent authority to allow amendment and incorporate the name of any claimant in the award.

ii) Deadline dated 10.03.05 has already been fixed for filing application/claims for grant of exemption. At that time, general public had filed their claims along with supporting documents at One Window Counter, but unfortunately, no record was compiled in Exemption Branch of Johar Town Scheme and these applications are not traceable. Deadline for filing application is checked properly from the One Window Counter and where the applications are received prior to the existence of One Window Counter the same is checked from the office diary register of the concerned Directorate of Land Development-I.

iii) Directorate of Land Development-I has been deciding the claims of ex-land owners as per policy/SOP in vogue. Moreover, larger part of the Johar Town Scheme falls under Mouza Niaz Baig where "Consolidation" is still underway in 2009. The present LAC alongwith Revenue Staff of LDA has prepared Jamabandi of about 26 Mauzas falling under the jurisdiction of LDA with the help of Revenue Department. This exercise has been carried out and completed in approximately two months. Hence, claims of land owners cannot be decided at once. These are being decided expeditiously as per policy and merits of the individual case and with a considerable improvement in the One Window System of LDA, prompt reply is given to each of the petitioners at the One Window Counter within the due date given to the petitioners.

Ombudsman's Recommendations stand implemented by the department.

POLICE

Ombudsman's Recommendation

1. Impolite Behaviour of Police Officials

Despite the best efforts made even at the highest level, the behavior of police officials posted at police stations towards ordinary citizens has not improved. An ordinary person finds indifference, apathy, and humiliation at times when he happens to visit a police station for redressal of his grievance.

Implementation of Recommendations

The reasons for the above persistent situation are many, i.e. unlimited powers with the police officials, lack of education amongst them, frustration due to less salaries/pressure of work and practically no on-job training etc.

On-job training to the police officials is definitely the area which should be attended to in a systematic manner.

2. Police Touts

Police touts are available in every village and the needy people contact them for their intervention to deal with police officials. They have special place in the eyes of corrupt police officials. A corrupt police official may be reluctant to accept bribe from an ordinary person but he is so at ease with police touts that he takes them as his family members. An ordinary person may not even think of the concessions while dealing directly with a police official in the investigation of a case as compared to what a local tout interacting on his behalf may do for him. These touts hover around a police station bargaining with the needy on behalf of the police functionaries. These people are already identified and none can expect fair deal from a police station unless their dubious connection with the police functionaries is broken. This is a challenge for the senior police officers.

Inspector General of Police, Punjab, may issue necessary directions to the Distt. Police Officers followed by innovative monitoring.

3. Investigation of Criminal Cases

The standard of investigations in criminal cases by the police officials is on the decline. Every second complaint concerning Police is replete with people's woes on the subject. An important tier in the police hierarchy is of Sub-Divisional Police Officers/ Supervisory Officers. The performance of this tier of police officers, unfortunately, has eroded to the extent that SDPOs/Supervisory Officers are usually seen conniving with subordinate police officials in all what is done by the latter.

Instead of conducting investigations on scientific lines and searching for any circumstantial corroborative evidence for proving a case in a court of law, torture and harassment are usually used as the tools for breaking an accused and then producing him before the court. The result, invariably, is that the cases are spoiled which then do not stand trial in the courts. Recovery witnesses in a criminal case are usually provided to police by the complainant party and the courts dismiss their evidence terming them as interested witnesses. Investigating Officers usually do not record "zimnis" in their own hand. This practice is highly damaging for the prosecution since police files are invariably consulted at the level of session courts and even in the superior courts while deciding the cases. With the exception of a few police officials, investigating officers hire the services of retired police officials who do this important work of recording "zimnis". It also happens very frequently that these retired police officials start bargaining with the concerned parties independent of investigating officers for whom they also work as touts. Standard of investigation of criminal cases may improve, if the above factors are seriously taken in consideration by senior police officers.

4. Registration of F.I.R.

Howsoever genuine may be the complaint for registration of a criminal case, wherein the occurrence may have taken place in broad day light and

witnessed by many, the police official is highly suspicious of the complainant's story and is reluctant to register the case. Many considerations weigh on his mind and above all the consideration of extorting money from the complainant.

Since free registration of criminal cases is a very important issue confronting many and leads to a lot of bickering against the Police Department, a proper debate is required on the subject.

5. Illegal Detention and Police Encounters

There are no two views on the subject that the purpose behind illegal detentions has been: subjecting some one to interrogation for more than the mandatory period of time, extracting money from the detainees and also pleasing some one, for detaining the others. All three purposes are not only unethical but also unlawful.

Many reasons can be listed for killing the people in fake police encounters but none of the reasons can be defended by any law abiding person.

In the view of this Office, illegal detentions can come to a halt if the police officials found guilty are given punishment commensurate with their misdeeds. Judicial enquiries in cases of fake police encounters should be conducted by an officer not below the rank of Additional Session Judge with instant registration of murder cases against those found guilty.

6. Reconciliation and Compromises

Our interaction with the complainants has revealed that much of their resources in terms of time and money are wasted in civil, revenue and eventually in criminal litigation amongst them. Small disputes, though not always, turn into blood feuds. It may be rare but affiliations with different sects also become the cause of enmities in a village. Some politicians, for their own ends, may also be working for the existence of two or more groups in a village so that one or two of them are in their pockets.

Bringing about the ideal and lasting peace in our villages would go a long way in ensuring better living conditions in our rural areas. There are good people around who are working for the noble cause but the efforts in this regard need to be institutionalized. In the mid nineties, a politician of Jhelum District, actively supported by his brother, an in-service Army officer, embarked upon the campaign of effecting compromises between the parties in murder cases and in cases of attempted murder. The exercise can be replicated with success in other cases.

It would be a great service to the people of this Province if initiative on the subject is taken by Chief Secretary and the Inspector General of Police. Initially, one or two districts can be selected for initiating this noble work.

7. Follow Up of Criminal Cases

After a case is registered with the police, emphasis is only on arrest of the accused and making recoveries. Almost all investigating officers, after the above stages are over, lose interest in pursuing the cases. Even submission of challan, with the exception of some high profile cases, is a matter of not much importance to them what to say of making adequate "pervi" of a case

by way of procuring attendance of prosecution witnesses before the courts. The police officials of different ranks are seen complaining about low ratio of convictions in criminal cases. They, however, very conveniently forget to make even casual assessment of their role once challan in a case is submitted to the court and the trial starts. It is pertinent to mention that the most difficult stage during trial of a criminal case is procuring attendance of an investigating officer who is usually reluctant to appear in the court for evidence whereas his deposition is always of crucial importance. A large number of criminal cases do not culminate in convictions only due to non-appearance of investigating officers before the courts.

The primary reason for this state of affairs is that senior police officers do not give any weight to the ratio of convictions in the cases investigated by their juniors while recording their ACRs. The system may be reversed and convictions in criminal cases may be made the basis while undertaking the exercise. It has been observed that trial courts, and even the superior courts, sometimes make observations about the standard of investigation i.e. lapses and lacunas etc. in investigation of a case. These observations, unfortunately, are not taken seriously by the relevant quarters. The prosecutor attached to the court should be duty-bound to report such observations along with a copy of order/judgment passed by the court to the officer competent to take action against the police official against whom the court had made the observations. The working of Police Department and particularly in the area of investigation of criminal cases, will definitely improve if senior police officers become more responsive to the complaints on the subject.

8. Cancellation of a Case

Various complaints received against Police Department have revealed that apart from cases wherein accused have been challaned, there may still be cases which are either cancelled or sent as untraced by the Investigating Officers. SHOs, due to lack of knowledge/neglect and sometime willfully, do not send reports to the Ilaqa Magistrates for judicial order under Section 173 Cr.PC and such cases, therefore, remain undecided. It has also been observed that in quite a few such cases, the Ilaqa Magistrates, on receipt of cancellation reports, direct the police to submit challans against the accused and for further investigation in cases wherein untraced reports are sent.

It is recommended that no case be considered as cancelled or untraced unless judicial verdict is obtained thereon. Inspector General of Police, Punjab may issue clear directions to his subordinate officers in that regard.

9. Complaint against a Police Official

The perception amongst the ordinary people is that submission of a complaint against a junior police official before his senior is an exercise in futility. DPOs, in the first instance, usually tend to ignore such complaints. These are sometimes marked by them to these same police officials for enquiry against whom these are made and in a large number of cases, to the SHOs in whose police stations the officials complained against are posted. Then comes into play the practice of protecting one's subordinates and seldom a police official comes up in writing against his junior. Therefore, it is required that DPOs should establish Complaint Cells manned by officers of known integrity who should not only enquire into the complaints impartially

but should also monitor the working of those officials against whom the frequency of complaints is on the higher side.

There is yet another aspect of the issue. Those enquiring into such complaints work more seriously for reconciliation between the parties than the officials complained against. The DPOs, if they deal with the subject of complaints a bit more seriously, will come to know how badly the things are being dealt with. The enquiry officers, through various techniques, and above all by causing delay in finalization of the proceedings, practically force the aggrieved persons to withdraw their complaints. Readers attached with Sub Divisional Police Officers/ Supervisory Officers play a pivotal role during the process.

Department's Reply/Implementation Report

1. The top police hierarchy took serious notice of the situation prevailing in the Police Stations and strict instructions were issued to all officers right up to the rank of Constables, to improve their conduct towards the public. They were impressed upon to attend to every visitor to the police station politely and take prompt possible legal action on every complaint. The RPOs/DPOs were asked to hold regular open public meetings at Sub Divisional/ Police Station level to listen to public complaints and take prompt action. So far, as salaries of police are concerned the same have already been increased. The shortage of strength is also being made good so as to reduce the pressure of work load. Apart from this, disciplinary actions are being taken against police officials found guilty of misconduct.

As regards on the job training, extensive measures were being taken to improve the system of training at police training institutions. Special attention is being paid to scientific investigation.

2. The institution of police touts does exist at police station level. However, the police officers at the helm of the affairs are fully aware of the evil. In this respect, RPOs/DPOs have been asked to keep vigilance over the police staff and take prompt disciplinary action against the delinquent police officers.

3. The workshops/training of police investigation officers is being regularly held in Police Training Institutions and District Police Lines to improve the standard of investigation of criminal cases. Moreover, supervisory officers are also paying special attention and keeping a close eye on the police officers conducting investigation of criminal cases. The investigation officers are being strictly directed to write the case diaries in their own hands. It has also been impressed upon the I.O.s to collect the evidence through scientific means instead of using third degree method and effect the recovery of case properties as corroborative evidence in the presence of impartial witnesses.

As regards working of SDPOs, PPO has directed all the RPOs/DPOs to submit overall performance reports of their SDPOs. IGP takes disciplinary action against the SDPOs whose performance is found poor. These measures would certainly improve the working of police officers/officials.

4. For free registration of criminal case, several measures such as establishment of FIR Registration Centre have been adopted by RPOs and

Implementation of Recommendations

DPOs. To ensure the compliance of directions issued for free registration of crime, the RPOs & DPOs are holding frequent open public meetings at Sub Divisional and Police Station level. There is a visible improvement in this area.

5. To prevent the incidents of illegal detention and fake police encounters, disciplinary as well as criminal actions are being initiated against the officials who were found guilty. Apart from this, written directions have been circulated up to the police station level to stop the illegal practices of torture, unlawful detention and fake police encounters with the warning that strict disciplinary/criminal action would invariably be taken against the officials found liable for the violation of above directions. Furthermore, in case of a police encounter, judicial enquiry is got conducted through a Judicial Officer. If police officer/officials are found guilty, legal action is taken according to law. The RPOs/DPOs have been asked to monitor the compliance of these directions.

6. The Ombudsman's instructions have been noted and are being circulated to all police officers including the investigating officers, to get assistance from local influential persons/political leaders of good repute to effect compromises between local hostile groups, particularly where blood enmities exist. The measure would certainly go a long way in maintaining peace and tranquility. In this regard, Peace Committees have been constituted at police station level.

7. There are complaints that investigating officers do not appear in courts, when summoned for evidence. In this respect, the RPOs/ DPOs have been asked to look into the fault on the part of IOs. The issue is taken up in monthly meetings and all SHOs/IOs are warned that strict disciplinary action would be taken against the officer, who failed to appear in the court, when summoned. It is also being ensured that IOs make the relevant witnesses attend the court on the date of hearing and follow up their cases till the finalization of the case. The RPOs/DPOs have been asked to take disciplinary action against the IOs on the charge of inefficiency whose case ends in acquittal and also call explanations of SHO/SDPO concerned. The conduct of the latter officer is reported to the IGP for further necessary action.

8. It may be pointed out that the investigating officer himself is not competent to cancel or file the case as untraced. His investigation and final opinion is to be verified by the SHO as well as the SDPO concerned. They are required to summon both the parties, listen to their version and verify the facts. Nevertheless, as desired, fresh directions are being issued to make the system fool proof and court verdict must be obtained in each and every case.

9. Special attention is already being paid to entertain public complaints against the police officers. To achieve the maximum, Complaint Cell are established at CPO, RPO and DPO level to redress the grievances of the public. In this way, a comprehensive system is functioning for solving the complaints of aggrieved persons. The proceedings on complaints are followed up till the final outcome and if any officer is found guilty, punishment is awarded under the rules. The DPOs and RPOs are holding open public meetings at Sub Divisional and Police Station level. This method would certainly be helpful in curtailing the number of complaints against the police officers.

POPULATION WELFARE

Ombudsman's Recommendation

Administrative control of the Population Welfare Department has been changing between the Federal and the Provincial Governments. It was lastly placed under the Provincial Government in 2002. Consequently, the Department has separate Benevolent Fund Rules, 2002, to provide benefits to its employees. However, these rules no longer legally exist on ground after 30.06.2002 whereas these are also deficient in respect of many benefits viz-a-viz government rules. It is, therefore, recommended that Secretary, Population Welfare Department should take cognizance of the matter and finalize the Population Welfare Department Benevolent Fund Rules in consultation with the S&GAD.

Department's Reply/Implementation Report

1. Population Welfare Department will handle cases of all its employees other than those who were recruited on regular basis after 30.06.2002.
2. Secretary, Population Welfare Department, Accountant General, Punjab and the Finance Department will calculate the BF deductions of PWD employees made by A. G. Punjab during the period from 1-7-1996 to 30-06-2000 & 1-7-2002 to date.
3. The calculated amount of Benevolent Fund deductions, made by the Accountant General, Punjab and transferred to the Provincial Benevolent Fund Board during the period from 1-7-2002 to date, will then be transferred by the Provincial Benevolent Fund to the Punjab Population Welfare Department Benevolent Fund, along with the profit.
4. The Population Welfare Department, the Accountant General, Punjab and the Finance Department will work out modalities to transfer Benevolent Fund deductions made from employees of Population Welfare Department to the Population Welfare Benevolent Fund, in future.

The Department has taken following steps in the light of the above decision:-

- i. Department requested the A.G. Punjab to calculate the Benevolent Fund deduction of Population Welfare Department employees made by A. G. Punjab during the period 1-7-1996 to 30-6-2000 and 1-7-2002 to date (copy enclosed).
- ii. Department also requested the Secretary Finance to transfer the deductions of Benevolent Fund of Population Welfare Department employees to Punjab Population Welfare Department Benevolent Fund Board.
- iii. Amendments in Punjab Population Welfare Department Benevolent Fund Rules, 2005 are under process.

Recommendations of the Ombudsman have thus been implemented by the department.

PUBLIC HEALTH ENGINEERING

Ombudsman's Recommendation

Several complaints received in this Office revealed that the residents of some localities were not getting clean drinking water. Some of the complaints were supported by laboratory reports indicating that drinking water was contaminated and highly injurious to the health of human beings. Despite directions by this Office, provision of potable water was inordinately delayed due to lengthy and cumbersome procedure of preparation, approval and execution of water supply schemes. Two specific cases are those of District Kasur and District Sialkot.

It is, therefore, proposed that Public Health Engineering Department as well as the District Governments should amend their rules/procedure for catering to the emergent cases.

Department's Reply/Implementation Report

Public Health Engineering Department is the major agency dealing with the provision of water supply facilities in the Province. However, identification of these schemes is based on Chief Minister's & Chief Secretary's directives, recommendations of legislators and in a few cases on need basis. There is a general need that all the areas in Punjab may be visited to ascertain the drinking water quality to know its extent of contamination. In this respect, concrete steps have been taken by the department like establishment of Water Testing Laboratories at district level to check water quality of each village. But due to limited work force and resources, it may take many months to do so. However, another fast track initiative is going to be started shortly with the help of UNICEF, who have agreed to support the department in finances and logistics in order to know the water quality of each area. On completion of this data and its floating on the website, it would become much easier for the planner, policy maker and general public to identify those schemes which are need based.

There is a further need to avert the speedy conversion of sweet water into brackish one by adopting proper legislation and its implementation against discharging of untreated waste water into natural water bodies. Environmental Protection Agency is somehow playing its role to control it up to the extent of industry yet the Local Govt. Department needs to introduce a Water Act to control discharging of contaminated waste water into natural or man-made water bodies and prevent excessive drawal of sweet water by commercial and industrial sectors.

This department basically executes those schemes which are approved by the Govt. through a competent forum. The execution responsibility entrusted to the department is, however, linked with quality control measures and community participation to ensure its usefulness at each stage. The scheme after its completion and successful operation is handed over to the TMA and the Community in the case of urban and rural schemes respectively as per Govt. policy and present local Govt. Ordinance. In the above scenario, LG & CD Department (District Govt.) has the mandate for the maintenance of service delivery and its standards. Public Health Engineering Department has

now institutionalized a mechanism to get a regular feedback of service delivery by establishing a social wing headed by the Community Development Officer in each district who plays a vital role of liaison between the community and the department in this regard. This department is, therefore, facilitating and guiding both the TMAs and Communities in respect of better delivery standards from time to time. The areas specified in the report suffering from contaminated water are also on the priority list of the department for implementation. The department will furnish clean and potable water facility to the said areas on availability of funds.

Ombudsman's Recommendations have generally been implemented by the department.

PUNJAB PUBLIC SERVICE COMMISSION

Ombudsman's Recommendation

Complainants are usually dissatisfied with the prevailing procedure for re-checking of answer sheets by the Punjab Public Service Commission because they are not shown to the candidates. It is recommended that an officer of the Commission be nominated by the competent authority to show the answer sheets to the candidates so that they may check their answer sheets and point out any un-marked portion or wrong aggregate etc.

Department's reply/Implementation Report

The matter was placed before the Full Commission in its meeting held on 07-09-2010 and it was observed that the instructions to the candidates appearing in the written test / examination are as follows:-

'Answer books / tests are secret documents and cannot be permitted to be seen by the candidates or their representatives nor re-examination and re-evaluation of the same is allowed under any circumstances.....'

The above stance of the Commission has also been upheld by the Honorable Lahore High Court while deciding writ petition No. 959/2008 of Sikandar Ali, a candidate for the post of Civil Judge Cum Judicial Magistrate-2007. The order is reproduced:-

"Learned counsel for the petitioner has failed to cite any law or rule whereby the petitioner can ask the respondents to produce and show all sheets of English and General Knowledge Paper of the petitioner. No fundamental right of the petitioner guaranteed under the Constitution is to be enforced through this Constitutional petition. This being so, this writ petition fails and the same is dismissed in limini."

As a matter of abundant precaution, the matter was also discussed with the Ombudsman Punjab who agreed that the recommendations contained in Ombudsman Punjab Annual Report-2009 are advisory in nature. The PPSC has a fool proof two tier rechecking system. Therefore, it is not desirable to show the papers / scripts to the candidates at the time of rechecking.

TRANSPORT

Ombudsman's Recommendation

Public Transport System is meant for providing cheap and standard transport facilities to the commoners. The question is whether we have this priority in our mind. The first thing in this regard is whether we have standard buses around. The answer decidedly is in the negative. We cannot have standard buses on all routes because of financial constraints. Even the vehicles which are not at all mechanically viable are being issued fitness certificates by the departmental functionaries and in some cases owners of the buses do not bother for the issuance of these certificates. It is very rare that these officials are taken to task. Such officials, even if caught, go scot free after some time. Mechanics are an equally important human component of the transport system. These mechanics, instead of getting training in any institute by the Transport Department, just grow in small private workshops and enter the field to play havoc with the precious vehicles. It is an irony that Transport Department has no say in the basic affairs concerning public transport. The first of such instances is the fixation of fares. Almost each time POL rates are enhanced by the Federal Government, the Transporters' Associations increase the fares without awaiting the intervention by the Transport Department which, even subsequently, does not come up with any views with regard to the decisions taken by the concerned Associations on the subject. The public at large never knows about any input by the Department whether the transporters or truck owners were justified in raising the fares to the extent these had been raised. The question, which unfortunately has never been answered, arises as to the usefulness of the Department if it is unable to intervene even in such important matters. The second such issue is that the Transport Department, in the affairs of Bus Stands and Truck Stands, has absolutely no say. The Department has, perhaps, no authority even to opine whether adequate facilities are being provided to passengers and to the drivers at these places, not to talk of any standard of security arrangements. There is filth and garbage all around these places, and the situation is particularly worse during the rainy season. There is also no mechanism to check the rates and standard of eatables put on sale at these places. Likewise, the punitive aspects of over speeding, over charging of fares, fitness of vehicles plying on roads etc. are mainly taken care of by the Traffic Police who are in no way answerable to Transport Department. Secretary to Government of the Punjab, Transport Department, may have a detailed study of the working of his Department and take measures to improve the situation.

Department's Reply/Implementation Report

1. Standard Buses

Over the last 10 years, the public transport has suffered heavy losses due to manifold increase in the fuel price (Rs.17/- in year 2001 and Rs. 70/- now in 2010). All over the world the public transport is subsidized, but that was not the case in Pakistan. The present Government has taken the following steps to revive the urban transport: -

- i. Outstanding subsidy of the year 2006 is being paid.

- ii. Government has offered incentives for the induction of new buses: An upfront subsidy of 20% coupled with operational subsidy to ensure 20% return on equity. 300 buses will be inducted in Lahore in September 2010 by Lahore Transport Company. Efforts are being made to bring new buses on road in other cities also.
- iii. To support the existing bus operation, subsidy is being introduced on the already operational buses at a flat rate of Rs.1250/- per bus.
- iv. To ensure quality, technical specifications of buses have been prepared by a Committee of experts. In future, low specification buses will not be allowed.

2. Fare Over Charging

There is no over-charging in the urban areas due to cut throat competition among buses, wagons and rickshaws. However, in case of intercity buses and wagons, there are complaints, as the transporters are demanding due increase in the fare. They have also gone in a Writ Petition against the Department.

3. Capacity Constraints

The Transport Department is one of the most neglected departments. A few of the capacity/Governance issues faced by the Department are as under:-

- i. There are only 8 districts in which regular postings of officers are made as Secretary District Regional Transport Authority whereas in the remaining 28 Districts of the province, no independent postings are being made by S&GAD, rather additional charge is given to DDO (Coordination) and others. Secretary Transport does not countersign ACRs of Secretaries DRTAs. Hence, virtually he has no control. A case has now been moved to remove this lacuna and include Secretary Transport as the second countersigning officer.
- ii. There is no enforcement arm with the Transport Department. There are only 8-Motor Mobile Petrol Inspectors. A request has been sent to the Government for creation of 168 posts of Transport Sub-Inspectors etc.
- iii. There is no separate planning wing in the Department. A Transport Planning Unit is now being established and Lahore Transport Master Plan study is being conducted with the help of JICA. The Other projects in hand are:-
 - a. Conversion of 02 stroke engine Rickshaws into 04 stroke engine.
 - b. Establishment of vehicle inspection and certification service to ensure vehicle fitness.
 - c. Establishment of Intelligent Transportation System (ITS) in Lahore.
 - d. Construction of Bus Rapid Transits in major cities.
 - e. Induction of new buses in major cities.
 - f. Up-gradation of Bus/Truck Stands.

- g. Strengthening of Transport Department.
- h. Establishment of urban transport subsidy fund to make urban bus operations viable.

With the above initiatives, the department hopes to bring improvement in the Transport Sector.

WATER & SANITATION AGENCY

Ombudsman's Recommendation

1. Different tariffs are charged by WASA on the same category of houses which gives an impression of discrimination and causes frustration amongst the consumers. In some cases, old Annual Rental Value forms the basis of calculation of tariff which is extremely low whereas comparatively recent Annual Rental Value would result in a little higher tariff. According to the metering policy, for a water connection on which meter is not installed, area of the house is the reckoning factor and fixed monthly water consumption of 10,000 gallon for one to five Marla houses is charged which is on a much higher side in comparison with the water connection charged on Annual Rental Value. Furthermore, owner of one Marla house has to pay at least Rs.660/- whereas owner of five Marla house would also pay the same amount. The situation is similar to other categories of houses as well. This glaring anomaly in tariff requires to be removed by adopting a uniform tariff policy. Managing Director, WASA, should evolve a viable policy to rectify the prevalent situation.
2. It is commonly reported that meters are not readily available in the stock, therefore, cannot be installed on water connections. Arranging new meters, in the view of this Office, should not be a problem for WASA. New meters should therefore, be arranged urgently for resolving the problem.
3. Several complaints have been received regarding supply of contaminated water in different areas of Lahore as supply of such water has been badly affecting the health of residents of those localities. Missing manhole covers are hazardous to the pedestrians. Blockage of sewer system at places in Township area resulting in overflow of sullage on the street has been causing public nuisance and environmental pollution.
4. In some cases, it has been noticed that 'Administrative Approval' was granted without ensuring availability of funds. The contractors could not be paid for quite some time because of non-availability of funds. This is a serious lapse in observance of codal formalities. No administrative approval should be given in future without ensuring availability of funds for the project.

Department's Reply/Implementation Report

The observations of the Ombudsman regarding charging of different tariffs are correct. Policy regarding sanction of connection(s) is as follows: -

Un-Metered Connections

The sanction/regularization of un-metered connections stands ceased since 01.07.1997 whereas old un-metered connections sanctioned prior to 01.07.1997 are billed as per following policy adopted by WASA in the interest of general public:-

“the connections sanctioned upto 30.6.1981 in the walled city are billed at ARV for the year 1976-77. The un-metered connections sanctioned after 30.06.1981 are billed at the ARV for the year of sanction of connections.”

Metered Connections

The metered connection is billed as per following schedule:-

- i) If a meter is installed on the basis of actual consumption recorded by the meter and if the meter becomes out of order or is damaged etc, then bill is issued at the average of previous actual consumption.
- ii) If installation of meter is not possible due to any reason and previous consumption is also not available then bills for domestic connections are issued according to size of the plot while bills for commercial connections are issued according to the category of business.

The anomaly of charging different Tariffs can be addressed provided all un-metered connections are converted into metered connections after procurement of water meters. There is an acute shortage of water meters. Recently 7300 Nos. Water meters have been procured by the Directorate of Procurement & Stores, WASA (LDA) and are being installed at consumers' connections. To make up the deficiency of water meters, proposal to purchase 1,00,000/- Nos. Meters, is under consideration and accordingly, the matter being taken up with Govt. of the Punjab for allocation of funds for this purpose. On availability of funds, the concerned office will take up the matter for purchase of Water Meters and subsequently, these meters will be installed and billing will be made as per actual consumption. In that case, anomaly of charging of different Tariffs will be rectified.

It is further pointed out that almost all contaminated water supply complaints, as and when received, are attended to immediately by adopting all remedial measures. Regular dosing of chlorination with water supply system is a permanent practice. A well equipped laboratory in WASA is functional to check water samples collected from each and every corner of the city. On the other hand, City District Government is also monitoring the water supply system at their end.

Instructions are being issued that no administrative approval be issued in the absence of funds.

ZAKAT & USHER

Ombudsman's Recommendation

1. A number of complaints have been received regarding non-observance of rules and procedure in holding the elections of Local Zakat Committees.

Implementation of Recommendations

2. It is advisable that besides briefing the election team, supervisory officials should also pay surprise visits to ensure that the elections are held in accordance with the prescribed procedure.
3. The term of District/Local Zakat & Usher Committees expired on 30.06.2008 whereafter these Committees have not been re-constituted. Consequently, the work of distribution of Zakat & Usher has practically come to a standstill. These Committees, therefore, need to be re-constituted without any further delay.
4. It is suggested that the members of a local Zakat/Usher committee should preferably be from a family whose members and relatives are not eligible to receive Zakat so that possibility of nepotism is minimized. It has been observed in some cases that disbursement of Zakat is being made to improve the vote bank and to gain political advantage. In a few cases, cheques are issued in the names of those who are not the recipients of Zakat. These issues should be considered and necessary remedial measures be taken.

Department's Reply/Implementation Report

1. In the recent Election of Local Zakat Committees, proper briefings were given to District Zakat Officers, District Chairmen and lower staff for observing prescribed procedure for constitution of Local Zakat Committees. The Zakat Department had constituted Inspection Teams to watch the process of elections and adopt effective measures for transparent elections. The visits of these teams have produced good results.
2. The elections of 98% Local Zakat Committees have been completed. The remaining elections would be completed after resolution of local disputes and law & order problems.
3. The Zakat and Usher Department clarifies that Zakat is not distributed for political purposes and improvement in the vote bank. It is for assistance of the needy, the poor and deserving persons. The reported irregularities in issuance of cheques to ineligible persons would be checked in future distribution of Zakat to 'mustahiqeen.'

(GENERAL RECOMMENDATION)

O&M WING, S&GAD**Ombudsman's Recommendation****1. Quota For Disabled/ Women**

It has been observed during investigation of many complaints that various departments, while advertising vacancies, announce fixed quotas of jobs for disabled persons and women but do not adhere to the same at the time of making appointments taking the plea that the quota had already been utilized/exhausted. This causes resentment and heart burning among the candidates who belong to under-privileged segments of our society. It shows that instead of being fair to these sections of the society, whom we have been neglecting in the past and who have been the victim of disparities since ages, we are causing them pain by raising their hopes but not giving them their due. For bringing these disparities to an end, it is recommended that while advertising the vacancies, specific quotas for the disabled and women may be announced only when there are vacant posts and the number of posts against these quotas be specifically mentioned. If no vacancy falls under any quota, the fact be clearly highlighted in the advertisement to the effect. Another important point to be conveyed to the Departments is that calculation of quotas be made with due care as all quotas are to be calculated on the sanctioned strength of the cadre posts and not on the basis of available vacancies. Instructions in this regard be issued to all Government departments by the S & GAD.

2. Streamlining the System of Release and Forfeiture of Securities

Investigation of various complaints has revealed that in agreements executed for carrying out development works, there is usually a provision specifying the period regarding forfeiture of security deposit. It has been noticed however, that neither any order confiscating the security deposits is passed nor the same is returned to the depositor within the stipulated period. The delay in returning security deposits certainly causes loss to the contractor and is an act of maladministration. It is recommended that steps be taken to ensure that proper orders regarding refund or forfeiture of whole or part of security deposits are passed in time in accordance with the agreements. The system of release of securities as also the forfeiture thereof should be streamlined and cases decided in accordance with the provisions of the agreements. All public works departments should issue necessary directions to all concerned in this regard.

3. Nomination of a Senior Officer for Dealing with Complaints in Each Department

A large number of complaints received in this Office relate to delay, neglect and inattention in various offices and agencies. Investigation of various complaints has revealed that either no system exists in the agencies to attend to such complaints or the arrangements made are not satisfactory resulting in an extraordinary increase in the number of complaints in this Office. Each department/agency where no such system exists must nominate

Implementation of Recommendations

a senior officer as a focal person to attend to such complaints and where the system exists, it may be properly strengthened to provide relief to the aggrieved persons at the agency's level. This arrangement would not only provide quick relief to the aggrieved but would also lead to saving the time and expenses incurred in pursuing complaints in this Office and at other forums.

4. Non-Maintenance of Proper Service Record of Government Servants

- (a) Complaints received in this Office show that the problems due to incomplete and improperly maintained service record of civil servants persist at a large scale. It is proposed that all officers responsible for maintenance of record must inspect the service record, particularly the service books, at least once in a year to ensure that these are updated and are maintained properly.
- (b) It has also been noticed that retirement orders are not issued in time with the result that some Government servants continue to attend offices and perform duties beyond the date of superannuation. The audit objects to drawing of salary for this period and insists on recovery of the amount from gratuity creating difficulties and hardships for the retiring Government servants. Each office must have a list of officials due to retire in a calendar year and orders of their retirement should be issued by the head of office well in time, in accordance with Government instructions.
- (c) Despite a clear provision in the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974, that the date of birth recorded at the time of entry in government service cannot be changed, instances have come to notice where officers, either on their own or on a representation from the government servants concerned, take up cases for change of date of birth. This practice, apart from being contrary to the rules, creates difficulties for the official whose date of birth is changed because audit justifiably does not accept the change. Attention of all concerned needs to be drawn to the provisions of the rules with the advice to follow it.

5. Eradication of Delays

- (a) The common man in our country is not fully aware of his legal rights and the forums available for redressal of his grievances. He has to look up to Government officers for solution of his difficulties. It was noticed that more than half of the complaints disclosed maladministration arising directly from neglect and delay. These complaints also include the grievances voiced by Government servants not hit by section 9(2) of the Punjab Office of the Ombudsman Act, 1997.
- (b) Although primary responsibility for expeditious disposal of all references rests with the dealing officers and their staff but the supervisory officers have to see that the dealing officers and staff under their control do not sleep over any reference

received. In order to keep supervisory officers regularly apprised of the correct position regarding pending references and cases and to enable them to exercise proper check on such cases, every dealing officer was required to submit a monthly arrears statement on a prescribed form by the 10th of every month. It has been observed that the instructions of the Government in this regard are not being adhered to by the dealing staff/officers and the supervisory officers with the result that delays have become a common reality in almost all the departments and the affectees have no other choice but to approach the Office of Ombudsman for redressal of their grievances.

- (c) In order to effectively eliminate delays, it is recommended that all Administrative Secretaries should issue fresh instructions to their attached departments/autonomous/semi-autonomous bodies and other offices that directions issued by the Government are strictly followed and every dealing officer puts up a monthly statement of arrears to his supervisory officer who should monitor each case which is delayed beyond the fixed time limit. In addition, he should also direct all his subordinate offices to maintain registers of pending references so that no reference remains unattended.

6. Recruitment Process

In matters of recruitment, the following irregularities have been noticed:-

- (a) Applications received are usually not properly entered in the Receipt Register.
- (b) Record of presence (attendance) or otherwise of an applicant at the time of interview is not maintained.
- (c) Sufficient time is not given while summoning candidates for interviews, or in case of a selected candidate, to join his assignment.
- (d) Record of marks awarded by members of the Recruitment Committee is destroyed/not maintained.

It is recommended that all departments should issue instructions to ensure that these shortcomings are eradicated. In cases of offers of appointment, if a candidate does not report within the initially specified time, he should be given another opportunity to join duty and this intimation should be sent to him through a registered letter/acknowledgment due. This is necessary because many candidates complained that either sufficient time to join was not given or the letter of appointment was not received at all. Since these letters are sent by ordinary mail, there is no sure way to confirm whether the letter was actually issued or not.

7. Equation of Grades with Divisions in Academic Certificates

It has been noticed that the Recruitment Rules framed by various departments mention Matriculation, Intermediate and higher qualifications in terms of divisions (first, second and third) whereas in the certificates being

Implementation of Recommendations

presently issued by Boards/Universities, grades (AI, A, B, C etc.) are mentioned. While determining the merit, the appointing authorities cannot properly equate grades with the division as required under the rules. In some cases, the conversion/equation is just not possible. It is recommended that all departments and at least the Education department may undertake an exercise to substitute the divisions mentioned in the Recruitment Rules with the grades against various posts.

8. Payments of Compensation of Acquired Land

Government Departments acquire private lands for execution of different development schemes. In a number of complaints, it has been highlighted that assessment of compensation was defective and compensation was not paid to the affected owners of land even after the passage of many years. Thus while the land owners' sources of survival were taken over by the departments they were not timely compensated. To mitigate their hardships, Land Acquisition Collectors should follow the law/policy in letter and spirit. The controlling authorities of land acquisition should evolve an effective monitoring system ensuring proper assessments of land compensation and its timely payment to the landowners.

9. Disparity in Opportunities

Complaints filed in this office reveal that there was a great disparity in quality and quantity of services being delivered by the public sector institutions in urban and rural areas. Education, Health, Transport and Sanitation are the major areas indicated in the complaints. In the schools and colleges functioning in rural areas, adequate arrangements for teaching science subjects are not available. Many students are unable to study the subjects according to their aptitude and choice. Similarly, Rural Health Centers and Basic Health Units do not provide medical services of the required level for want of necessary staff and facilities. Disparity in services being provided creates feelings of deprivation and being left behind. It is recommended that the Government should address the issue by taking appropriate measures.

10. Access to Information

Ignorance of rules/regulations/ procedures on the part of the people is one factor that provides maximum opportunity to dealing officials in the public sector to exploit the general public. This leads to corrupt practices giving undue leverage to the officials and more resourceful persons. Transparency in handling Government business and dissemination of information to the concerned public can reduce unfair practices. Officials often refuse to provide information on the pretext of confidentiality and secrecy even in matters of public importance. This Office is of the view that in a well informed society, chances of corrupt practices and maladministration are considerably less as compared to the one which is ill informed or not informed. The Federal Government has promulgated Freedom of Information Ordinance, 2002 to minimize opportunities leading to maladministration, favoritism etc. It is proposed that:-

- (a) The Government of the Punjab may also enact a law for freedom of information in line with the Federal Government, making it mandatory for the dealing officials to provide

information other than classified one, when required by any person.

- (b) Information/Guidance counters may be established in all the departments. These be manned by officials well-versed in matters pertaining to the set up. They may be assigned the responsibilities to provide free of cost proper information and guidance to all those who come to the counter for help/assistance.

Each office should print brochures giving details of its activities, procedures and information of organizational setup/system through which one could get his problem solved. Such brochures should be provided free of cost to the persons seeking help/information/guidance.

Department's Reply/Implementation Report

1. Quota for Disabled/Women.

With reference to quota for disabled/women, instructions have been issued to all concerned for calculation of the said quota as per provisions of the Punjab Civil Services (Ratio of Recruitment) Rules, 1973. All the departments have been requested to issue instructions to their field formations to follow the Rules in letter and spirit while calculating the quota for disabled/women at the time of recruitment.

2. Nomination of a Senior Officer for Dealing with Complaints in Each Department.

As far as nomination of a Senior Officer for dealing with the complaints in each department, it is stated that Mr. Muhammad Javed, System Analyst (BS-19) has been appointed as a focal person to deal with complaints received from the Ombudsman office on behalf of Regulation/O&M Wing, S&GAD.

3. Non-Maintenance of Proper Service Record of Government Servants.

The service record of government officers/officials is being maintained properly. However, the directions contained in the Ombudsman's Annual Report have been noted for future compliance.

PRISONS

Ombudsman's Recommendation

Keeping in view the complaints received in this Office, it appears necessary that the role and functions of non-official visitors may be made more effective and meaningful. It is recommended in the first instance that the number of non-official visitors and their visits to a particular jail may be increased. It may not be necessary to give prior intimation to the prison authorities about the intended visits.

As per Pakistan Prisons Rule, 918, a non-official visitor is expected to visit the prison once in a month and more often, if possible. It has been observed, however, that non-official visitors are not strictly adhering to the

Implementation of Recommendations

prescribed schedule. It is recommended that the period of 6 months may be reduced to 2 months. Similarly, explanation to Rule 916 provides that every non-official visitor may be nominated for two years instead of 4 years. Therefore, the term of office of every non-official visitor may be fixed for two years instead of 4 years.

Secretary to Government of the Punjab, Home Department, in consultation with Inspector General of Prisons, Punjab, may examine the above recommendations for taking further action.

Department's Reply/Implementation Report

It is submitted that, at present, 185 Non-official visitors (NOVs) are performing their duties in 32 jails of Punjab. The appointment of any NOVs is a prerogative of the Provincial Government. Moreover, the tenure of NOV is 04 years under rule 916 of the Pakistan Prisons Rule, 1978.

It is further submitted that recommendations of the Provincial Ombudsman for reducing the period of visits of NOV's 6 months to 2 months as provided under Rule 918(iii) and period of tenure i.e. 4 years to 2 years as provided under Rule 916 of Pakistan Prisons Rule, 1978, are reasonable. Hence, it is proposed that the same be adhered to.

The Ombudsman's Recommendations have thus been implemented by the Department.

PUNJAB HOUSING & TOWN PLANNING AGENCY

Ombudsman's Recommendation

CDR's are usually deposited in the name of the Agency but in a few cases, these are deposited in the personal accounts of the Deputy Directors which is against the rules. Suitable instructions in this regard be issued by the competent authority to all formations of the Agency.

Department's Reply/Implementation Report

Filed formations have been directed to comply with the instruction / direction with reference to the recommendations contained in Ombudsman's Annual Report, 2009.

CHAPTER-VII

COVERAGE BY PRINT MEDIA

Pages 181– 189

DAILY
NAWA-I-WAQT
LAHORE

روزنامہ

بانی جمیٹیبی غم ایڈیٹر جمیٹیبی لاہور

لاہور گیلیری زاویہ پنڈی / سلام آباد اور میان بیگ وقت شائع ہوتا ہے

ہفتہ 5 رجب الاول 1431ھ 20 فروری 2010ء 9 پھاگن 2066 ب (صفحہ 11)

مقتول بھائی کی گاڑی اہلیہ کے نام کرا کے بیچ دی، محتسب کے حکم پر کاربر آمد

صوبائی محتسب کا واقعہ میں ملوث رجسٹریشن اتھارٹی کے اہلکاروں کی خلاف سخت کارروائی کا حکم

ملی بھگت سے گاڑی کو اپنی بیوی نیلم شہزادی کے نام ٹرانسفر کروا کر بیچ دیا۔ سول کورٹ نے پہلے محمد رفیق بیٹ مقتول شاہد اقبال کے سر کو بچوں اور جائیداد کا گارڈین مقرر کیا۔ محمد رفیق بیٹ نے صوبائی محتسب کو درخواست دی کہ گاڑی کی غیر قانونی رجسٹریشن کینسل کی جائے اور گاڑی اس کے حوالے کی جائے۔ اپنی تعمیلی رپورٹ میں ڈائریکٹر جنرل ایکسائز پنجاب نے آگاہ کیا ہے کہ محتسب پنجاب کے فیصلے کی روشنی میں رانا گلزار احمد ایکسائز انسپکٹر گوجرانوالہ ظہیر اختر بیٹ جو نیئر کلرک آفس گوجرانوالہ کے خلاف انکوائری شروع کروادی ہے اور پرویز کوشری فی او گوجرانوالہ کو انکوائری آفیسر تعینات کروا یا یہ

لاہور (دقائق نگار) صوبائی محتسب پنجاب خالد محمود کے حکم پر سوٹر رجسٹریشن اتھارٹی نے غیر قانونی اور دھوکہ سے منتقل کرائی گئی گاڑی کی رجسٹریشن منسوخ کر دی یہ گاڑی گوجرانوالہ پولیس نے برآمد کر لی۔ تفصیلات کے مطابق شکایت کنندہ عنایت اللہ بیٹ نے اپنی درخواست میں بیان کیا کہ وہ شاہد اقبال جس کو اس کی بیوی کے ہمراہ 21 اگست 2002ء کو قتل کر دیا گیا تھا کا والد ہے۔ درخواست گزار کے مطابق اس کا بیٹا شاہد اقبال گاڑی نمبر GAM-22 کا اپنے قتل کے وقت قانونی مالک تھا۔ 19 دسمبر 2002ء کو جشید بیٹ جو کہ درخواست گزار کا دوسرا بیٹا ہے نے دھوکا دہی اور متعلقہ محکمہ کے افسران کی

DAWN

Lahore, Thursday, April 1, 2010

Ombudsman orders dept's action against policeman

By Our Reporter

LAHORE, March 31: Punjab Ombudsman Khalid Mahmood has ordered departmental proceedings against a sub-inspector and payment of withheld GP Fund to a school teacher.

Complainant Muhammad Bashir had submitted that four persons broke into his brother's house in Kasur, tortured his wife and opened fire on him before leaving, which fortunately missed the target.

A case was registered about the incident with Raiwind Saddar police station.

The complainant alleged Sub-Inspector Muhammad Abbas omitted certain clauses from the FIR after accepting bribe from the accused.

Provincial Ombudsman deputed Chaudhry Kabir Ahmed Khan to investigate the matter who found the SI guilty of accepting bribe.

The ombudsman ordered departmental action against the accused SI.

The Frontier Post, Lahore

Saturday, April 17, 2010

'Bravo ombudsman'

F.P. Report

LAHORE: On the direction of Provincial Ombudsman Punjab, Khalid Mahmood, Umbrellas have been provided to Traffic Wardens of Capital City Police Lahore.

Without Umbrellas and increase in mercury, Traffic Wardens being faced difficulties.

A large number of Traffic Wardens were badly affected with heat strokes. Upon the news published in the newspapers regarding non-provision of Umbrellas to Traffic Wardens, Ombudsman Punjab Khalid Mahmood took suo moto notice and directed D.I.G. Traffic to redress the grievances of Traffic Wardens immediately, because Wardens could save from heat and facilitate to manage traffic system without any hindrance.

Provincial Ombudsman Punjab Khalid Mahmood directed Chief Traffic Officer Capital City Lahore took immediate action and provided Umbrellas for

Traffic Wardens. distributed to Traffic
Therefore, 950 small and Wardens of Capital City
250 large Umbrellas were Police, Lahore.

روزنامہ ”دن“ لاہور

05-05-2010

صوبائی محتسب کا ہار میٹلچر اتھارٹی کو لبرٹی پارک سے غیر قانونی تجاوزات ہٹانے کا حکم

یہ کارروائی صدر جام شہر میں پارک ایسوسی ایشن برٹی پارک جاوید فواب کی طرف سے دائر درخواست پر کی گئی

لاہور (سپیشل رپورٹر) صوبائی محتسب اعلیٰ پنجاب خالد محمود نے ڈائریکٹر جنرل پارک اینڈ ہار میٹلچر اتھارٹی کو لبرٹی پارک میں موجود غیر قانونی تجاوزات ہٹانے کا حکم دے دیا۔ فاضل محتسب اعلیٰ پنجاب نے یہ کارروائی صدر جام شہر میں پارک ایسوسی ایشن لبرٹی پارک جاوید فواب کی طرف سے دائر درخواست پر کی جس میں اس

نے موقف اختیار کیا کہ ان کی ایسوسی ایشن عرصہ سے لبرٹی پارک میں تفریحی اور ترقیاتی سہولیات فراہم کر رہی ہے لیکن لوہنگریہ کے کچھ پیشہ ورانہ ماہی لانے پارک کے اندر غیر قانونی تعمیرات کر لی ہیں جو کہ پارک میں آنے والوں کے لئے تکلیف کا باعث ہیں استدعا ہے بقیہ نمبر 3 صفحہ 4 پر

بقیہ غیر قانونی تجاوزات 3

کہ تجاوزات کو ہٹانے اور ماہی لانے کے خلاف اقدام کے احکامات جاری کیے جائیں جس پر صوبائی محتسب نے قدر حسین قیصر کو تقابلی آفیسر مقرر کیا جنہوں نے متعلقہ ایجنسی سے رپورٹ طلب کی اور تقابلی عمل کی تحقیقات کی روشنی میں صوبائی محتسب نے مشاہدہ کیا کہ جو پارک عوام کی تفریح و صحت مندرجہ سہولیات اور آلودگی سے پاک ماحول فراہم کرنے کے لئے بناتھا اس کی ایک تجدیدی مرکز میں تبدیل کر دیا گیا ہے اور قبضہ گروپ نہ صرف غیر قانونی کاروبار سے بلکہ کمار ہے بلکہ بے اختیار عوام کے احساس کمتری کا باعث بن رہا ہے جس پر صوبائی محتسب نے ڈائریکٹر جنرل پارک اینڈ ہار میٹلچر اتھارٹی کو اپنے احکامات میں کہا ہے کہ لبرٹی پارک میں غیر قانونی تجاوزات و تعمیرات ہٹانے کے فوری اقدام کیے جائیں، قبضہ ماہی لانے کے خلاف کارروائی کی جائے، پبلک ایجنسی کے ذمہ داروں کے خلاف اقدامات کیے جائیں اور حکم انتہائی ختم کروانے کے لئے متعلقہ عدالت سے رجوع کیا جائے اور راجی رپورٹ فراہم کی جائے۔

DAILY "NEWS" Lahore

07-05-2010

Ombudsman rejects govt plea against former Tevta chief

By Our Correspondent

LAHORE: The Punjab Ombudsman has rejected the government's plea demanding former chairman of the Technical Education and Vocational Training Authority (TEVTA) pay back salaries drawn by him as head of the authority.

The Ombudsman, in its order, directed the provincial government to refrain the TEVTA from issuing letters against its former chairman Mohsin Syed, also chairman of the Hybrid Technics Private Limited. It stated that the TEVTA appeared totally oblivious of rules and facts while demanding the complainant pay back the salary, which he (complainant) had drawn as the chairman of the authority. The Ombudsman stated that the action of the TEVTA was deemed as an act of maladministration. It said that a public servant was a different entity as opposed to ser-

vants of the state or in other words the government servants to whom the Conduct Rules apply. In this view, the argument of the authority was devoid of merit that the complainant being a TEVTA employee was a public servant and hence bound by the Punjab Government Servants (Conduct) Rules which do not allow dual employment without specific permission.

It emerges from the foregoing that the complainant was neither a government servant nor an employee of the TEVTA, thus, bound by the rules, it stated. The authority seems to have overlooked the fact that the appointing authority in the Punjab government had the right to appoint the complainant as per terms and conditions it wished to impose. The Ombudsman stated that the (appointment) notification did not contain a provision that Mohsin Syed would resign from job he was doing or would

draw no salary there from and he would be bound by the rules.

Earlier, Mohsin Syed stated in its complaint that the Punjab government had appointed him as the TEVTA chairman due to his interest in promoting technical education on September 9, 2008. He also stated that the complete information about him submitted to the government before his appointment. He said he mentioned before his appointment as the TEVTA chairman that he was working as the regional director (North) for the National Industrial Park.

The former chairman also stated that he resigned as the TEVTA chairman on July 14, 2009. He complained that the new TEVTA management was harassing him through letters to pay back all salaries drawn by him from the authority. He requested the Ombudsman to refrain the TEVTA from damaging his professional credibility.

DAWN

Lahore, Friday, June 11, 2010

BISEs told to amend 'alias' policy

LAHORE, June 10: The Punjab ombudsman on Thursday directed the Board of Intermediate and Secondary Education, Lahore, to amend its policy regarding mentioning of the old name of a student in duplicate/corrected matriculation certificate with the addition of the word 'alias'.

Mahmood Khan Parwaz submitted an application to the ombudsman stating that the name of his son, Muhammad Tanvir Ahmad, was mistakenly printed as Hafiz Muhammad Tanvir in the admission form of matriculation exam 2008 and the result card/original certificate of matriculation was issued with the same mistake.

On his application, he said, the board corrected his son's name, but the old name was also printed with the addition of the word 'alias'. He requested the ombudsman that directions be given to the board to delete the old name along with the word 'alias' from the certificate.

The board claimed the stu-

dent's name had been corrected on his request and the old name was mentioned with the word 'alias' as per rules.

The ombudsman observed that the old name mentioned as 'alias' was generally considered to be another name of the same person and could create complications on production of such a document by a person in future.

The ombudsman directed the BISE to issue a fresh certificate to the complainant in which the word 'alias' with the old name be deleted and the old name be separately mentioned in the duplicate certificate to indicate that the particulars were printed in the original certificate in that way.

He directed the board to amend its policy and not to print the word 'alias' in the duplicate certificates and if considered necessary, the particulars of previous/old name of a candidate be separately shown/printed at the bottom of a duplicate certificate.

All educational boards were also directed to amend their policies accordingly.

THE NATION LAHORE

18 AUG 2010

UHS revises result on Ombudsman's directions

OUR STAFF REPORTER

LAHORE - On the directions of Ombudsman Punjab Khalid Mehmood, the University of Health Sciences has revised the result of a student of M.Phil. (Community Medicine) and declared her successful.

According to details, Dr Surya Fazal Hashmi, a student of M.Phil. (Community Medicine) at Institute of Public Health, Lahore, under the aegis of UHS appeared in M.Phil. (Community Medicine) Part-I, Annual Examination, April 2009. Viva voce of practical examination of Infectious Diseases was conducted by Internal and External Examiners. During her Viva Voce, External Examiner pointed out that the questions being asked by Internal Examiner were beyond the scope of the subject who (Internal Examiner) became annoyed and declared that he would not award passing marks to her (complainant). She immediately brought the above-state of affairs to the notice of Dean, Institute of Public Health, who ordered for an enquiry into the matter. Meanwhile, she requested the Vice-Chancellor as well as Controller of Exam-

inations, to apply "discrepancy formula" vis-à-vis her Viva Voce as there was gross disparity in the marks awarded by the Internal (04 marks) and External Examiners (24 marks) to her, but to no avail. The complainant requested for a direction to the University for reviewing her result by applying "discrepancy formula".

In a press release issued here on Tuesday, Provincial Ombudsman Punjab deputed Qadeer Hussain to probe the matter and he, in his departmental report, took the stance that complainant failed in the subject of Infectious Diseases practical examination. It was added that Internal Examiners were appointed by the respective Institute of Public Health, Lahore. The complainant's result was declared in accordance with assessment made by the examiners appointed by the University under the rules. Investigating Officer summoned Internal Examiner Dr Muhammad Shahid Iqbal (Associate Professor), Institute of Public Health, Lahore and External Examiner Dr Muhammad Ashraf (Associate Professor) Community Medicine, Allama

Iqbal Medical College, Lahore to record their statement.

In the view of investigations, Ombudsman Punjab accepted the stance of complainant and directed the competent authority of the UHS to apply the discrepancy formula as per rules in this case and review the complainant's result as a special case in respect of practical examination of Infectious Diseases in the light of University notification and take such consequential action as may be necessary within seven days.

It is further directed that the proceedings of the inquiry committee should be finalized at the earliest and until cleared by the committee, Dr Muhammad Shahid Iqbal (Internal Examiner) shall not be appointed as examiner in respect of University's Examinations.

The UHS, under directions of Ombudsman Punjab, issued the revised result card of the complainant and submitted compliance report along with copy of issued result card.

THE NEWS

Saturday, October 16, 2010

2 cops booked for rape bid, robbery

By Our Correspondent

LAHORE

FOLLOWING the directions of Ombudsman Punjab, DIG Police (Operations) Lahore has registered FIRs against the Nawankot police sub inspectors, Ghulam Mustafa and Ghulam Abbas, for illegally entering into a house, attempting to rape and looting valuables.

The FIRs against the accomplices of said sub inspectors including driver Sarfaraz Doger and constables Muhammad Azam and Robin Rasheed have also been registered under 452/506 and 354/511 PPC.

Rasheed Ahmed, a resident of Sabzazar had submitted an application to Ombudsman contending that on July 5 aforementioned police officials forcibly entered into his house and looted valuables including four tola gold and Rs 16,000 cash. He further stated that the police officials tortured and attempted

to rape his wife. Later, the said policemen offered friendship to his wife and upon non-cooperation of his wife, they (policemen) extended life threats through mobile phone calls, he added.

On the complaint of Rasheed, the Ombudsman had directed DIG (Operations) to look into the matter and submit a report. Later, the DIG submitted his report considering the allegations levelled by Rasheed against the Nawankot police officials as worthless and not factual.

Over this, Rasheed submitted his reply along with statements of his neighbours in support of his allegations. During the joint hearing accused SI Ghulam Mustafa denied the allegations but could not give any justification of threatening calls to complaint's wife. Entering into Rasheed's house was proved by the statement of SI Ghulam Abbas. Whereas, all the constables stated that they were bound by the orders of their seniors.

THE NEWS

December 12, 2010

Sane man spends 3 yrs in mental barrack

**By Our Correspondent
LAHORE**

A MENTALLY healthy man charged with a minor offence, who had to spend over three years in a mental barrack of the Camp Jail, Lahore, was released by the provincial Ombudsman on Saturday.

The complainant of the case had surrendered his FIR against under-trial prisoner, Afzal, of Mental Ward Barrack of the Camp Jail on humanitarian basis, as a result of a suo motu action by Provincial Ombudsman Khalid Mehmood.

The suo motu was taken after a letter by the prisoner, Afzal, to columnist of a local newspaper was published on July 20.

Mohammad Afzal, a resident of Faisalabad, was sent to jail on May 12, 2007 upon registration of an FIR of physical torture against him.

The ward barrack in-charge had taken Afzal to a jail doctor and requested him to transfer him to a mental barrack, responding to his complaint that

he was mishandled and tortured by the jail officials during the weekly visit of the jail superintendent.

Consequently, he had been detained in block 18 (8x6 area) of District Jail Faisalabad. Psychiatrist doctor Nasir Baig of Faisalabad hospital had declared him normal and transferred him to a normal barrack. Later on, during another weekly visit of the jail superintendent, the prisoner had demanded a lawyer and a copy of the FIR registered against him.

In the evening, the barrack in-charge had taken him out of the barrack with help of two other prisoners and tortured him badly.

Next day, he was again taken to the jail doctor who had him transferred to a mental barrack. Later on, he had been transferred to the Camp jail, Lahore, from where he had written the letter to the columnist. The provincial Ombudsman had taken suo motu action upon publication of the

Continued on page 14

Sane man spends 3 yrs in mental barrack

Continued from page 13

prisoner's letter and formulated a team to interview the prisoner. The team had submitted a report to the Ombudsman after meeting with the prisoner, jail officials and doctors.

In view of the inquiry report, the Ombudsman had issued directions to help the prisoner get a bailout and be release from the mental barrack. The inquiry team had met with petitioner of the FIR and pursued him to withdraw the cases on humanitarian basis.

On the persuasion of the team, the complainant of the FIR had submitted an application in the court of law concerned, saying that he did not want to pursue his case against the prisoner and that the prisoner be released on bail. The court had accepted the bail application and ordered the release of the prisoner. Following the court order, he was released from the jail.

CHAPTER-VIII

LETTERS OF APPRECIATION

Pages 191– 210

موضوع 27-5-2010

بنام جناب
جناب اعلیٰ پنجاب
11/10

عنوان: برائے سیکورٹیز
403/1/10
CV 11/10

جناب عالی

میری شکایت کے سلسلہ میں عرض ہے کہ آج مؤرخہ 27-5-10
کو مجھے Financial Director (عالی امداد) کی رقم مبلغ چار لاکھ روپے
جس کے میں آپ کا ہیٹ نمونہ پیش اور دعا کرتی ہوں کہ یہ ادارہ ہمیشہ قائم
رہے اور مبالغہ آلودہ استعمال نہ کریں۔ آمین

مذکورہ شکایت میں میں نے ایم ایم خان کا ذکر کیا ہے وہی شخص ہے جس نے
میں کو آئین روپیہ کی شکایت کی تھی۔ اگر ان سے کوئی اختلاف کا روئی کرنا
چاہتا ہوں تو آپ سے بھی ملادوں اور میں تا کر لوگ ان کے بارے
میں جاننا چاہتی ہوں

اچھا ہمارے جناب اعلیٰ پنجاب اور سیکورٹیز (دیپارٹمنٹ) سیکرٹری اعلیٰ
کے دفتر جناب پنجاب کا بے حد شکر ہے اور دعا کرتی ہوں

مستطابہ الرحمہ
جناب

مستطابہ الرحمہ
14/3/10 سے سن 2010 میں 14

مکرمہ کا نام
مکرمہ صاحبہ سندھ فخر پارہ صوبائی کھیلوں کی کھیلوں
کے لئے

جناب عالی، میں نے آپ کے پاس ایک فوٹو
میرا اے سعادت پر صدف کلمہ شکلات فارسی
رفیقہ وغیرہ کے صدف فوٹو نزدوران کی
نزدوران دلائے جانے رقم 62725-1 اسکا
نویسہ سلفی عمل کلمہ شکلات آڈا نہ کر رہے
تھے، آپ کی سیر مانی اور کوششوں سے میری داو
ر میں آج بھی ہے اور میں نے رقم تمام وصول کر
لی ہے، میں آپ کا فوٹو دل سے شکر گزار
ہوں

محمد شفیع ولد اشتم علی قورم کی نیک کنڈی اور تارا
تمیل شوخی خلیا فوٹو
محمد شفیع

حضرت اقبال اعظم اقبال تاجر صاحب کنڈیشن ۱
 ن. حوالہ شکایت 7323/12/09 - برائے ادائیگی و طغیان
 صاحب عالی

خود بیانہ گزارش ہے کہ فیروز محمد شیخ دلہندہ محمد
 ساکن محلہ سپروری ٹیٹ قلعہ لنگہ آباد تحصیل و ضلع نارووال
 آپ کا اتنے دل سے شکور ہوں کہ میری سٹی فرائز فریڈنگ
 DEO (M-EE) ضلع نارووال کی طرف سے دفعہ برائے
 ضمانت - رقم مبلغ 14400 روپے کا جب محصول سپورٹ
 ہے جناب میں 3 ذی قعدہ 1390ھ سے آپ کا بے حد شکر گزار
 ہوں یہ آپ کی کمربانی اور فرم گوازی سے ہے میرا اتنا پرانا
 مسئلہ حل ہو گیا ہے جس کے لیے میں نے درباری عدالتوں میں
 جس میں باطل کا افسوس بھرا تھا سببیں اچھلی اس دنیا میں آپ
 جیسے مہربان اور فرسٹ شناس انٹراکٹیو بلڈ لٹ دنیا قائم
 ہے میرے اہل خانہ اور میری بیٹی ادیب کی اس ضمانت
 کے اتنے خوش ہوئے کہ وہ بیان سے باہر ہے تیری دعا
 کہ اللہ تعالیٰ آپ کو اس کا اہم عظیم عطا فرمائے اور آپ کو
 دنیا کی ہر نعمت سے نوازے۔ کہ آپ کے بھار اتنا پیچیدہ
 مسئلہ حل کرایا۔ میں اس دفعہ جو آپ کا بے شکور ہوں
 آپ ہی سبب سے کمربانی اور بے حد شکر ہے

عزیز لدار

فرخ محمد شیخ دلہندہ محمد
 ساکن محلہ سپروری ٹیٹ قلعہ لنگہ آباد
 تحصیل و ضلع نارووال
 13.9.2010
 5345-24 0542-7

The Provincial Ombudsman Punjab,
Lahore.

Reg:- COMPLAINT NO. 3450/08/2010/C-XII-83/2010.-

Dear Sir,

I thankfully acknowledge your judgement order in our captioned complaint received on 11.12.2010.

I appreciate your judgement which is exhaustive and detail judgement which cover my all issues and the peoples at large living at Faisalabad also appreciate your judgement as your honour have relieved the citizen from illegal tax (JAGGA TAX), and relieved the pressure on the shoulder of Registrar Urban-I and Urban-II Faisalabad.

I also admire and appreciate the learned Hameed Amjad Warrāich Consultant XII of your office as he persuaded the District Officer (Revenue) Faisalabad legally to find out the true facts of the case and after due inquiry directed the District Officer (Revenue) to stop the collection immediately and that was implemented by the District Officer (Revenue) accordingly.

I pray to the Almighty Allah who may bless you and your personnels prosperity and courage to deal with such complicated and long standing cases to eradicate the corruption from the routes of the society !

Dated 11.12.2010.

M. Anwar Bhatti
(MUHAMMAD ANWAR BHATTI)
ADVOCATE,
299/A, Peoples Colony,
Faisalabad.

جناب چوہدری نواز جہد گھسن

کنسلٹنٹ-1

دفتر محتسب پنجاب-2۔ بنک روڈ لاہور

عنوان: شکایت نمبر 10/24-1-2010-C-461-1-2010-C بسلسلہ تعمیری وظيفہ از بہود فنڈ

جناب عالی!

شکر ہے اللہ تعالیٰ سبحانہ کا جس نے مجھے صبر کے ساتھ معاملہ ارباب اختیار کو پیش کرنے کی توفیق بخشی اور ادارہ احتساب کو رشد و ہدایت کے ساتھ معاملہ فہمی سے نوازتے ہوئے ”حق بحق داد رسد“ یعنی منزل انصاف سے ہمکنار ہونے میں نصرت فرمائی ورنہ Scotfree اور Self-aggrandize ماحول میں evil genius سوچ کے ساتھ سرکاری امور سرانجام دینے والے عہدیداران کا محاسبہ ناممکن نہیں تو مشکل ضرور تھا کیونکہ عہدہ کا صرف اور صرف ذاتی مفاد میں استعمال کرنے کے عادی ملازمین سچ اور جھوٹ کو گڈنڈ کر کے معاملہ کو اس قدر الجھا دیتے ہیں کہ انصاف مہیا کرنے والے فرد ادارہ کو گھپ اندھیرے میں کالا بلا تلاش کرنے کی نوبت کا سامنا کرنا پڑتا ہے۔

ادارہ احتساب کی تاریخ فیصلہ مورخہ 27-05-2010 سے پہلے غالباً نوشتہ دیوار پڑھنے پر عہدیدار بہود فنڈ سے جاری ہونے والا چیک نمبر 887095 مورخہ 06-05-2010 مجھے بذریعہ ڈاک موصول ہو گیا ہے جسکی تصدیق کرتا ہوں اور ایڈوائزرز کی اتھارٹی کی حیثیت میں ادارہ احتساب کے تحریک برائے محاسبہ برخلاف ذمہ دار ملازمین کو خراج تحسین پیش کرتا ہوں۔

رضیے نیے از

Ms. ملاک غلام محمد
19-S/1 پرانا سیٹل ٹاؤن جوہر آباد ضلع خوشاب

فون نمبر 0454-721719

07-06-2010

بخدمت جناب صوبائی محتسب اعلیٰ پنجاب لاہور۔

عنوان: رجسٹرڈ شکایت نمبر Adv-1/8/10 329/01/10 کا جواب

جناب عالی!

گزارش ہے کہ میں مسما ت نسیم ایس داس ساکن امام دین سٹریٹ بیت الحم چوک نزد ناظرین چرچ بہار کالونی کوٹ لکھپت لاہور نے آپ کے دفتر شکایت نمبر Adv-1/8/10 329/01/10 بر خلاف محکمہ صحت پنجاب درج کروائی تھی۔
 آپ کے دفتر سے ایک رجسٹرڈ لیٹر Adv-1/8/10 329/01/10 مورخہ 10/8/2010 کو مجھے ارسال کیا گیا۔ جس میں شکایت ازالہ کے بارے میں وضاحت طلب کی گئی ہے۔
 جناب عالی! عرض یہ ہے کہ آپ نے ہدایت پر عمل کرتے ہوئے محکمہ کی رقم مبلغ-782208 روپے اور پنشن کے بقایا جات مبلغ-666261 روپے کے چیک مورخہ 30/7/10 کو جاری کر دیئے ہیں۔ اور میری پنشن بگ بھی جاری کر دی ہے۔
 میں آپ کی بے حد مشکور ہوں کہ آپ نے ذاتی دل چسپی لے کر میرے دیرینہ مسئلہ کو حل کروا کر مجھے بہت سی پریشانیوں سے نجات دلائی ہے۔

اللہ تعالیٰ آپ کو اقبال مندی فرمائے۔ آمین

العارض

Nasim Das
 نسیم ایس داس
 ایکس نرسنگ سپرنٹنڈنٹ
 جنرل ہسپتال لاہور۔



MEGAPLUS
Pakistan

22C, Block M
Gulberg III
Lahore - 54600, Pakistan
UAN: (042)111- 00-DELL (3355)
Tel: (042) 3591 8111 ~ 15
Fax: (+92-42) 3591 8116
Email: lahore@megaplus.com.pk

Date; July 29, 2010

The Provincial Ombudsmen
Govt. of the Punjab,
Lahore

Subject; **Request of Return/Withdrawal of Payment Case**


With reference to the above mentioned subject and submitted complaint # 2049/5/10 Adv-1/43/10 for the release of our outstanding payment from health Department Govt of Punjab.

We would like to inform your honorable office that we have received a cheque # 1580865 dated; 04.06.2010 amount of PKR 1,302,697/-. (Copy attached) *23.06.2010*

We would therefore request you to kindly return our submitted case (Complaint) regarding this outstanding amount as it is received now.

Thank you very much for your kind attention and help in this regard.

Thanks & Regards,


Irfan Akhtar
Business Development Manager
Megaplus Pakistan

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ORACLE®
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**Business
Partner**

Islamabad: 211, Street 33, F-10/1, Islamabad - 44000 - Pakistan. UAN: (051) 111- 00-DELL (3355), Fax: (+92-51) 211 1530, Email: islamabad@megaplus.com.pk

Karachi: E-246, PECHS, Block # 6, Karachi. UAN: (021) 111- 00-DELL (3355), Fax: +92-21- 3430 0874, Email: karachi@megaplus.com.pk

Peshawar: 10- First Floor, Cantonment Plaza, Saddar Road, Peshawar. 25000, UAN: (091) 111- 00-DELL (3355), Fax: (+92-91) 527 9993 Email: peshawar@megaplus.com.pk

عجرات جناب محتسب اعلیٰ صاحب پنجاب 2 - بینک روڈ لاہور

شکایت نمبر 89-89-10 CVI-10/2619

محمد نعیم بنام WASA

زیر سماعت : جناب محمد فاروق سید صاحب
کنسلٹنٹ 71

جناب عالی!

سائل محمد نعیم ولد غلام رسول نہایت موثرانہ
جناب والا محتسب اعلیٰ صاحب اور جناب محمد فاروق سید صاحب
کنسلٹنٹ صاحب 71 کا بے حد مشکور اور
ممنون ہوں کہ آپ جناب کے ذریعہ مسائل کو افضاف
ملا ہے اور میرے گھر میں پانی کا میٹر نصب اور چالو کر دیا
گیا ہے آپ جناب کے عملہ نے بھی تعاون کیا جن کا بھی
شکر گزار ہوں۔

غریب لوگوں کی حمایت اور دادرسی کرنے والے آپ کے
عملہ کو شاباش ہے۔ - شکریہ

شکر گزار :- محمد نعیم ولد غلام رسول مسکنہ معائنہ نمبر 12
"طیغ نمبر 30" نیچے مغلوڑہ - لاہور

محترم جناب صوبائی محتسب صاحب -

جناب عالی

گذر ش ہے - کہ شکایت کیس نمبر 1066/07 ع/49/07
 کے مطابق شیر آف پنشن کا چیک مبلغ 818195 روپے
 کا بندہ کو مورخہ 16/9/10 کو مل گیا ہے -
 جس کا نمبر یہ ہے -

THE Bank of Punjab

A/C No. 002234001

CHEQUE NO. 65458142

DATE- 08-09-2010

ضلع شیخوپورہ -

جناب کی مہربانی کا تہہ دل سے شکر گزار ہوں -

چیک کی فولڈ کاپی لف ہے -

برائے اطلاع عرض پیش حضور ہے -

عبد الحمید ولد محمد رمضان اسپیکر وپسی پنشن ریٹائرمنٹ محکمہ محنت ضلع کوئٹہ

ساکن چک نمبر 1066/07 رام نگر تحصیل و قلعہ ننگران صاحب -

Abdul Hamid

خدمتِ جناب ادارہ صوبائی محاسب اعلیٰ صاحب . اسلام آباد

جناب عالی!

سائلہ نے ایک درخواست پنجاب یونیورسٹی کے ڈگری ڈیپارٹمنٹ کے خدیف عرصہ دراز تک ڈگری جاری نہ کرنے کے بارے میں گزاری تھی۔ جبکہ جناب کو درخواست گزارنے کے بعد آپ کی جانب سے تعلقہ ڈیپارٹمنٹ کو متنبہ کرنے کے فوراً بعد ادارہ نے سائلہ کی ڈگری بذریعہ رجسٹرڈ پوسٹ روانہ کر دی ہے۔

سائلہ آپ کے ادارہ کی از حد محفون ہے اور اللہ سے آپ کے ادارہ کو مزید اتمات اور کامیابی سے کام کرنے کیلئے اور خلقِ خدا کے مسائل میں تعارف و مدد کرنے پر دعا گو ہے۔ کہ اندھیروں اور ناہوشی کے دور سے اللہ آپ سے اپنی مخلوق کیلئے کعبہ کیلئے کام کروا رہا ہے۔

والسلام۔

کنیز فاطمہ ختمہ منظر الہی

زوجہ حافظ عثمان احمد

محلہ کوٹ صدقہ منظر

واٹر سٹریٹ - منڈی دارخا

0300-5535941

0544-210126

Mr. Riast Ali Khan
Adviser
Punjab Ombudsman
Rawalpindi.

05 January, 2010

Subject: Case No. R-588/12/09 Adv 253/12/09 Regarding EDO Works, Rawalpindi.

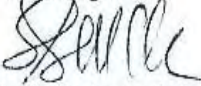
Dear Sir,

Please refer the above mention complaint. I am satisfied with the information provided by the respondent department. There is no need to proceed the case further.

Here I want to appreciate the role of your good office. It was not possible without the intervention and pursuance of your office. I honestly feel the Ombudsman institution is really a great asset and gift as well for the people of Punjab.

Once again I would like to thank and appreciate of your efforts.

Warm regards



Malik Saleem Iqbal
Advocate High Court
105, Park Towers,
F-10/3
Islamabad.

محفوظہ ضمیمہ نچور عزت مآب صاحب صوبائی قصبہ پنجاب پرنسپل آفس رولنگ
ضابطہ عالی

قوائم تہمتی نمبر 3494-DS در فرم 0-12-21 اور 65-DS در فرم 10-1-6

نہایت ادب سے التماس ہے کہ مذکورہ بیواری سے اصل انتقال کی کاپی اور ریکارڈ فرد لینے میں تاخیر ہوگئی جسکی وجہ سے بروقت جواب نہ دے سکا
اس پر حضور سے مدد سے فواد ہوں۔

اب جسے انتقال اور فرد دونوں جیسٹریٹ مل گئی ہیں سیرمی سز پر کونسی
کتابت تھیں۔

اس کرم وازی پر قلم انصاف کا میں ترحیل سے مشور ہوں
حضور نے سیرمی کٹشل کو بغیر کسی فریجے سے حل کر دیا۔

عالی جاہ ماسٹور اور دعا گو ہوں کہ اہل اقبال ہمدرد خسان و تامل رہے

سید محمد علی

رام محمد صاحب
مکان نمبر 19-15
بلک ڈ ڈھوک پورہ
کھیرا۔ راولپنڈی
13-1-2010

No. S/616/06 | 2010 | AEW | 76-2010

قابل صد احترام جناب ڈاکٹر لیاقت علی صاحب

(ایڈوائزر مختص اعلیٰ پنجاب ریجنل آفس سرگودھا)

عنوان۔ مفت اور جلد انصاف دلوانے کا شکریہ

من سائل افتخار حسین ریٹائرڈ آفیسر انچارج (بجٹ و اکاؤنٹس) دفتر ڈسٹرکٹ ایجوکیشن آفیسر (سیکندری) سرگودھا نے اپنی بیٹی کی شادی گرانٹ کا چیک ایڈمنسٹریٹو بہبود فنڈ پنجاب گورنمنٹ سروس لاہور سے 18 ماہ تک نہ ملنے پر ناامیدی کی حالت میں میرٹ پر انصاف کے حصول کے لیے آپکو باضابطہ درخواست ہمراہ ثبوت حقائق اور استحقاق پیش کر دی 02-06-2010 کی درخواست پر دوسرے حصول انصاف کے سالکان کی طرح میرے کیس پر مجھے آپکی از حد ذاتی دلچسپی کیوجہ سے جلد اور مفت انصاف ڈیڑھ ماہ (1 1/2) کے اندر مل گیا جو کہ پاکستان کے اندر حیران کن بات ہے۔ مجھے پچیس ہزار کا چیک تو مل گیا مگر آپکا شکریہ ادا کرنے کے لیے الفاظ نہیں ملے پنجاب میں پبلک کو انکے دروازے پر مفت اور جلد انصاف مہیا کروانے کی حقیقی کوشش پر صوبائی محتسب اعلیٰ جناب خالد محمود صاحب کو مخلوق خدا خراج تحسین پیش کرتی ہے۔

یقیناً یہ اس ڈیپارٹمنٹ کے افسران و عملہ کی خلوص نیت، فرض شناسی دیا ننداری کا منہ بولتا ثبوت ہے۔ متعدد بے بس مجبور لوگوں کو انکے دروازے پر مفت اور جلد انصاف دلوانے پر انکی طرح بندہ بھی آپ اور آپکے اہل و عیال کے لیے دین و دنیا کی ترقی خوشحالی کے لیے دعا گو ہے دوسری طرف سرکاری اداروں کے تمام افسران و اہلکاران کے لیے آپکا احساس ذمہ داری اور خدا خونی کا رویہ ہدایت و رہنمائی پیش کر رہا ہے جسے اپنا کروہ اللہ پاک کی نافرنگی اور سزا سے بچ کر سکون و اطمینان حاصل کر نیچے ساتھ مخلوق خدا کی دعاؤں سے بلند درجے پا سکتے ہیں جبکہ داد و تحسین انکو تنخواہوں اور مراعات کے علاوہ ملتی رہیگی۔ ملک و قوم کی ترقی و خوشحالی کے لیے یہ عمل محتسب اعلیٰ کے دائرہ اختیار کی وسعت کا متقاضی ہے آپکے اور آپکے اہل و عیال کے لیے نیک تمنا اور دعاؤں کے ساتھ ”خدا حافظ“

Hussain Quraishi
افتخار حسین قریشی Iftikhar Hussain Quraishi

مکان نمبر B-15 شمشیر ٹاؤن سرگودھا

فون نمبر 0300-9606852 اور 0308-7770381

عالی جناب محاسب پنجاب ، 2 بینک روڈ ، لاہور۔

عنوان : شکایت نمبر 950/2/10/CR-203/10 مورخہ 10-04-14

محلی قائل نوٹس برائے جواب الحجاب موصول ہو گیا ہے۔

آپ کی کارروائی کے ذریعہ مجھے اپنی تقریباً ایک سال سے زائد کی ہوئی تنخواہ مبلغ 3678 روپے بذریعہ چیک جاری کر دے DAO جنیوٹ موصول ہو گئی ہے جس کے لئے میں آپ کا اور آپ کے سٹاف کا بے حد شکر گزار ہوں۔

میرا خیال ہے کہ پاکستان میں ایسے اولیائے کرام موجود ہیں جو زہرہ میرا بھائی کے حقدار ہیں۔ میں آپ کی عدل گستری اور انصاف پروری کی کیسے تعریف و توصیف کروں کہ میرے پاس اس کیلئے موزوں الفاظ نہیں ہیں۔ اس دور میں اور یہ کام۔

اللہ سبحانہ و تعالیٰ کے رسول پاک ﷺ کے ارشاد کے مطابق قیامت کے روز سایہ خداوندی کے نیچے ایک سلطان عادل بھی ہوگا جس دن کہیں سایہ نہ ہوگا۔ مجھے یقین ہے آپ لوگ بھی وہاں اللہ کی رحمت کے زیر سایہ ہوں گے۔

میرے نزدیک آپ زہرہ ولی ہیں۔ میرے آنے سے عمومی کام کیلئے آئی تکلیف! میرا سلام عاجزانہ قبول فرمائیے۔

دو مار احمد رضا SS ریٹائرڈ
519/6، سرفراز کالونی، فیصل آباد۔
شکایت نمبر --- کوئی نہیں۔
تاریخ 26-4-2010

بخدمت جناب صوبائی محتسب اعلیٰ پنجاب

2 بینک روڈ لاہور

جناب عالی!

گزارش ہے کہ پادر جان غلام مسیح چیئرمین لاہور چارج کونسل کی جانب سے شکایت نمبر
C-576/02/2009 Consultant XI-48/2009 مورخہ 19-2-2009 کو درج
کرائی گئی جس کا فیصلہ شکایت کنندہ کے حق میں ہو چکا ہے۔

جناب عالی! میں مسیحی سرفراز جلال ولد جلال مسیح سکٹہ کرپشن کالونی صدر لاہور کینٹ پادری جان غلام مسیح
چیئرمین لاہور چارج کونسل اور ایگزیکٹو بورڈ لاہور چارج کونسل کی جانب سے مختار خاص مقرر ہوں
اور اس کیس کے حالات واقعات سے بخوبی آگاہ ہوں۔

جناب عالی! مورخہ 4-12-2010 بروز ہفتہ کو بحیثیت مختار خاص اہل علاقہ کے معززین کی موجودگی میں تمام
ناجائز قابضین سے ملاقات میں ہمارے معاملات طے پا گئے ہیں اور قبرستان کے لئے ناجائز قابضین
جن کی تعداد 28 ہے بشمول دونوں پولیس ملازمین سے متبادل جگہ دینے پر راضی نامہ طے پا گیا ہے
اب ہمارا ان 28 ناجائز قابضین سے کوئی تنازعہ نہ رہا ہے۔

جناب عالی! صوبائی محتسب اعلیٰ کی جانب سے اس خوبصورت فیصلہ سے کرپشن کمیونٹی شکرگزار ہے جس کی وجہ سے
کرپشن کمیونٹی کی دادرسی ہوئی ہے۔

لہذا اب ان 28 ناجائز قابضین بشمول پولیس ملازمین کے خلاف ہم کوئی مزید کارروائی نہ کرنا
چاہتے ہیں ہماری دادرسی ہو چکی ہے لہذا ہمارے کیس کو داخل دفتر فرمایا جائے۔

رض

سرفراز جلال ولد جلال مسیح سکٹہ کرپشن کالونی صدر لاہور کینٹ
(مختار خاص پنجاب پادری جان غلام مسیح چیئرمین لاہور چارج کونسل)

08/12/2010

بخدمت جناب ظہورالحق رانا کنسلٹنٹ IV ریجنل آفس ملتان

عنوان: اظہار تشکر بابت شکایت نمبر M/3123/09 ازاں ممتاز اختر فاروقی

جناب عالی!

میری والدہ نے آپ کے دفتر میں شکایت گزاری تھی کہ 24.10.08 کو بطور PTC ریٹائرڈ، MC پرائمری سکول مظفر گڑھ ریٹائر ہوئی ہیں۔ محکمہ نے ان کو تقریباً ڈیڑھ سال گزرنے کے باوجود جملہ واجبات کی ادائیگی نہ کی ہے۔

دفتر ہذا کی وساطت سے سٹی ڈسٹرکٹ گورنمنٹ مظفر گڑھ نے اپنے عرصہ ملازمت کے واجبات ازاں گریجویٹ و کموٹیشن مالیتی -/85,063 روپے ادا کر دیئے ہیں۔ T.M.A مظفر گڑھ نے اپنے عرصہ ملازمت کے واجبات ازاں گریجویٹ و کموٹیشن مالیتی -/4,31,891 روپے ادا کر دیئے ہیں۔ اور اسی طرح (W-EE) DEO مظفر گڑھ نے ایوانٹیکشمنٹ کی رقم مبلغ 15,816 روپے ادا کر دیئے ہیں۔

اس ساری کارروائی پر میں والدہ کی طرف سے دفتر ہذا اور ظہورالحق رانا صاحب کا شکریہ ادا کرتا ہوں۔ اور ممنون ہوں کہ انہوں نے مختلف محکمہ جات سے خصوصی خط و کتابت کر کے میرا دیرینہ مسئلہ حل کروایا۔ اللہ آپ کا اقبال بلند کرے۔ ان جیسے اداروں کی وجہ سے غریبوں اور بیواؤں کے مسئلے بے لوث، مفت اور وقت پر حل ہو رہے ہیں۔ اللہ اس ادارے کی حفاظت فرمائے اور ظہورالحق رانا صاحب کو مزید ترقی عطا فرمائے۔

العارض
محمد عظیم شہزاد پسر ممتاز اختر فاروقی
28/01/2010

محترم جناب انسٹاٹ - آئی جی ایف آئی، سید محمد قریب الحق، ایف بی اے، ایف ایچ ایس
قیب کالی

جانتے ادب کے گداز میں ہے کہ بحوالہ سسٹمز نمبر 5-78/2/2010
جو محترم جناب سے ایم ایم ایف کے تحت آیا ہے اس میں
کلمہ انہما نے سہرا داد میں کمر لگایا اور حکم انہما
کے خلاف مجھے اب بڑی دکھائیت ہے۔ اس لیے
میں اس دفتر قریب الحق جناب تکمیل آفس سرٹوفا
اور فیبر کابے کا مقررہ مکھنوں میں اور دفتر
تعمیر کے دیکھ کر میں گامہ دفتر واقعہ میں میں
ملا لیتا ہوں۔ لہذا اس کے درجہ میں دفتر کے
السان



24/3/2010

محمد علی خان، ایف بی اے، ایف ایچ ایس
ص / فاضل آفس سرٹوفا

ذمیتِ اقدس ضابطہ صوبائی محتسب پنجاب - بینک روٹ لائٹس۔

عنوان: شکریہ سلسلہ فیصلہ بحوالہ شکایت نمبر 171/09/10/Adv-456/R-456/09/10

ہماریت ہی ادب سے گزارش ہے کہ خیاب نے بندہ کی شکایت بحوالہ
نمبر :- R-456/09/10/Adv/171/09/10 مورخہ 01-9-2010 کے تحت

شفقت فرمائی اور بندہ کا مسئلہ حل ہو گیا۔ اس شفیق اور مہربان
فیصلہ پر بندہ ناچنے ضابطہ کا دل کی گہرائیوں سے مشکور ہے۔

اللہ تعالیٰ سے دعا ہے کہ وہ آپ کو انصاف پر مبنی فیصلوں
فیصلے کی توفیق عطا فرمائے (آمین)

اصمان مند

محمد اشرف جاوید معاون دفتر ڈائریکٹر تحفظ ارمیات پنجاب
مریہ روٹ - راولپنڈی

نقل ارسال خدمت ہے۔

خیاب ایڈوائزر محتسب پنجاب، مجلس آفس راولپنڈی

بحوالہ ایڈوائزری نمبر - Ro/Rup/3728 مورخہ 09-2-2010

خیاب کے تعاون اور رہنمائی پر ہی بندہ ایجاباً مشکور ہے

APPENDICES

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LAHORE TUESDAY JULY 01, 1997

PROVINCIAL ASSEMBLY OF THE
PUNJAB

N O T I F I C A T I O N

JUNE 30, 1997

No.Legis-2(5)/97/88. The Punjab Office of the Ombudsman Bill 1997, having been passed by the Provincial Assembly of the Punjab on June 25, 1997 and assented to by the Governor of the Punjab on June 27, 1997, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB OFFICE OF THE OMBUDSMAN ACT 1997

Act X of 1997

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated June 30, 1997]

An

Act

to provide for the establishment of the office of
Ombudsman in the Province of the Punjab.

Preamble.--- WHEREAS it is expedient to provide for the appointment of the Provincial Ombudsman for 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 maladministration and suppressing corrupt practices.

It is hereby enacted as follows: -

1. **Short title, extent and commencement**

- 1) This Act may be called the Punjab Office of the Ombudsman Act 1997.
- 2) It extends to the Province of the Punjab.
- 3) It shall come into force at once.

2. Definitions

In this Act, unless there is anything repugnant in the subject or context -

- 1) **“Agency”** means a Department, Commission or office of the Provincial Government or a statutory corporation or other institution established or controlled by the Provincial Government but does not include the High Court and courts working under the supervision and control of the High Court, and the Provincial Assembly of the Punjab and its Secretariat.
- 2) **“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;
- 3) **“Office”** means the office of the Ombudsman;
- 4) **“Ombudsman”** means the Ombudsman for the Province of Punjab appointed under section 3;
- 5) **“Prescribed”** means prescribed by rules made under this Act;
- 6) **“Public servant”** means a public servant as defined in section 21 of the Pakistan Penal Code 1860, and includes a Minister, Advisor, Parliamentary Secretary and the Chief Executive, Director or other officer or employee or member of an Agency ; and
- 7) **“Staff”** means any employee or commissioner of the Office and includes co-opted members of the staff, consultants, advisors, bailiffs, liaison officers and experts.

3. Appointment of Ombudsman

- 1) There shall be an Ombudsman, for the Province of Punjab who shall be appointed by the Government.
- 2) An Ombudsman shall be a person who is, or has been or is qualified to be a judge of the High Court or any other^{*1} person of known integrity.
- 3) Before entering upon office, the Ombudsman shall take an oath before the Governor in the form set out in the First Schedule to this Act.

1. Amended Vide the Punjab Office of the Ombudsman (Amendment) Act 2003 (Act III of 2003)

- 4) The Ombudsman shall, in all matters, perform his functions and exercise his powers fairly, honestly, diligently and independently of the Executive and all executive authorities throughout the Province shall act in aid of the Ombudsman.

4. Tenure of the Ombudsman

- 1) The Ombudsman shall hold office for a period of four^{*2} years and shall not be eligible for any extension of tenure or for re-appointment as Ombudsman under any circumstances: Provided that a sitting Judge of the High Court working as Ombudsman may be called back by the competent authority before expiry of his tenure.^{*3}
- 2) The Ombudsman may resign his office by writing under his hand addressed to the Governor.

5. Ombudsman not to hold any other office of profit, etc.

- 1) The Ombudsman shall not
- hold any other office of profit in the service of Pakistan; or
 - occupy any other position carrying the right to remuneration for the rendering of services.
- 2) The Ombudsman, not being a sitting Judge of the High Court^{*4} shall not hold any office of profit in the service of Pakistan^{*5} before the expiration of two years after he has ceased to hold that office nor shall he be eligible during the tenure of office and for a period of two years thereafter for election as a member of Parliament or a Provincial Assembly or any local body or take part in any political activity.

6. Terms and conditions of service and remuneration of Ombudsman

- 1) The Ombudsman shall be entitled to such salary, allowances and privileges and other terms and conditions of service as the Government may determine and these terms shall not be varied during the term of office of an Ombudsman.
- 2) The Ombudsman may be removed from office by the Government on the ground misconduct or of being incapable of properly performing the duties of his office by reason of physical or mental incapacity. The Government shall provide the Ombudsman a copy of charges before such an order.

Provided that the Ombudsman, may, if he sees fit and appropriate to refute any charges, request an open public evidentiary hearing before a Division Bench of the High Court and if such hearing is not held within thirty days from the date of the receipt of such request or not concluded within ninety days of its receipt, the Ombudsman will be absolved of all stigma. In such circumstances, the Ombudsman may choose to leave his office and shall be entitled to receive full remuneration and benefits for the rest of his term.

2. Amended Vide the Punjab Office of the Ombudsman (Amendment) Act 2003 (Act III of 2003)

3. Amended Vide the Punjab Office of the Ombudsman (Amendment) Act 2003 (Act III of 2003)

4. Amended Vide the Punjab Office of the Ombudsman (Amendment) Act 2003 (Act III of 2003)

5. Amended Vide the Punjab Office of the Ombudsman (Amendment) Act 2003 (Act III of 2003)

- 3) If the Ombudsman makes a request under the proviso to subsection (2), he shall not perform his functions under this Act until the hearing before the High Court has concluded.
- 4) An Ombudsman removed from office on the ground of misconduct shall not be eligible to hold any office of profit in the service of Pakistan or for election as a member of Parliament or a Provincial Assembly or any local body, unless a period of four years has elapsed since his dismissal.

7. Acting Ombudsman

At any time when the office of Ombudsman is vacant, or the Ombudsman is absent or is unable to perform his functions due to any cause, the Government shall appoint an acting Ombudsman.

8. Appointment and terms and conditions of service of staff

- 1) The members of the staff, other than those mentioned in section 20 or those of a class specified by the Government by order in writing shall be appointed by the Government in consultation with the Ombudsman.
- 2) It shall not be necessary to consult the Provincial Public Service Commission for making appointment of the members of the staff or on matters relating to qualifications for such appointment and method of their recruitment.
- 3) The members of the staff shall be entitled to such salary, allowances and other terms and conditions of service as may be prescribed having regard to salary, allowances and other terms and conditions of service that may for the time being be admissible to other employees of the Provincial Government in the corresponding Basic Pay Scale.
- 4) Before entering upon office a member of the staff mentioned in subsection (1) shall take an Oath before the Ombudsman in the form set out in the Second Schedule to this Act.

9. Jurisdiction, functions and powers of the Ombudsman

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

Provided that the Ombudsman shall not have any jurisdiction to investigate or inquire into any matters which: -

- a) are subjudice before a Court of competent jurisdiction on the date of the receipt of a complaint, reference or motion by him or
- b) relate to the external affairs of Pakistan or the relations or dealings of Pakistan with any foreign state or Government; or

- c) relate to, or are connected with, the defence of Pakistan or any part thereof, the Military, Naval and Air Forces of Pakistan, or the matters covered by the laws relating to those forces.
- 2) Notwithstanding anything contained in subsection (1), the Ombudsman shall not entertain for investigation any complaint by or on behalf of a public servant or functionary concerning any matters relating to the Agency in which he is, or has been, working, in respect of any personal grievance relating to his service therein.
- 3) For carrying out the objectives of this Act and, in particular for ascertaining the root causes of corrupt practices and injustice, the Ombudsman may arrange for studies to be made or research to be conducted and may recommend appropriate steps for their eradication.

10. Procedure and evidence

- 1) A complaint shall be made on solemn affirmation or oath and in writing addressed to the Ombudsman by the person aggrieved or, in the case of his death, by the legal representative and may be lodged in person at the Office or handed over to the Ombudsman in person or sent by any other means of communication to the Office.
- 2) No anonymous or pseudonymous complaints shall be entertained.
- 3) A complaint shall be made not later than three months from the day on which the person aggrieved first had the notice of the matter alleged in the complaint, but the Ombudsman may conduct, any investigation pursuant to a complaint which is not within time if he considers that there are special circumstances which made it proper for him to do so.
- 4) Where the Ombudsman proposes to conduct an investigation he shall issue to the principal officer of the Agency concerned, and to any other person who is alleged in the complaint to have taken or authorized the action complained of, a notice calling upon him to meet the allegations contained in the complaint, including rebuttal:

"Provided that the Ombudsman may proceed with the investigation if no response to the notice is received by him from such principal officer or other person within thirty days of the receipt of the notice or within such longer period as may have been allowed by the Ombudsman."
- 5) Every investigation shall be conducted informally but, the Ombudsman may adopt such procedure as he considers appropriate for such investigation and he may obtain information from such persons and in such manner and make such inquiries as he thinks fit.

- 6) A person shall be entitled to appear in person or be represented before the Ombudsman.
- 7) The Ombudsman shall, in accordance with the rules made under this Act pay expenses and allowances to any person who attends or furnishes information for the purposes of an investigation.
- 8) The conduct of an investigation shall not affect any action taken by the Agency concerned, or any power or duty of that Agency to take further action with respect to any matter subject to the investigation.
- 9) For the purpose of an investigation under this Act the Ombudsman may require any officer or member of the Agency concerned to furnish any information or to produce any document which in the opinion of the Ombudsman is relevant and helpful in the conduct of the investigation and there shall be no obligation to maintain secrecy in respect of disclosure of any information or document for the purposes of such investigation:
Provided that the Government may, in its discretion, on grounds of its being a State secret, allow a claim of privilege with respect to any information or document.
- 10) In any case where the Ombudsman decides not to conduct an investigation, he shall send to the complainant a statement of his reasons for not conducting the investigation.
- 11) Save as otherwise provided in this Act, the Ombudsman shall regulate the procedure for the conduct of business or the exercise of powers under this Act.

11. Recommendations for implementation

- 1) If, after having considered a matter on his own motion, or on a complaint or on a reference by the Government or the Provincial Assembly, or on a motion by the Supreme Court or the High Court, as the case may be, the Ombudsman is of the opinion that the matter considered amounts to maladministration, he shall communicate his finding to the Agency concerned:
 - a) to consider the matter further;
 - b) to modify or cancel the decision, process, recommendation, act or omission;
 - c) to explain more fully the act or decision in question;
 - d) to take disciplinary action against any public servant of any Agency under the relevant laws applicable to him;
 - e) to dispose of the matter or case within a specified time; and
 - f) to take any other steps specified by the Ombudsman.

- 2) The Agency shall, within such time as may be specified by the Ombudsman, inform him about the action taken on his direction or the reasons for not complying with the same.
- 3) In any case where the Ombudsman has considered a matter, or conducted an investigation, on a complaint or on reference by the Government or the Provincial Assembly or on a motion by the Supreme Court or the High Court, the Ombudsman shall forward a copy of the communication received by him from the Agency in pursuance of sub-section (2) to the complainant or, as the case may be, the Government, the Provincial Assembly, the Supreme Court or the High Court.
- 4) If, after conducting an investigation, it appears to the Ombudsman that an injustice has been caused to the person aggrieved in consequence of maladministration and that the injustice has not been or will not be remedied, he may, if he thinks fit, lay a special report on the case before the Government.
- 5) If the Agency concerned does not comply with the recommendations of the Ombudsman or does not give reasons to the satisfaction of the Ombudsman for non-compliance, it shall be treated as "Defiance of Recommendations" and shall be dealt with as hereinafter provided.

12. **Defiance of recommendations**

- 1) If there is a 'Defiance of recommendations' by any public servant in any Agency with regard to the implementation of a recommendation given by the Ombudsman, the Ombudsman may refer the matter to the Government which may, in its discretion, direct the Agency to implement the recommendation and inform the Ombudsman accordingly.
- 2) In each instance of "Defiance of Recommendations" a report by the Ombudsman shall become a part of the personal file or character roll of the public servant primarily responsible for the defiance;
 Provided that the public servant concerned had been granted an opportunity to be heard in the matter.

13. **Reference by Ombudsman**

Where, during or after an inspection or an investigation, the Ombudsman is satisfied that any person is guilty of any allegations as referred to in subsection (1) of section 9, the Ombudsman may refer the case to the concerned authority for appropriate corrective or disciplinary action, or both and the said authority shall inform the Ombudsman within thirty days of the receipt of reference of the action taken. If no information is received within this period, the Ombudsman may bring the matter to the notice of the Government for such action as he may deem fit.

14. **Powers of the Ombudsman**

- 1) The Ombudsman shall, for the purposes of this Act have the same powers as are vested in a Civil Court under the Code of

Civil Procedure, 1908, in respect of the following matters, namely:-

- 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 the examination of witnesses.
- 2) The Ombudsman shall have the power to require any person to furnish information on such points or matters as, in the opinion of the Ombudsman, may be useful for, or relevant to, the subject-matter of any inspection or investigation.
- 3) The powers referred to in subsection (1) may be exercised by the Ombudsman or any person authorized in writing by the Ombudsman in this behalf while carrying out an inspection or investigation under the provisions of this Act.
- 4) Where the Ombudsman finds the complaint referred to in subsection (1) section 9 to be false, frivolous or vexatious, he may award reasonable compensation to the Agency, public servant or other functionary against whom the complaint was made; and the amount of such compensation shall be recoverable from the complainant as arrears of land revenue:
- Provided that the award of compensation under this subsection shall not debar the aggrieved person from seeking any other remedy.
- 5) If any Agency, public or other functionary fails to comply with a direction of the Ombudsman, he may, in addition to taking other actions under this Act, refer the matter to the appropriate authority for taking disciplinary action against the person who disregarded the direction of the Ombudsman.
- 6) If the Ombudsman has reason to believe that any public servant or other functionary has acted in a manner warranting criminal or disciplinary proceedings against him, he may refer the matter to the appropriate authority for necessary action to be taken within the time specified by the Ombudsman.
- 7) The staff and the nominees of the Office may be commissioned by the Ombudsman to administer oaths for the purposes of this Act and to attest various affidavits, affirmations or declarations which shall be admitted in evidence in all proceedings under this Act without proof of the signature or seal or official character of such person.

15. Power to enter and search any premises

- 1) The Ombudsman, or any member of the staff authorised in this behalf, may, for the purpose of making any inspection or investigation, enter any premises where the Ombudsman or, as the case may be, such member has reason to believe that any article, books of accounts, or any other documents relating to

the subject-matter of inspection or investigation may be found, and may -

- a) search such premises and inspect any article, books of accounts or other documents;
 - b) take extracts or copies of such books of accounts and documents;
 - c) impound or seal such articles, books of accounts and documents; and
 - d) make an inventory of such articles, books of account and other documents found in such premises.
- 2) all searches made under subsection (1) shall be carried out *mutatis mutandis*, in accordance with the provisions of the Code of Criminal Procedure, 1898.

16. Power to punish for contempt

- 1) The Ombudsman shall have the same powers, *mutatis mutandis*, as the High Court has to punish any person for its contempt who: -
 - a) abuses, interferes with, impedes, imperils, or obstructs the process of the Ombudsman in any way or disobeys any order of the Ombudsman;
 - b) scandalises the Ombudsman or otherwise does anything which tends to bring the Ombudsman, his staff or nominees or any person authorised by the Ombudsman in relation to his office, into hatred, ridicule or contempt.
 - c) does anything which tends to prejudice the determination of a matter pending before the Ombudsman; or
 - d) does any other thing which, by any other law, constitutes contempt of Court.

Provided that fair comments made in good faith and in public interest on the working of the Ombudsman or any of his staff, or on the final report of the Ombudsman after the completion of the investigation shall not constitute contempt of the Ombudsman or his Office.

- 2) any person sentenced under subsection (1) may, notwithstanding anything herein contained, within thirty days on the passing of the order, appeal to the High Court.

17. Inspection Team

- 1) The Ombudsman may constitute an Inspection Team for the performance of any of the functions of the Ombudsman.
- 2) An Inspection Team shall consist of one or more members of the staff and shall be assisted by such other person or persons as the Ombudsman may consider necessary.

- 3) An Inspection Team shall exercise such of the powers of the Ombudsman as he may specify by order in writing and every report of the Inspection Team shall first be submitted to the Ombudsman with its recommendations for appropriate action.

18. Standing Committees, etc.

The Ombudsman may, whenever he thinks fit, establish standing or advisory committees at specified places, with specified jurisdiction for performing such functions of the Ombudsman as are assigned to them from time to time and every report of such committee shall first be submitted to the Ombudsman with its recommendations for appropriate action.

19. Delegation of powers

The Ombudsman may, by order in writing, delegate such of his powers as may be specified in the order, to any member of his staff or to a standing or advisory committee, to be exercised subject to such conditions as may be specified and every report of such member or committee shall first be submitted to the Ombudsman with his or its recommendations for appropriate action.

20. Appointment of advisers, etc.

The Ombudsman may appoint competent persons of integrity as advisors, consultants, fellows, bailiffs, interns, commissioners and experts as well as ministerial staff with or without remuneration to assist him in the discharge of his duties under this Act.

21. Authorization of functionaries, etc.

The Ombudsman may, if he considers it expedient, authorise a District Judge or any agency, public servant or other functionary working under the administrative control of the Provincial Government to undertake the functions of the Ombudsman under subsection (1) or subsection (2) of section 14 in respect of any matter falling within his jurisdiction and it shall be the duty of the Agency, public servant or other functionary so authorised to undertake such functions to such extent and subject to such conditions as the Ombudsman may specify.

22. Award of costs and compensation and refund of amounts

- 1) The Ombudsman may, where he deems necessary, call upon a public servant, other functionary or any Agency to show cause why compensation be not awarded to an aggrieved party for any loss or damage suffered by him on account of any maladministration committed by such public servant, other functionary or Agency, and after considering the explanation, and hearing such public servant, other functionary or Agency, award reasonable costs or compensation and the same shall be recoverable as arrears of land revenue from the public servant, functionary or Agency.
- 2) In cases involving payment of illegal gratification to any employee of any Agency, or to any other person on his behalf, or misappropriation, criminal breach of trust or cheating, the

Ombudsman may order the payment thereof for credit to the Government or pass such other order as he may deem fit.

- 3) An order made under subsection (2) against any person shall not absolve such person of any liability under any other law.

23. Assistance and advice to Ombudsman

- 1) The Ombudsman may seek the assistance of any person or authority for the performance of his functions under this Act.
- 2) All officers of any Agency and any person whose assistance has been sought by the Ombudsman in the performance of his functions shall render such assistance to the extent it is within their power or capacity.
- 3) No statement made by a person or authority in the course of giving evidence before the Ombudsman or his staff shall subject him to, or be used against him in any civil or criminal proceedings except for prosecution of such person for giving false evidence.

24. Conduct of business

- 1) The Ombudsman shall be the Chief Executive of the Office.
- 2) The Ombudsman shall be the Principal Accounts 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.

25. Requirement of affidavits

- 1) The Ombudsman may require any complainant or any party connected or concerned with a complaint, or with any inquiry or reference to submit affidavits attested or notarized before any competent authority in that behalf within the time prescribed by the Ombudsman or his staff.
- 2) The Ombudsman may take evidence without technicalities and may also require complainants or witnesses to take lie detection tests to examine their veracity and credibility and draw such inferences that are reasonable in all circumstances of the case especially when a person refuses, without reasonable justification, to submit to such tests.

26. Remuneration of advisors consultants, etc.

- 1) The Ombudsman may, in his discretion, fix an honorarium or remuneration for advisor, consultants, experts and interns engaged by him from time to time for the services rendered.
- 2) The Ombudsman may, in his discretion fix a reward or remuneration to any person for exceptional services rendered, or valuable assistance given, to the Ombudsman in carrying out his functions:

Provided that the Ombudsman shall withhold the identity of that person, if so requested by the person concerned, and take steps to provide

due protection under the law to such person against harassment, victimization, retribution, reprisals of retaliation.

27. Ombudsman and staff to be public servants

The Ombudsman, the employees, officers and all other staff of the Office shall be deemed to be public servant within the meaning of section 21 of the Pakistan Penal Code, 1860.

28. Annual and other reports

- 1) Within three months of the conclusion of the calendar year to which the report pertains, the Ombudsman shall submit an Annual Report to the Governor.
- 2) Simultaneously, such reports shall be released by the Ombudsman for publication and copies thereof shall be provided to the public at reasonable cost.
- 3) The Ombudsman may also, from time to time, make public any of his studies, research, conclusions, recommendations, ideas or suggestions in respect of any matters being dealt with by the Office.
- 4) The report and other documents mentioned in this section shall be placed before the Provincial Assembly as early as possible.

29. Bar of jurisdiction

No Court or other authority shall have jurisdiction

- i) to question the validity of any action taken, or intended to be taken, or order made, or anything done or purporting to have been taken, made or done under this Act ; or
- ii) to grant an injunction or stay or to make any interim order in relation to any proceeding before, or anything done or intended to be done or purporting to have been done by, or under the orders or at the instance of the Ombudsman.

30. Immunity

No suit, prosecution or other legal proceeding shall lie against the Ombudsman, his staff, Inspection Team, nominees, members of a standing or advisory committee or any person authorised by the Ombudsman for anything which is in good faith done or intended to be done under this Act.

31. Reference by the Government

- 1) The Government may refer any matter, report or complaint for investigation and independent recommendations by the Ombudsman.
- 2) The Ombudsman shall promptly investigate any such matter report or complaint and submit his findings or opinion within a reasonable time.
- 3) The Government, may, by notification in the Official Gazette, exclude specified matters, from the operation of any of provisions of this Act.

32. Representation to Governor

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.

33. Informal resolution of disputes

- 1) Notwithstanding anything contained in this Act, the Ombudsman and a member of the staff shall have the authority to informally conciliate, amicably resolve, stipulate, settle or ameliorate any grievance without written memorandum and without the necessity of docketing any complaint or issuing any official notice.
- 2) The Ombudsman may appoint for purposes of liaison counselors, whether honorary or otherwise, at local level on such terms and conditions as the Ombudsman may deem proper.

34. Service of process

- 1) For the purposes of this Act, a written process or communication from the Office shall be deemed to have been duly served upon a respondent or any other person by, inter alia, any one or more of the following methods, namely :-
 - i) by service in person through any employee of the Office or by any special process-server appointed in the name of the Ombudsman by any authorized staff of the Office, or any other person authorised in this behalf;
 - ii) by depositing in any mail box posting in any Post Office a postage prepaid copy of the process, or any other document under certificate of posting or by registered post acknowledgment due to the last known address of the respondent or person concerned in the record of the Office, in which case service shall be deemed to have been effected ten days after the aforesaid mailing;
 - iii) by a police officer or any employee or nominee of the Office leaving the process or document at the last known address, abode, or place of business of the respondent or person concerned and if no one is available at the aforementioned address, premises or place, by affixing a copy of the process or other document to the main entrance of such address; and
 - iv) by publishing the process or document through any newspaper and sending a copy thereof to the respondent or the person concerned through ordinary mail, in which case service shall be deemed to have been effected on the day of the publication of the newspaper.
- 2) In all matters involving service the burden of proof shall be upon a respondent to credibly demonstrate by assigning

sufficient cause that he, in fact, had absolutely no knowledge of the process, and that he actually acted in good faith.

- 3) Whenever a document or process from the office is mailed, the envelope or the package shall clearly bear the legend that it is from the Office.

35. Expenditure to be charged on Provincial Consolidated Fund

The remuneration payable to the Ombudsman and the administrative expenses of the Office, including the remuneration payable to staff, nominees and grantees, shall be an expenditure charged upon the Provincial Consolidated Fund.

36. Rules

The Ombudsman may, with the approval of the Government, make rules for carrying out the purposes of this Act.

37. Act to override other laws

The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

38. Removal of difficulties

If any difficulty arises in giving effect to any provision of this Act, the Government may make such order not inconsistent with the provisions of this Act as may appear to him to be necessary for the purpose of removing such difficulty.

39. Repeal

The Punjab Office of the Ombudsman Ordinance 1997 (XIV of 1997) is hereby repealed.

FIRST SCHEDULE

[see section 3(3)]

I, do solemnly swear that I will bear true faith and allegiance to Pakistan.

That as Ombudsman for the Province of Punjab I will discharge my duties and perform my functions honestly, to the best of my ability, faithfully in accordance with the laws for the time being in force in the Province without fear or favour, affection or ill-will.

That I will not allow any personal interest to influence my official conduct or my official decisions;

That I shall do my best to promote the best interest of Pakistan and the Province of the Punjab.

And that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration, or shall become known to me, as Ombudsman, except as may be required for the due discharge of my duties as Ombudsman.

May Allah Almighty help and guide me (Ameen)

SECOND SCHEDULE

[see section 8(4)]

I, do solemnly swear that I will bear true faith and allegiance to Pakistan.

That as an employee of the office of the Ombudsman for the Province of Punjab, I will discharge my duties and perform my functions honestly, to the best of my ability, faithfully, in accordance with the laws for the time being in force in the Province, without fear or favour, affection, or ill-will;

That I will not allow my personal interest to influence my official conduct or my official decisions;

And that I will not directly or indirectly communicate or reveal to any person any matter, which shall be brought under my consideration, or shall become known to me, as an employee of the office of the Ombudsman.

May Allah Almighty help and guide me (Ameen)



**OMBUDSMAN FOR THE PROVINCE OF PUNJAB
(REGISTRATION, INVESTIGATION AND DISPOSAL
OF COMPLAINTS) REGULATIONS, 2005**

**OFFICE OF THE OMBUDSMAN PUNJAB,
LAHORE**

OFFICE OF THE OMBUDSMAN PUNJAB LAHORE NOTIFICATION

No. (Registrar) 1-21/2004
31, 2005

Dated Lahore the January

In exercise of powers conferred by sub-section (11) of section 10 of the Punjab Office of the Ombudsman Act, 1997 (Punjab Act X of 1997), the Ombudsman for the Province of the Punjab is pleased to make the following Regulations laying down the procedure for registration, investigation and disposal of complaints under the Act, namely:—

CHAPTER-I INTRODUCTION

1. Short title and commencement— (1) These Regulations may be called the Ombudsman for the Province of Punjab (Registration, Investigation and Disposal of Complaints) Regulations, 2005.

(2) They shall come into force at once.

2. Definitions— (1) In these Regulations, unless there is anything repugnant in the subject or context, —

- (a) "Act" means the Punjab Office of the Ombudsman Act, 1997 (Punjab Act X of 1997);
- (b) "Authorised Officer" means an officer of the Office of the Ombudsman authorised by the Ombudsman for scrutiny of complaints at the stage of preliminary examination;
- (c) "disposal" means the completion of all proceedings in a complaint, reference or motion;
- (d) "examination" means scrutiny of complaints by the Registrar or the Authorised Officer at the preliminary stage or by the Investigation Officer on commencement of investigation;
- (e) "Form" means a form specified by the Ombudsman;
- (f) "Head Office" means the principal seat of the Office of the Ombudsman at Lahore;
- (g) "hearing" means the process of ascertaining facts by hearing of one or all the parties, examination of the record and spot inspection;
- (h) "investigation" means investigation of allegations raised in a complaint, reference or motion till its disposal and includes holding of enquiry;
- (i) "Investigation Officer" means an officer of the Office of the Ombudsman to whom a complaint, reference or motion has been entrusted for investigation;

- (j) "Record Room" means the record room maintained at the Head Office or at a Regional Office where the files are consigned after disposal;
 - (k) "Regional Office" means a Regional Office of the Office of the Ombudsman established at any place in the Province of Punjab;
 - (l) "Registrar" includes an Additional Registrar, Deputy Registrar, Assistant Registrar or any other officer who may be assigned the duties of the Registrar;
 - (m) "Registry" means an office in the Head Office or the Regional Office where the complaints are presented or received; and
 - (n) "Secretary" means the Secretary of the Office of the Ombudsman Punjab.
- (2) All other terms and expressions used in these Regulations but not defined hereinbefore shall have the same meaning as have been assigned to them in the Act.

CHAPTER-II

PROCEDURE FOR REGISTRATION OF COMPLAINTS

3. Presentation of complaints.— (1) A complaint written in Urdu or English may be presented by the complainant personally or through his authorized representative or submitted by post or other means at the Head Office, or at a Regional Office having territorial jurisdiction in the matter.

- (2) The territorial jurisdiction of the Head Office and the Regional Offices shall be as specified in the Schedule to these Regulations which may, at any time be altered by the Ombudsman by an order in writing:

Provided that the Ombudsman may direct that a complaint falling within the territorial jurisdiction of Head Office or a Regional Office may be investigated at another Regional Office or at the Head Office.

- (3) Every complaint shall be made on solemn affirmation or supported by an affidavit to the effect that—
- (a) the allegations contained in the complaint are correct and true to the best of knowledge and belief of the complainant;
 - (b) previously no complaint on the subject was filed at the Head Office or any Regional Office;
 - (c) no suit, appeal, petition or any other judicial proceedings in connection with the subject matter of the complaint are pending before any Court.

- (4) On receipt of a complaint the person incharge of the Registry shall—
- a) diarize the complaint.
 - b) issue an acknowledgement receipt to the complainant in person if he is present or send it by post; and
 - c) forward it to the Registrar.

4. Examination by the Registrar.— The Registrar shall, on receipt of the complaint from the Registry—

- (i) allot a registration number to the complaint;
- (ii) examine the complaint alongwith the documents attached thereto; and
- (iii) submit the complaint with his views to the Ombudsman or the Authorized Officer for orders as to its admission or otherwise.

5. Admission or rejection of complaint at preliminary stage.— (1) Where the grievance of a complainant against an Agency or its employee *prima facie* amounts to maladministration, and the complaint is not incompetent under the proviso to sub-section (1) or sub-section (2) of section 9 of the Act, and is not barred under sub-section (2) of section 10 thereof, the Ombudsman, or the Authorised Officer, shall admit the complaint for investigation.

- (2) Where, *prima facie*, a complaint is deemed incompetent under sub-regulation(1)or does not require any investigation for any other reason, the Ombudsman or the Authorised Officer may reject the complaint in *limine*:

Provided that the Ombudsman may, in his discretion, direct that such matter may be resolved informally under section 33 of the Act.

- (3) Where a complaint is rejected *in limine*, the Registrar shall inform the complainant the reasons for rejection of the complaint and consign the file to the record.
- (4) Where the complaint is admitted under sub-regulation (1), the Registrar shall pass it on to the Investigation Officer authorised to investigate complaints against a particular Agency and inform the complainant of the procedure to be followed in investigation of the complaint.

6. Suo Moto Cognizance.— (1) Whenever suo moto cognizance of maladministration is taken by the Ombudsman, he may issue to the principal officer or any other officer of the Agency a notice incorporating brief facts and circumstances or send a copy of the written material which, in his opinion, appears to have caused maladministration and call upon him to meet the allegations contained therein and to submit a detailed report.

- (2) On receipt of report as required under sub regulation (1), the Ombudsman may close the investigation if he is satisfied that no maladministration has been committed.
- (3) Where the Ombudsman decides to proceed with the investigation, he may either investigate the matter himself or entrust it to any other Investigation Officer to proceed further in the matter as provided in the Act and these Regulations.

CHAPTER-III

PROCEDURE FOR INVESTIGATION

7. Entrustment of complaints to Investigation Officers.— (1) For the purpose of investigation of the complaint, the Ombudsman may, by general or special order in writing, authorise any officer at the Head Office or at a Regional Office to exercise powers under sub-sections (1) and (3) of section 14 of the Act.

- (2) The Ombudsman may, where any request is made by a complainant or an Agency, in the interest of expeditious finalization of investigation, transfer a complaint registered at the Head Office to a Regional Office or registered at a Regional Office to the Head Office or to another Regional Office.
- (3) Where a complaint is not made on solemn affirmation or is not accompanied by a copy of the National Identity Card and an affidavit in the specified form, the Investigation Officer shall require the complainant to provide it, otherwise, the complaint may be dismissed.
- (4) If the Investigation Officer after perusal of the complaint comes to the conclusion that it should not have been entertained on any of the grounds mentioned in section 9 or those in section 10(2) of the Act, he shall submit the complaint with his findings to the Ombudsman for orders.

8. Report from the Agency.— (1) In respect of every complaint admitted for investigation under regulation 5 and further scrutinized under regulation 7, a report in writing shall be called from the Agency complained against.

Provided that where circumstances so require, the report may be called for through telephone, telex, fax, e-mail or any other means of communication:

Provided further that where an immediate action or redress is called for, the Investigation Officer may call upon the principal officer of the concerned Agency to redress or cause the grievance to be redressed within a specified period and submit a compliance report to the Ombudsman but if he is of the view that the grievance cannot be redressed, he shall submit a detailed report explaining the reasons why the same cannot be done.

- (2) The notice calling for a report shall be accompanied by a copy of the complaint or relevant extracts therefrom highlighting the grievances of the complainant, the alleged nature of maladministration and where necessary, copies of all relevant documents attached with the complaint.
- (3) The notice for submission of report under subsection (4) of section 10 of the Act shall be addressed to the principal officer of the Agency as well as to any other officer who is alleged in the complaint to have taken or authorized the action complained of.
- (4) The report shall be submitted within such period as is specified in the notice or within such period ordinarily not exceeding 15 days as may be allowed on the written request of the principal officer or the officer concerned.

- (5) Where the principal officer or the officer concerned fails to submit the report as required under sub-regulation (4), the Investigation Officer shall issue another notice requiring the principal officer or the officer concerned to appear before him or the Ombudsman on the specified date or depute an officer well conversant with the facts of the case with the written report and the relevant record of the case, failing which the Ombudsman may issue directions to the appropriate authority under sub-section (5) of section 14 of the Act for taking disciplinary action against the person who disregarded the direction. If failure or disobedience to submit report on the part of the principal officer or the officer concerned so warrants, the Ombudsman may proceed against him for contempt under section 16 of the Act.

9. Agency's Report on allegations of the Complainant.—(1) Where the Agency reports that the grievance of the complainant already stands redressed or relief has been provided to him on receipt of the complaint from Ombudsman Office, the complaint may be disposed of as having borne fruit unless it is considered necessary to award compensation to the complainant for the loss or damage suffered by him due to gross maladministration in accordance with section 22 of the Act.

- (2) In a case where the Agency reports that for the relief sought, the complainant was required to fulfil certain procedural requirements, the complainant shall be directed to complete such requirements and, if no information is received within the time allowed by the Investigation Officer, it shall be presumed that the complainant does not wish to pursue the case further and the complaint may be filed as not pressed.
- (3) Where the Agency contests some or all the allegations made by the complainant, the Investigation Officer may, if he is not satisfied with the report of the Agency, address a questionnaire to the Agency for elucidation of specific questions or call for additional information.

10. Rejoinder.— (1) Where the Investigation Officer is satisfied that, in the light of the report of the Agency, any clarification in respect of the allegations contained in the complaint is required from the complainant, he shall call upon the complainant to submit a rejoinder within a specified time not exceeding thirty days, or such further period not exceeding 20 days as may be extended by the Investigation Officer.

Provided that if no rejoinder is received within the extended period, the Investigation Officer may finalize investigation:

Provided further that where the Agency makes a request with plausible reasons that any portion of the report or any document annexed to its report may be kept confidential, such portion of the report or, as the case may be, document shall not be sent to the complainant unless the Investigation Officer decides otherwise.

- (2) Where on receipt of rejoinder from the complainant, the Investigation Officer finds that the complainant is satisfied with

the report of the Agency and does not desire to pursue his case any further, the complaint may be deemed to have been disposed of as having borne fruit unless there is sufficient material to show that there was any gross maladministration which was the basis of the complaint. In such a case the Ombudsman may pass such orders as he deems fit.

- (3) Where the complainant reiterates his stand without any reasonable grounds or justification and the Investigation Officer is of the opinion that the Agency had not committed any maladministration, the complaint shall be rejected.

11. Further investigation.— Where the Investigation Officer is of the opinion that any further enquiry is called for, he shall bring out the controversial points between the parties for determination and require the Agency;-

- (a) to provide further comments;
- (b) to make clarification of any specific issue;
- (c) to produce the relevant record; or
- (d) to depute a representative for a hearing.

12. Hearing of cases.— (1) Hearing shall be fixed only when it is considered necessary in the interest of fair and expeditious disposal of the complaint.

- (2) As far as may be, no officer of the Agency shall be summoned by name or rank and the Agency shall ordinarily be required to depute an officer fully conversant with the facts of the case.
- (3) The officers of the rank of Secretary and above shall be summoned only with the approval of the Ombudsman.
- (4) Any mutual agreement or undertaking given by parties shall be recorded by the Investigation Officer and signed by the persons representing the parties.
- (5) If for any reason, the date of hearing already fixed is changed, the Investigation Officer shall inform both the parties well in time of the next date of hearing.

13. Inspections.— (1) Where an inspection of a place, or site, or the examination of any record is necessary, the Investigation Officer himself or any official authorized by him shall, with the approval of the Ombudsman, and after due intimation to the Agency proceed for the inspection of the spot or, as the case may be, examination of the record.

Provided that, if the place of such inspection falls within the jurisdiction of another Regional Office or the Head Office, the case file may, with the approval of the Ombudsman, be sent to such Regional Office or the Head Office, highlighting the points in issue involved in the matter for carrying out inspection of the site or examination of the record, as the case may be.

- (2) The file of the case shall be returned to the Investigation Officer with a report of inspection of the spot or examination of the record, as the case may be.

14. Requisitioning of record.— (1) Where the Investigation Officer considers it necessary, the Agency may be directed to produce the record under sub-section (9) of section 10 of the Act:

- (2) In case any portion of the record is considered necessary to be retained by the Investigation Officer, an authenticated copy thereof shall be prepared and provided to the Agency.

15. Information from and to the complainant.— (1) If at any stage of the investigation, the Investigation Officer desires to seek any clarification from the complainant, he may ask him on telephone or through post or to appear before him for the purpose.

- (2) If the investigation of any case is protracted and its disposal is likely to take more than three months or if the complainant approaches the Investigation Officer to ascertain the position of his case, the complainant shall be kept informed of the progress of his case at least once in every three months.

16. Transfer of cases.— Where in a complaint filed in a Regional Office the Agency complained against is located within the territorial jurisdiction of another Regional Office or the Head Office, the Ombudsman may transfer such complaint to the concerned Regional Office or the Head Office, as the case may be.

CHAPTER-IV

PROCEDURE FOR DISPOSAL OF COMPLAINTS

17. Completion of Investigation — The investigation of a complaint shall, with the approval of the Ombudsman, be closed when it is found that—

- (a) the subject matter of the complaint does not fall within the purview of the Act; or
- (b) no case of maladministration is prima facie made out; or
- (c) the Agency is not at fault as a particular procedure has to be adopted or formalities have to be followed by the complainant for redress of his grievance; or
- (d) the complainant fails to furnish the required information or supply relevant documents, or fails to attend hearings, despite notices and it is not possible to decide the complaint on the basis of the available record; or
- (e) the relief had already been provided before the complaint was lodged and the complainant confirms the redress of his grievance or he is informed of the same through registered post; or
- (f) the complainant and the representative of the Agency agree to a proposition consequent whereof grievance is redressed without any proof of maladministration; or
- (g) the complainant without any reasonable ground or justification continues to press his allegations but the Agency is not guilty of maladministration; or
- (h) where findings for redress of grievance have been given and the directions contained therein have been complied with or a

representation has been filed to the Governor under section 32 of the Act; or

- (i) where representation under section 32 of the Act is rejected or the findings have been modified, and the original or the modified findings, as the case may be, have been complied with; or
- (j) the subject matter of the complaint was subjudice before a court of competent jurisdiction on the date of receipt of the complaint, reference or motion; or
- (k) the complaint by or on behalf of a public servant or functionary concerns matters relating to the Agency in which he is or has been, working, in respect of personal grievance relating to his service therein; or
- (l) the subject matter of the complaint is the same which has already been disposed of by findings in an earlier complaint; or
- (m) the subject matter of the complaint has already been adjudicated upon by a Court or Tribunal of competent jurisdiction; or
- (n) the complaint had been made by a person who is not an aggrieved person; or
- (o) the complaint was anonymous or pseudonymous.

18. Findings of the Ombudsman— (1) In all cases where investigation is proposed to be closed at any stage of investigation and where a direction to the Agency or any of its officers or employees is or is not to be issued, the Investigation Officer shall prepare draft findings, as far as possible in the specified form and submit these to the Ombudsman for orders / decision.

- (2) The draft findings shall be simple, impersonal, persuasive and in paragraphs duly numbered in chronological order.
- (3) At the Head Office, the draft findings shall be submitted to the Ombudsman directly while those at the Regional Offices shall be submitted through the Registrar at the Head Office or submitted to the Ombudsman during his tour to the respective Regional office.
- (4) On submission of draft findings, the Ombudsman may pass orders/decision, make such changes in the draft findings as he considers necessary in the light of the investigation done, ask the Investigation Officer to redraft the findings or to carry out further investigation as indicated.
- (5) These draft findings shall be resubmitted to the Ombudsman after making such changes as have been approved by him or directed by him to be made or after carrying out such investigation as directed by him, as the case may be, the draft findings will then be resubmitted to the Ombudsman for orders/decision.
- (6) In all cases, a copy of the order/decision shall be communicated to the complainant and the Agency concerned.

19. Completion of Findings and consignment of files to Record.—

(1) After the findings are signed by the Ombudsman: -

- (a) all drafts shall be destroyed by the Investigation Officer;
- (b) the copies of the Findings shall be authenticated by the Investigation Officer and despatched to the complainant and the Agency.
- (2) With the approval of the Ombudsman, important findings may be circulated amongst Investigation Officers for information and selected cases may be sent to the Public Relations Section at the Head Office for publication.
- (3) Where a complaint is closed or rejected it shall be consigned to the record room within 14 days of the closure or rejection.
- (4) Where any findings have been communicated to the Agency under sub-section (1) of section 11, the file shall be retained by the Investigation Officer and consigned to record room only after confirmation of implementation of the recommendation has been received from the Agency or the Complainant.
- (5) The Investigation Officer shall send one copy of the findings in the specified form in duplicate to the Computer Section at the Head Office for updating the record and place the other copy on the relevant file which should then be consigned to the record room.
- (6) Where any person is aggrieved by a decision or order of the Ombudsman and intends to file a representation to the Governor under section 32 of the Act, the file may be consigned to record room within 14 days of the confirmation of representation having been filed.
- (7) Where a representation to the Governor made under section 32 of the Act is rejected or the findings are modified, the file shall be taken out from the record room for making an entry about the decision of the Governor and shall be consigned to the record room within 14 days of the confirmation of implementation of the original or modified findings.

20. Reconsideration Petition.— (1) In case an Agency gives reasons in terms of subsection (2) of section 11 of the Act for not complying with the directions, a copy of its report shall be supplied to the complainant on the specified form, for his comments.

- (2) On receipt of a reply from the complainant, he shall be provided an opportunity of being heard and after considering his pleadings during the hearing, if any, the Investigation Officer shall submit the case with draft findings to the Ombudsman for orders.
- (3) On considering the case submitted by the Investigation Officer under sub regulation (2), the Ombudsman may pass such orders thereon as deemed appropriate and have them communicated to the complainant and the Agency.

21. Procedure in case of non-compliance.— Where—

- i) no representation to the Governor has been filed by the Agency under section 32 of the Act; or
- ii) a representation was filed but has been rejected; or

- iii) a modified findings have been issued as a result of the orders of the Governor on the representation;

and the Agency fails to implement the original or the modified recommendations wholly or partially and the reasons given by the principal officer or the officer concerned for non-implementation have been rejected by the Ombudsman as unsatisfactory, it shall be treated as "Defiance of Recommendations" and dealt with under section 12 of the Act.

22. Correction of errors, mistakes, misrepresentation, etc.— (1) Where through any typographical error, mistake or misrepresentation by the complainant or the Agency, an incorrect figure, fact or position is reflected in the findings and directions of the Ombudsman, the Investigation Officer shall, after giving notice to the complainant and the Agency and providing them an opportunity of being heard, submit the case with draft findings to the Ombudsman in specified form for consequential rectification or modification of the original findings and directions.

- (2) In all cases where the consequential rectification or modification is made the decision shall be communicated to the complainant and the Agency on specified form.

23. Proceedings for Defiance of Recommendations or Disciplinary Action.— (1) Where it is decided by the Ombudsman to initiate proceedings for "Defiance of recommendations" in terms of Section 12 of the Act or for action under sub-section (5) or (6) of section 14 of the Act, the Investigation Officer shall submit a self contained note to the Secretary alongwith a show cause notice on specified form. In the case of a Regional Office, the Investigation Officer concerned shall submit the case to the Secretary through the Officer Incharge of that Office.

- (2) The Secretary shall, with the approval of the Ombudsman, cause the notice to be served on the public servant concerned to show cause as to why the proposed action may not be taken against him.
- (3) After considering all the facts of the case, including the reply to the show cause notice, if any, of the public servant under sub regulation (2), the Ombudsman may refer the matter to the Government under sub section (1) of section 12.

24. Communication of Orders of the Government.— The orders of the Government passed on a report of the Ombudsman for "Defiance of recommendations" under section 12 of the Act, shall be communicated by the office of the Ombudsman to the public servant and the concerned Agency for compliance under intimation to the Ombudsman on or before the date specified for the purpose.

CHAPTER-V

MISCELLANEOUS

25. Monthly Progress Report.— (1) Every Investigation Officer shall submit monthly reports on specified form to the Registrar at the Head Office for onward submission to the Ombudsman.

- (2) The Investigation Officers at the Regional Offices shall submit monthly reports through Incharge of the Regional Office concerned who may add his comments on the covering note.
- (3) The Secretary shall, by the tenth day of each month, submit to the Ombudsman, in the specified form a statement about institution and disposal of complaints for and upto the end of the preceding month.

26. Notices.— (1) A notice on specified form shall be issued to the complainant by registered post if he fails to —

- (a) furnish required information or documents;
 - (b) confirm and verify the contents of the complaint on solemn affirmation or oath;
 - (c) submit rejoinder or rebuttal within the specified time;
 - (d) confirm the compliance of the procedural requirements of the Agency; and
 - (e) confirm the grant of relief.
- (2) Where the Ombudsman rejects a complaint being false, frivolous or vexatious and decides to award compensation to an Agency, public servant or other functionary under subsection (4) of section 14, before awarding such compensation, the Ombudsman may issue a show cause notice to the complainant on specified form.
 - (3) Where the Ombudsman contemplates to proceed against employee of an Agency or a public servant or the complainant or other person for contempt of his Office a notice to show cause may be issued to him/them on specified form.
 - (4) Where the Ombudsman considers that the complainant has suffered loss or damage on account of maladministration of an Agency or any other public servant or any other functionary and deserves awarding of compensation under section 22 of the Act, such Agency, public servant or functionary may be issued a notice to show cause on specified form before awarding compensation.
 - (5) As far as may be, all notices shall be issued under registered cover and special care shall be taken to record the correct mailing address.

27. List of Principal Officers of the Agencies and their nominees.—

(1) The Registrar at the Head Office and the Additional Registrar/Assistant Registrars at the Regional Offices shall maintain a list of principal officers of Agencies.

- (2) The Investigation Officers shall bring to the notice of the Registrar at the Head Office or the Additional Registrar/Assistant Registrar at the Regional Office whenever any information is received by them in respect of any change of the principal officer of an Agency.

28. Maintenance of files.— (1) The Investigation Officer shall ensure that the record of every complaint is properly maintained and the proceedings are reflected in chronological order in the order sheet as given in specified form.

- (2) The case file shall contain the following particulars on its cover, namely: -
 - (a) registration number of the complaint;
 - (b) date of registration of the complaint;
 - (c) complainant's name;
 - (d) name of the Agency complained against;
 - (e) brief subject of the complaint;
 - (f) whether the file contains correspondence or noting or both;
 - (g) date of disposal of complaint; and
 - (h) date of consignment to record.
- (3) The complaint alongwith cover sheets on specified forms shall be tagged on the right-hand side of the file, whereas the order sheet on specified form shall be placed on the left-hand side of the file.
- (4) The pages should be numbered in chronological order with the last numbered page appearing on the right hand side on the file.
- (5) The order sheet on specified form shall contain record of actions taken with dates for further processing and shall be used as noting part of the file for obtaining orders, instructions and directions of the Ombudsman.

29. Notwithstanding any provision in these Regulations but subject to the provisions contained in the Act, the Ombudsman shall continue to exercise his powers and have absolute discretion to modify the procedure of handling any particular case or adopt a special procedure keeping in view the special nature and facts of the case.

SCHEDULE

[see regulation 3 (2)]

TERRITORIAL JURISDICTION OF HEAD OFFICE AND REGIONAL OFFICES

NAME OF OFFICE	DISTRICTS
HEAD OFFICE, LAHORE	Lahore, Sheikhupura, Nankana Sahib, Kasur, Okara, Gujranwala, Sialkot, Narowal, Gujrat, Hafizabad, Sahiwal, Faisalabad, T.T. Singh.
REGIONAL OFFICE, MULTAN	Multan, Khanewal, Bahawalnagar, Pakpattan, Lodhran, Vehari, D.G. Khan, Muzaffargarh, Rajanpur, Layyah, Bahawalpur, R.Y. Khan.
REGIONAL OFFICE, RAWALPINDI	Rawalpindi, Jhelum, Chakwal, Attock
REGIONAL OFFICE, SARGODHA	Sargodha, Chiniot, Jhang, Mandi Bahauddin, Bhakkar, Khushab, Mianwali

-Sd-

OMBUDSMAN FOR THE PROVINCE OF PUNJAB

LIST OF ABBREVIATIONS

ABAD	Agency for Barani Area Development	C-VII	Consultant-VII
A.C.E.	Anti Corruption Establishment	C-VIII	Consultant-VIII
A.G.	Accountant General	C-IX	Consultant-IX
ACR	Annual Confidential Report	C-X	Consultant-X
ADO(R)	Assistant District Officer (Revenue)	C.F.C.	Cooperative Finance Corporation
ADP	Annual Development Programme	C.M.A.	Controller Military Accounts
ADV-I	Advisor-I	C.O.	Care of
ADV-II	Advisor-II	C.R.	Consultant Research
ASI	Assistant Sub Inspector	Cr.P.C	Criminal Procedure Code
AWT	Army Welfare Trust	C.T.	Certificate of Teaching
B.A.	Bachelor of Arts	Coop.	Cooperatives
B.F.	Benevolent Fund	D.A.O.	District Accounts Officer
B.I.T.	Bachelor of Information Technology	D.C.	Deputy Commissioner
B.O.R.	Board of Revenue	D.C.O.	Divisional Canal Officer
B.P.S.	Basic Pay Scale	DCO	District Coordination Officer
B.S.	Basic Scale	D.D.C.	District Development Committee
B.Sc.	Bachelor of Science	D.D.O. (A)	Deputy District Officer (Accounts)
CCA	Culturable Commanded Area	D.D.O. (C)	Deputy District Officer (Co-ordination)
C&W	Communication & Works	D.E.O. (M-EE)	District Education Officer (Male- Elementary Education)
C-I	Consultant-I	D.E.O. (W-EE)	District Education Officer (Women- Elementary
C-II	Consultant-II		
C-III	Consultant-III		
C-IV	Consultant-IV		
C-V	Consultant-V		
C-VI	Consultant-VI		

List of Abbreviations

D.E.O.(SE)	Education) District Education Officer (Secondary Education)	(F&P/D)	Officer (Finance and Planning/Develop ment)
D.G	Director General	E.D.O.(H)	Executive District Officer (Health)
D.G. Khan	Dera Ghazi Khan	E.D.O.(IT)	Executive District Officer (Information Technology)
D.M.	District Magistrate	E.D.O.(Law)	Executive District Officer (Law)
D.O.(A)	District Officer (Accounts)	E.D.O.(Lit)	Executive District Officer (Literacy)
D.O.(C)	District Officer (Co-ordination)	E.D.O.(R)	Executive District Officer (Revenue)
D.O.(Coop)	District Officer (Cooperatives)	E.O.B.I.	Employees Old- age Benefit Institution
D.O.(F&B)	District Officer(Finance & Budget)	E.S.T.	Elementary School Teacher
D.O.(Lab)	District Officer (Labour)	F.D.	Finance Department
D.O.(P)	District Officer (Planning)	F.I.R.	First Information Report
D.O.(R)	District Officer Revenue	F.Sc.	Faculty of Science
D.O.(SW)	District Officer (Social Welfare)	G.A.R.V.	Gross Annual Rental Value
D.P.E.	Director Physical Education	G.B.	Gogera Branch
D.P.O	District Police Officer	G.M.	General Manager
D.S.P.	Deputy Superintendent of Police	G.P. Fund	General Provident Fund
DDO (R)	Deputy District Officer (Revenue)	H&PP	Housing & Physical Planning
Dev.	Development	H.B.F.C.	House Building Finance Corporation
Dy.	Deputy	H.B.L.	Habib Bank Limited
E&T	Excise & Taxation	HUD & PHE	Housing, Urban Development & Public Health Engineering
E.D.O.(Agri)	Executive District Officer (Agri.)	I&P	Irrigation & Power
E.D.O.(CD)	Executive District Officer (Community Development)	I.G.	Inspector General
E.D.O.(Edu)	Executive District Officer (Education)		
E.D.O.	Executive District		

I.R.U.D.P.	Integrated Rural Urban Development Programme	NGOs	Services of Pakistan Non-Governmental Organizations
J.B.	Jhang Branch	NOVs	Non-Official Visitors
L&DD	Livestock & Dairy Development	O.P.F.	Overseas Pakistanis Foundation
L.P.R.	Leave Preparatory to Retirement	O.S.D.	Officer on Special Duty
LDA	Lahore Development Authority	P&D	Planning & Development
LG&RD	Local Government & Rural Development	P.B.F.	Punjab Benevolent Fund
Ltd.	Limited	P.C.B.L.	Punjab Cooperative Board for Liquidation
M.A.	Master of Arts	P.E.S.S.I.	Punjab Employees Social Security Institution
M.C.B	Muslim Commercial Bank	P.H.A.	Parks & Horticulture Authority
M.D.	Managing Director	P.I.D.B.	Punjab Industrial Development Board
M.I.T.	Master of Information Technology	P.I.T.B.	Punjab Information Technology Board
M.V.Rules	Motor Vehicle Rules	P.L.D.	Pakistan Legal Decisions
MBA	Master of Business Administration	P.M.	Per Month
MCL	Metropolitan Corporation Lahore	P.O.	Post Office
MDA	Multan Development Authority	P.P.C.	Pakistan Penal Code
N.A.B.	National Accountability Bureau	P.P.O.	Pension Payment Order
N.B.P.	National Bank of Pakistan	P.P.S.C.	Punjab Public Service Commission
N.O.C.	No Objection Certificate	P.S.	Police Station
N.W.F.P	North West Frontier Province	P.T.C.	Primary Teaching Certificate
NESPAK	National Engineering		

List of Abbreviations

P.T.C.L.	Pakistan Telecommunicatio n Corporation Limited	S.M.R.	Special Modarba Receipt
PAD & SC	Punjab Agricultural Development and Supply Corporation	S.N.E.	Schedule of New Expenditure
Ph.D.	Doctor of Philosophy	S.O.(P.C.)	Section Officer (Pay Commission)
Pt-I.	Part-I	S.P.	Superintendent of Police
Pvt.	Private	S.S.P.	Senior Superintendent of Police
R.D.A.	Rawalpindi Development Authority	S.V.Teach.	Senior VernacularTeacher
R.T.A.	Regional Transport Authority	T.A./D.A.	Traveling Allowance / Daily Allowance
R.Y. Khan R/O	Rahim Yar Khan Resident of	T.E.V.T.A.	Technical Education / Vocational Training Authority
Rft.	Running feet	T.T. Singh	Toba Tek Singh
Rtd.	Retired	U.B.L.	United Bank Limited
S&GAD	Services and General Administration Department	U.C.C.	Upper Chenab Canal
S.C.A.R.P.	Salinity Control and Reclamation Project	W.E.F.	With effect from
S.D.C.O	Sub Divisional Canal Officer	W.W.F.	Workers Welfare Fund
S.D.O.	Sub Divisional Officer	WAPDA	Water and Power Development Authority
S.E.	Secondary Education / Superintending Engineer	WASA	Water and Sanitation Agency
S.H.O.	Station House Officer	Wd/O	Widow of
S.I.	Sub Inspector	WMO	Woman Medical Officer
		XEN	Executive Engineer