



Federal Ombudsman, Syed Tahir Shahbaz chairing a meeting of investigating and senior officers at Head Office, Islamabad.

EXPERIENCE OF ONLINE HEARING PROVES SUCCESSFUL

Number of complaints increased

Federal Ombudsman Syed Tahir Shahbaz has expressed that experience of online hearing proved helpful during lockdown. He said that number of complaints even increased during lock down. He was addressing the investigating officers (IOs) at regional offices Karachi, Lahore, Peshawar, Faisalabad and Gujranwala via video link. He directed the IOs to get the statement of the complainant on telephone if he is unable to attend the hearing proceeding. He was informed that most of the complaints had been disposed of within 30 to 45 days and only a few within 60 days and, there was no complaint pending at regional offices Karachi, Lahore, Faisalabad and Gujranwala. However, a few cases were pending at regional offices Peshawar and Hyderabad. Federal Ombudsman directed the IOs at Peshawar and Hyderabad to clear the pending cases before 30th June. Regional heads of all regional offices presented their performance reports during the meeting. Registration of cases and their disposal at regional offices was also discussed in detail. Senior Adviser (Appraisal) Mr. Ejaz Ahmed Qureshi and Mr. Shahidullah Baig Senior Advisor (Implementation) also briefed the Federal Ombudsman on the appraisal and implementation of cases relating to all regional offices. Federal Ombudsman appreciated the efforts of the IOs at all regional offices during the period of lock down in provision of relief to the common man.

From Ombudsman Desk



COVID-19 pandemic has affected every segment of society all over the world. It has not only tested the health sector but also damaged the economy of every country, especially the underdeveloped countries. The working of offices in Pakistan has also been affected but Alhamdulillah the working system of Federal Ombudsman Secretariat remained smooth due to our timely actions. We had already launched a project to hear the complaints through online system, which helped us to put the maximum work through online proceedings. I advised all

FOCUS OF OMBUDSMAN OFFICE IS TO IMPROVE JAIL CONDITIONS BY REMOVING IRRITANTS OF CRIMINAL ADMINISTRATIVE JUSTICE SYSTEM

(Syed Tahir Shahbaz Federal Ombudsman)



Federal Ombudsman Secretariat has presented its 6th quarterly implementation report on the progress of implementation in improving jail conditions of Pakistan to the Honourable Supreme Court of Pakistan. In view of Covid-19 pandemic, Federal Ombudsman Syed Tahir Shahbaz held online meetings with the four provincial chief secretaries/relevant stakeholders i.e. Home Departments and IG Prisons of Punjab, Khyber Pakhtunkhwa, Sindh, Balochistan and Ministry of Interior. The report was presented to the Supreme Court in compliance of Suo Motu Case No.1 of 2016 by Wafaqi Mohtasib Secretariat.

Syed Tahir Shahbaz, the Federal Ombudsman, said that his office had been making its utmost efforts to improve jail conditions across the country by changing the mindset of Administration and to remove the irritants of criminal

administrative justice system. The progress of the provincial and district oversight committees and welfare committees to improve living conditions of prisoners especially children, women and destitute prisoners was discussed exclusively with all the stakehold-

Federal Ombudsman presents 6th implementation report on improving jail conditions to the supreme court

ers of four provinces. The provinces reported that they had already constituted district, provincial oversight and welfare committees and their meetings were being regularly conducted. The Sindh government, however, has not yet constituted its provincial oversight committee and the Federal Ombudsman directed them to constitute the same and make it functional by the mid of

July. All the provinces informed that they had revisited the expansion of probation and parole facilities with certain recommendations so that pressure on accommodation facilities in jails could be curtailed. The Sindh government has notified amended "Sindh Prisons and Corrections Service Rules, 2019" and "Sindh Prisons Correctional Act, 2019". They informed that the new laws would help in confining all prisoners in safe custody by ensuring their legal and basic rights

as per international conventions. The report of govt. of Punjab showed that there were 47-patients of Covid-19 detected during screening of all jails inmates.

The Government of Punjab has converted the Directorate of Reclamation and Probation into Punjab Probation and Parole Service Department under the supervision of a BS-20 officer. The Chief Minister Punjab has

also constituted a high level Parole Board to scrutinize the eligibility of prisoners to be released on parole. The Punjab government informed that the "Parole Act, 2019" and amendment in "Good Conduct Prisoners Probationary Release Act" had been approved by the cabinet and would soon be placed in the provincial assembly for approval. The government of KP has also amended its "Good Conduct Prisoners Probationary Release Rules, 1927" and placed it before the provincial assembly for approval.

The Ombudsman was informed that one jail in Punjab and one in KP had been newly constructed, whereas one jail in Islamabad Capital Territory on 720 kanals was near to completion. The Government of Sindh has earmarked Rs.1048.268 million for renovation of jails; Balochistan has earmarked Rs. 250 million while Punjab has earmarked 550 million for renovation of jails as per updated standards. The KP government informed that re-construction work in 05 jails was also underway.

The report also shows that biometric system in jails in Punjab has been completed and 100% court appearance of inmates is also being ensured by them. Moreover, 9-ATC courts have been linked to respective jails for video link trial. KP has completed prison management information in seven jails and remaining jails are being completed under UNODC programme. Balochistan has also signed an agreement with UNODC for prison management information

and the work in this regard is in pipeline. All the provinces have already segregated drug users and mentally ill prisoners and they are given special attention and treatment. All the provinces have set up technical education and vocational centers in jails for provision

Punjab linked 9-ATC courts for video link trials

47 patients of covid-19 detected in punjab jails

of technical education. Punjab Prison Department informed that during the last five years 241 prisoners appeared in Masters level programme, 425 in BA, 878 in intermediate exams and 15213 female and juvenile prisoners qualified technical courses.

The reports from provinces showed that all the provinces had set up free legal aid programmes with the help of UNODC and Bar Associations. Organization of

Mr. Justice Nasir Aslam Zahid is providing free legal aid in 20 jails of Sindh. Prisoner Aid & Legal Committee constituted by the Prime Minister of Pakistan under the headship of Barrister Ali Zafar is also working for free legal aid in Balochistan.

Federal Ombudsman asked the provincial government to encourage the donors and educational institutions to play their role more effectively and efficiently. He also directed the concerned government authorities to place necessary funds for improvement in jails and to establish a prisoners voluntary donations Fund.

Ombudsman further directed the Home Departments for early establishing high tech coordination system with the concerned departments i.e. Police, Prisons, Prosecution & NADRA for developing biometric verification system / common interface for the prisoners from jails to courts within the shortest possible time. The following details of prisoners were submitted in the Apex Court:

Item	Punjab	Sindh	Khyber Pakhtunkhwa	Balochistan
Total jails	42	24	38	11
Sanctioned Strength	37594	13538	11230	2585
Present Strength	45552	14934	10794	1962
Convicted	16165	4887	3016	733
Under trial	25058	9711	7778	1087
Male	44839	14558	10634	1944
Female	713	217	160	18
Juvenile	538	159	354	21
Corona Affected	47	0	0	0

MORE THAN 7000 COMPLAINTS DISPOSED OF AND 5248 CASES REGISTERED DURING RAMZAN

Complainants heard through telephone and whatsapp



Federal Ombudsman, Syed Tahir Shahbaz chairing a meeting of investigating and senior officers at Head Office, Islamabad.

Federal Ombudsman, Syed Tahir Shahbaz has directed the Investigation Officers to strictly abide by the 60 days time limit prescribed in rules for deciding every case. He was informed that more than 7000 cases were disposed of and 5248 cases registered during the month of Ramzan. He was also informed that during the period of lock down, 34500 cases were registered and 32000 cases disposed of.

He asked all the Investigation Officers to facilitate the complainants in all respects by observing

complete safety measures against Covid-19 pandemic. He was informed that due to closure of universities and late response by the gas and electricity distribution companies during the pandemic, some cases had been delayed beyond 60 days. Federal Ombudsman decided to hold meetings with heads of such departments to ensure prompt response from them in public complaints sent to them by WMS. He was addressing the investigating officers of WMS in a meeting at head office, Islamabad. The meeting was attended by all

investigating officers Referring to the precautionary measures against Covid-19, he said that presence of complainants during hearing proceedings was not essential and their point of view could be taken through telephone or whatsapp, however, if any complaint insisted to join the hearing proceeding, due safety measures must be ensured. The officers informed the HWM that registration of complaints and investigation work had been carried out by observing all safety measures.

Continued From Ombudsman Desk

the investigating officers not to allow their work hampered due to pandemic. They were asked to get the statements of the complainants and even Agencies through Whatsapp or telephone. However, if any complainant desires to plead his case by personally, he may do so by observing all safety measures. By the grace of Almighty Allah, we have been successful in receiving and

disposing more complaints through online proceedings. As per statistics comparison with the first six months of last year, the ratio of complaints registration remained on higher side during the lockdown period. During 2019 from Jan-June, 34151 were complaints were registered and 35895 complaints were disposed of, whereas, during the first six months for the year 2020, the

registration of complaints have been around 45,000 and 39,500 cases are disposed of. This level of performance has been achieved due to the sincere efforts of the investigating officers and their working hands. This is highly satisfactory for me that my officers dealt with their official work as a sacred job during the period of lockdown and COVID-19 pandemic.

HONOURABLE PRESIDENT ACCEPTS APPEAL AGAINST DHA KARACHI

Honourable President of Pakistan accepted the appeal of complainant in case No. ... by setting aside the findings of WMS against Defence Housing Authority Karachi and remanded it to WMS for early disposal in accordance with law.

As per details, complainant filed a complaint against DHA Karachi for not accepting the General Power of Attorney (GPA) for the purpose of transfer of a plot in DHA Karachi to the wife of complainant which was purchased from Major Muhammad Nawaz Khan at the cost of Rs.170,000/- in 1974. The irrevocable GPA was duly registered in Registrar Office but DHA refused to transfer the plot on the plea that the executants had died, therefore, the GPA executed by the person seized at the death of executants or attorney.

WMS disposed of the case on the point of law stating "...Perusal of the case has revealed that the present complaint is against Defence Housing Authority and

subject matter of the complaint does not fall within the purview of President's Order No.1 of 1983, hence the case is disposed of being barred by jurisdiction. "The complainant filed representation against the findings of WMS with the Honourable President of Pakistan who accepted the same on the following grounds:

i. That the complainant had invoked the jurisdiction of the Wafaqi Mohtasib on the ground of maladministration in the nature of arbitrary/selective application of law and oppressive/unjust dispensation by the Agency by accepting irrevocable General Power of Attorney.

ii. The learned Wafaqi Mohtasib has declined to examine the matter for the reason that it pertains to DHA and disposed of being barred by jurisdiction under Article-9(c), which reads, "relates to, or are connected with the defence of Pakistan or any part thereof, the military, naval and air forces of Pakistan, or the matter covered by the laws relating to

those forces."

iii. That DHA, established under Pakistan Defence Housing Authority Order 1980, duly notified, ..its objective is providing housing facilities to officers of armed forces and it also caters to civilian members as per its policy, therefore, its all schemes deemed to be schemes/ projects for public purposes. Therefore, DHA in terms of its constitution, composition and functions squarely falls under the jurisdiction of the Wafaqi Mohtasib within the definition of Agency. Apart from above, the Honourable President by going into the depth of the facts of case, declared that in the light of the state of law as to such a General Power of Attorney, the death of vendor/donor had no effect whatsoever and the power of attorney being irrevocable subsists and is operative even today. The DHA being successor of the erstwhile society is bound to implement and give effect to the same as requested by the complainant.

HONOURABLE PRESIDENT REJECTS REPRESENTATION OF SNGPL ON JURISDICTION ISSUE

Honourable President has rejected 10 representations filed by Sui Northern Gas Pipeline Limited (SNGPL) against the findings of the Wafaqi Mohtasib, with the direction to implement the findings passed by the Wafaqi Mohtasib in all findings. As per details, the complainants approached the Wafaqi Mohtasib

against alleged arbitrary billing in violation of prescribed procedure/policy. The Agency justified its position on the ground that the meters of the complainants were found tempered, therefore, detection bills on account of gas pilferage were charged. The Agency was of the view that as these cases fell under the

purview of theft as such they were beyond the jurisdiction of Wafaqi Mohtasib.

However, during the proceedings it was noted by the Wafaqi Mohtasib that the Agency had deviated from its prescribed procedure which required dispatch of suspected meters to the labs within 02 days after

Cont. P/6

OMBUDSMAN ASKS TO PREPARE FIRE PROTECTION PLAN-2020 FOR MARGALLA HILLS NATIONAL PARK



Syed Tahir Shahbaz, the Federal Ombudsman has asked the Ministry of Interior (MOI), CDA, Municipal Corporation Islamabad (MCI), Islamabad Wildlife Management Board (IWMB) and NDMA to submit fire protection plan for 2020 to control fire incidents at Margalla Hills National Park.

Previously, in pursuance of the orders of the Supreme Court of Pakistan dated 25-06-2018, the Hon'ble Ombudsman had made recommendations and suggested

measures to prevent incidents of fire at Margalla Hills National Park. Furthermore, the joint working strategy and SOPs had also been developed in order to ensure coordination among all related agencies to avoid fire incidents. In 2019, due to efforts of WMS and related stakeholders, the Margalla Hills National Park remained safer in this respect. Islamabad Wildlife Management Board (IWMB) has taken initiatives to prevent fire incidents and submitted a report to the WMS in this

regard. Federal Ombudsman has asked the Ministry of Interior to take lead role in coordinating all the stakeholders i.e. CDA, MCI, NDMA, IWMB and Pak-EPA and streamline all measures to prevent fire at Margalla Hills National Park. Federal Ombudsman has also directed that an aggressive awareness campaign may be launched to sensitize the inhabitants living in the National Park and its vicinity for generating a local safeguard against forest-fire.

Continued from P/5 (Honourable President rejects....)

removal, their inspection to be carried out within 12-weeks and recovery of detection charges to be made not later than 06-months of such removal/replacement. The Agency had not only removed meters in absence of the complainants but dispatched them after 02 working days, thereby making entire exercise arbitrary/questionable.

In these circumstances, maladministration was found; therefore, relief was extended to all the complainants according to the facts of each case.

The Honourable President held that the Agency had not challenged the merits of the original findings and questioned the jurisdiction of the Wafaqi Mohtasib Secretariat on the plea

that these cases were covered under theft rather than maladministration. The Honourable President has been pleased to reject the joint representation of the Agency, accepting the stance of WMS that maladministration by the Agency has been established in these cases and as such they fall within the jurisdiction of the Federal Ombudsman.

OVERSEAS PAKISTANIS ISSUES

OMBUDSMAN TAKES NOTICE OF DISCRIMINATION WITH POC HOLDER OVERSEAS PAKISTANIS

Federal Ombudsman Syed Tahir Shahbaz has taken notice of discrimination shown by different Agencies towards Pakistan Origin Card Holders (POC) while visiting Pakistan. Mr. Ejaz Hussain Piyara, President Pakistan Overseas Alliance Forum Europe and Dr. Jan Alam a prominent medical scientist from Russia filed complaints stating that POC holders while visit Pakistan,

NADRA neither shows nor recognizes their finger prints due to which no Pakistani agency accepts their credentials as Pakistani and treat them as foreigners. The complainants stated that due to this attitude, Overseas Pakistanis holding POC face great difficulties while opening their bank accounts or establishing any company with the SECP or other related agencies.

Federal Ombudsman took notice of this public importance issue of Overseas Pakistanis and referred the matter to Grievance Commissioner for Overseas Pakistanis Hafiz Ahsaan Ahmed Khokhar for investigation, who has issued notices to the Ministry of Interior, State Bank of Pakistan, NADRA, DG FIA, Chairman FBR, and Chairman PTA to provide their reports in the matter.

OMBUDSMAN TAKES NOTICE OF STRANDED PAKISTANI STUDENTS AT CHINA, SAUDIA AND KYRGYZSTAN

A number of Pakistani students from China, Saudi Arabia and Kyrgyzstan filed complaints to the Federal Ombudsman requesting for their return to Pakistan as they had been stuck in these countries due to COVID-19 pandemic. They stated that their universities had been closed and most of the students belonging to other countries had left, whereas they had been stuck and no help were extended to them for their safe

return to Pakistan. Federal Ombudsman referred the matter to Grievance Commissioner for Overseas Pakistanis, who sought report from the Ministry of Foreign Affairs alongwith direction to help the stranded students for their safe return to Pakistan. Ministry of Foreign Affairs issued necessary directions to relevant Pakistani Missions in this regard. Later on, Ministry of Foreign Affairs reported that all the

students from China and Saudi Arabia had returned to Pakistan safely, whereas, most of the students from Kyrgyzstan had also returned while few students would also reach their home, soon. Federal Ombudsman appreciated the prompt action of Ministry of Foreign Affairs and Pakistani Missions in helping the stranded Pakistani students in China, Saudi Arabia and Kyrgyzstan.

EXPATRIATES HELPED OUT BY FEDERAL OMBUDSMAN IN SENDING DEAD BODIES TO PAKISTAN DURING COVID-19 PANDEMIC

Intervention by the Federal Ombudsman helped a number of Pakistani expatriates abroad in sending dead bodies of their relatives to Pakistan. Complaints were filed from various countries i.e. Germany, USA, UAE, Saudi Arabia, Manila, Italy and Bosnia by the Pakistani expatriates that PIA and Pakistani Missions were not cooperating in sending dead

bodies of their loved ones to Pakistan for burial during COVID-19 pandemic. Federal Ombudsman referred the matter for investigation and prompt action to the Grievance Commissioner for Overseas Pakistanis who took the matter with the Ministry of Foreign Affairs, PIA and Overseas Pakistanis Division. All the Agencies took

immediate measures and PIA managed transportation of dead bodies from Germany, USA, UAE, Saudi Arabia, Manila, Italy and Bosnia to Pakistan through special flights. All the complainants and Pakistanis Welfare Associations from Europe and USA extended their gratification to Wafaqi Mohtasib for helping them during the crucial situation.



Mr Shahid Iqbal Chairman IESCO briefing the Hounorable Wafaqi Mohtasib Syed Tahir Shahbaz on IESCO complaint mechanism. Secretary WMS Dr Jamal Nasir and Senior Advisor Mr Ejaz Ahmad Qureshi were also present in meeting.

FEDERAL OMBUDSMAN TAKES NOTICE OF K-ELECTRIC ISSUES

Federal Ombudsman Syed Tahir Shahbaz taking a serious notice of number of complaints filed by the citizens of Karachi on excessive load-shedding, accumulative billing and electrocution deaths during rainy season has appointed a committee under the chairmanship of Syed Anwar Haider, Incharge Regional Office WMS, Karachi to resolve the issues in consultation with K-Electric.

Syed Anwar Haider summoned the senior representatives of K-Electric to discuss the issues. Director Distribution, K-Electric Sh. Saghir Ahmed, GM DLD, Syed Ali Ejaz and Dy. GM DLD, Syed Mehroz Ali attended the meeting. Director Distribution informed that due to shortage of furnace oil, the company was generating about 300 Mega Watts less electricity, due to which the load shedding had to be enforced in Karachi. The WMS observed that required steps had not been taken in storing sufficient stock of furnace oil. Director Distribution informed that during lockdown bills were charged on average basis and KE was recovering the arrears in easy installments.

Fuel Charges Adjustments from June, 2016 to June 2019 were being recovered from the consumers in installments, as per policy of NEPRA.

Regarding electrocution deaths during rainy season, the Director Distribution informed that most of the earth wires installed with every pole had been stolen. In order to ensure proper earth the KE had arranged sophisticated non-visible strips having 20 feet depth for every electric pole, sub-stations and PMT, and installation of the same had already been completed to the extent of 90%. However, misman-

aged/open wires of TV/internet cables and openly installed switches were big threat to human lives and the KE had started a campaign to remove such wires, cables and switches in view of safety of human lives. He further informed

that KE had also installed sophisticated system of earth wires at reasonable distance on all transmission wires which if accidentally touched cause automatic trip down of the concerned feeder. Wafaqi Mohtasib Secretariat directed NEPRA to audit their purchase plan of furnace oil, billing adjustment methods of KE and measures taken by them against electrocution and report to WMS so that with better planning, the chances of load-shedding could be minimized and complaints of accumulative billing and electrocution deaths in rainy season avoided.

Receipts and Disposal of Complaints During the Quarter Apr - Jun 2020

S.No.	Agencies	Receipts	Disposal*
1.	Power Companies(DISCOs).....	5,862	5,414
2.	NADRA.....	310	392
3.	Sui Gas Companies.....	2,023	2,930
4.	Pakistan Post.....	1,947	4,164
5.	Allama Iqbal Open University.....	236	300
6.	State Life Insurance Corporation.....	91	134
7.	Pakistan Bait ul Maal.....	163	187
8.	Employees Old Age Benefits Institution (EOBI)	140	149
	Total of Above 08 Agencies.....	10,772	13,670
	Other Agencies.....	12,525	8,687
	Grand Total.....	23,297	22,357

* Includes cases brought forward from previous months.