

LAW AND JUSTICE COMMISSION OF PAKISTAN
(SUPREME COURT BUILDING)
ISLAMABAD

Subject:- ESTABLISHMENT OF PUBLIC COMPLAINTS RESOLUTION MECHANISM.

Reference Law and Justice Division's letter No.F.11(1)/2016-LR, dated the 17th August, 2016, on the above cited subject.

2. The undersigned is directed to inform that the Secretariat of Law and Justice Commission of Pakistan (LJCP) has noted the instructions for compliance, contained Wafaqi Mohtasib (Ombudsman)'s Secretariat letter No.4(7)LJCP/SL/WMS/2016 Dated 8-8-2016. Moreover, the Competent Authority has been pleased to nominate Raja Muhammad Faisal Iftikhar, Deputy Secretary (Admin) (BPS-19) (Ph.No.051-9208752, 0300-9681643, Fax No.051-9214416) as focal person to furnish compliance reports on the subject in the next meeting to be held on 25-8-2016 at 11:00 A.M. in the Conference Room of Federal Ombudsman Secretariat, Islamabad.


(Manzoor Ahmed Shaikh)
Deputy Secretary

o/c -

Mr. Amjad Mehmood Kayani, Section Officer, Ministry of Law and Justice, Islamabad.
Law & Justice Commission Sectt: U.O. F.1/2/J-Secy/2016/LJCP dated 24-8-2016.

Copy to Raja Muhammad Faisal Iftikhar, Deputy Secretary (Admin) for information please.

Amjad Kayani
2/18/16

F. No. 11/12/2014-R
GOVERNMENT OF PAKISTAN
LAW AND JUSTICE DIVISION

Islamabad, 27th Aug, 2016

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The Secretary,
Council of Scientific & Technological
Information,
Islamabad.

The Secretary,
National Judicial Commission of Pakistan,
Islamabad.

The Director General,
Federal Judicial Academy,
Islamabad.

Subject: ESTABLISHMENT OF PUBLIC COMPLAINTS RESOLUTION MECHANISM.

Dear Sir,

I am directed to enclose herewith a copy of Waqar Mubtasim (Amjad Kayani)'s
letter dated D.O. No. 4(7) LJCP/ISL/WMS/2015 dated 8th August, 2015 on the subject noted
above for compliance/information please.

Enclosed as above.

Yours faithfully,

(Amjid Mehmood Kayani)
Section Officer



WAFAQI MOHTASIB (OMBUDSMAN)'S
SECRETARIAT
36-Constitution Avenue, G-5/2, Islamabad
Phone No: 051-9217243 General Phone: 051-
9213886-7, Helpline: 1055 Fax: 051-9217224
E-Mail Address: hafizahsaan1973@gmail.com

No.4 (7) LJC/SL/WMS/2016

Islamabad the 8th August 2016.

SUBJECT: ESTABLISHMENT OF PUBLIC COMPLAINTS RESOLUTION MECHANISM.

Please refer to the Law and Justice Commission of Pakistan's letter No. LJC/SL/WMS/2016 dated 8th June, 2016 (Copy enclosed).

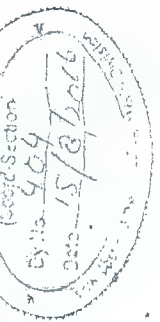
For resolution of public grievances promptly and for improvement in the efficiency of Ministries/Divisions/Attached Departments/Subordinate offices/Organizations in the context of public dealings, the following actions may be taken at various levels:

- i) Establishment of Public Complaints Resolution Mechanism under the supervision of an officer of BS-19 or above.
- ii) installation of Helpline for public complaints and guidance (User and access nos).
- iii) Notification/display of brochures/printed material regarding ambit of Ministry/Division/Attached Departments/Subordinate Offices/Organizations for public guidance and awareness.

3. The above mentioned Public Complaints Resolution and Helpline mechanism may ensure that the public as well as the staff/officials of the Ministry/Division/Attached Departments/ Subordinate Offices/Organizations are aware of

- i) where to complain;
- ii) how to complain;
- iii) what information/material is required when they lodge a complaint;
- iv) what assistance is available to people who want to complain;
- v) how the complaints will be processed within the Ministry/Division/Attached Departments/Subordinate Offices/Organizations (duration, communication of final decision or advice and monitoring the progress).
- vi) information regarding the facility of filing of complaints in Federal Ombudsman's Secretariat along-with its contact numbers may also be placed on the websites and premises of Ministry/Division/Attached Departments/ Subordinate offices/Organizations.

4. Feedback: Provision of timely feedback to the complainants is an essential feature of an effective complaints management system. There are, besides providing timely feedback as to the outcome of the complaints, the Ministry/Division/Attached Departments/Subordinate Offices/Organizations should also inform the complainants of any available internal or external review



mechanisms in public interest. Complaints policy and Procedures must be displayed prominently within the premises of the organization as well as on the website. All complaints should be treated as urgent and handled in a timely manner.

5. These instructions may be circulated within the Ministry /Division/Attached Departments/Subordinate Offices/Organizations for compliance under intimation to this Secretariat. A senior officer may be deputed to furnish compliance reports on the subject in the next meeting to be held on 25.08.2016 at 11.00 A.M. in the Conference Room of Federal Ombudsman Secretariat, Islamabad.

(Hafiz Ahsan Ahmad Khokhar)
Senior Advisor (Law)/
Grievance Commissioner for
Overseas Pakistanis

1. The Secretary, Cabinet Division, Islamabad.
2. The Secretary, Capital Administration & Development Division Islamabad.
3. The Secretary, Climate Change, Islamabad.
4. The Secretary, Defence Division, Islamabad.
5. The Secretary, Finance Division, Islamabad.
6. The Secretary, Information & Broadcasting Islamabad.
7. The Secretary, Kashmir Affairs & Gilgit Baltistan, Islamabad.
8. The Secretary, Law, Justice, Islamabad.
9. The Secretary, Human Rights, Islamabad.
10. The Secretary, Religious Affairs, Islamabad.
11. The Secretary, Railways Division, Islamabad.
12. The Secretary, Establishment Division, Islamabad.
13. The Secretary, Board of Investment, Islamabad.
14. The Secretary, Textile Industries Division, Islamabad.
15. The Secretary, Narcotics Control, Islamabad.
16. The Secretary, National Food Security Islamabad.
17. The Secretary, National History & Literary Heritage, Islamabad.
18. The Secretary, Overseas Pakistanis & Human Resources, Islamabad.
19. The Secretary, Privatization Commission Islamabad.
20. The Secretary, Statistics Division, Islamabad.

8/25/16
10/10/16

The Secretary, Water & Power, Islamabad
The Secretary, Interior Division, Islamabad.

(Hafiz Ahsan Ahmad Khokhar)
Senior Advisor (Law)
Grievance Commissioner for
Overseas Pakistanis

Copy for compliments to:-

1. The Attorney General For Pakistan, Islamabad. (For kind information only)
 2. The Secretary, Law & Justice Commission of Pakistan, Supreme Court Building, Islamabad with reference to their letter mentioned above
- PS to IWM

SUPREME COURT OF PAKISTAN BUILDING
CONSTITUTION AVENUE,
ISLAMABAD

E-MAIL: NASRULLAH@LJCP.GOV.PK

F 1/2/1-Secy/2016/LJCP

8 June 2016



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NASRULLAH KHAN

JOINT SECRETARY

LAW & JUSTICE COMMISSION of PAKISTAN
GOVERNMENT of PAKISTAN

Registered

Dear Sir,

Re: Fundamental Rights Campaign - Review of Helplines for seeks to justice

The Honourable Chief Justice of Pakistan (CJP) was pleased to deliver a public address on 10 December 2015 commemorating the International Human Rights Day, titled, Fundamental Rights – the Promise of a Just Society. His Lordship observed that justice and Fundamental Rights are defining features of the State, valid legislation and public policy. Therefore it is critical that citizens are aware of their Fundamental Rights to assert them and claim their entitlements in addition to holding the State accountable effectively.

On the occasion, the Hon'ble CJP formally launched a public awareness campaign on Fundamental Rights and inaugurated the Rights Safety Net, a scheme to promote legal empowerment and support public grievance redress. As a part of the public awareness campaign, the Commission is implementing initiatives to provide information to citizens on public grievance redress mechanisms for resolving their complaints.

For this purpose, we reviewed the relevant agencies public grievance redress fora that can address citizens' grievances and uploaded their details on our website.

We found that helplines have been established by different agencies for awareness raising and complaint redressal but most are inactive, unresponsive or ineffective to address complaints.

We would therefore be grateful if the Ombudsman office can examine the quality of agencies' public grievance redress arrangements as a matter of mal-administration including helplines that the agencies are publicizing.

We thank you for your kind consideration and support to this national cause of promoting access to justice.

With regards,

Yours sincerely,

nasrullah

The Honorable Federal Ombudsman
Government of Pakistan
Islamabad.

Striving for a rule of law based Pakistan
www.ljcp.gov.pk

Dy. Secy. L.J.C.P. 5855/01/16
H-9-6

WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT

PHONE NUMBER & EMAIL ADDRESSES OF THE OFFICERS OF HEAD OFFICE AND REGIONAL OFFICES
as of 13.08.2015

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44	Pirzada Danial Walayat Shah, Webmaster	9217219	ombuds.danial@gmail.com

9

Second Schedule.

9. *Jurisdiction, functions and powers of the Mohtasib.*—(1) The Mohtasib may on a complaint by an aggrieved person, on a reference by the President, the Federal Council or the National Assembly, as the case may be, or on a motion of the Supreme Court or a 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 Mohtasib shall not have any jurisdiction to investigate or inquire into any matters which—

(a) are *sub judice* before a Court of competent jurisdiction or judicial tribunal or board in Pakistan 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 clause (1), the Mohtasib shall not accept for investigation any complaint by or on behalf of a public servant or functionary concerning any matter 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 Order and, in particular for ascertaining the root causes of corrupt practices and injustice, the Mohtasib

may arrange for studies to be made or research to be conducted and may recommend appropriate steps for their eradication.

(4) The Mohtasib may set up regional offices as, when and where required.

10. *Procedure and evidence.*—(1) A complaint shall be made on solemn affirmation or oath and in writing addressed to the Mohtasib by the person aggrieved or, in the case of his death, by his legal representative and may be lodged in person at the Office or handed over to the Mohtasib 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 Mohtasib may conduct an investigation pursuant to a complaint which is not within time if he considers that there are special circumstances which make it proper for him to do so.

(4) Where the Mohtasib 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 authorised the action complained of, a notice calling upon him to meet the allegations contained in the complaint, including rebuttal :

Provided that the Mohtasib 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 Mohtasib.

(5) Every investigation shall be conducted in private, but the Mohtasib 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 Mohtasib.

(7) The Mohtasib shall, in accordance with the rules made under this Order, 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 purposes of an investigation under this Order the Mohtasib 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 Mohtasib 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 President may, in his discretion, on grounds of its being a State secret, allow claim of privilege with respect to any information or document.

(10) In any case where the Mohtasib decides not to conduct an investigation, he shall send to the complainant a statement of his reasons for not conducting the investigation.

(1) Save as provided in this order, the Mohtasib shall regulate the procedure for the conduct of business or the exercise of powers under this Order.