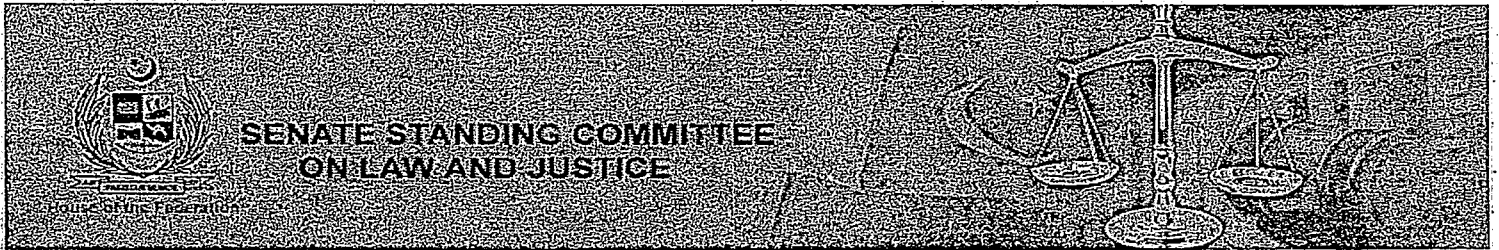


SENATE OF PAKISTAN



REPORT NO. 22

**REPORT OF THE SENATE STANDING COMMITTEE ON
LAW AND JUSTICE**



**“THE ESTABLISHMENT OF THE OFFICE OF Wafaqi Mohtasib (Ombudsman)
(Amendment) Bill, 2022 (Amendment of Article 2 & 9, Order I of 1983)”**

PRESENTED BY

Senator Syed Ali Zafar

Chairman

Standing Committee on Law and Justice

SENATE SECRETARIAT

Subject:- REPORT OF THE SENATE STANDING COMMITTEE ON LAW AND JUSTICE ON "THE ESTABLISHMENT OF THE OFFICE OF Wafaqi Mohtasib (Ombudsman) (Amendment) Bill, 2022 (Amendment of Article 2 & 9, Order I of 1983)"

I, Senator, Syed Ali Zafar, Chairman Standing Committee on Law and Justice, have the honour to submit, on behalf of the committee, this report on "The Establishment of the Office of Wafaqi Mohtasib (Ombudsman) (Amendment) Bill, 2022 (Amendment of Article 2 & 9, Order I of 1983)", introduced by Senators Mohammad Abdul Qadir and Prince Ahmed Umer Ahmedzai in Senate on 17th January, 2022 and referred to the Committee for consideration and report.

2. The Composition of the Committee is as under: -

1. Senator Syed Ali Zafar	Chairman
2. Senator Syed Muzafar Hussain Shah	Member
3. Senator Rana Maqbool Ahmad	Member
4. Senator Farooq Hamid Naek	Member
5. Senator Mian Raza Rabbani	Member
6. Senator Manzoor Ahmed Kakar	Member
7. Senator Musadik Masood Malik	Member
8. Senator Samina Mumtaz Zehri	Member
9. Senator Mustafa Nawaz Khokhar	Member
10. Senator Walid Iqbal	Member
11. Senator Syed Shibli Faraz	Member
12. Senator Muhammad Azam Khan Swati	Member
13. Senator Kamran Murtaza	Member
14. Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its sitting held on 18th August, 2022 at Committee Room No. 4, Parliament House, Islamabad. The following members of the Committee attended the meeting: -

1. Senator Syed Ali Zafar	Chairman
2. Senator Syed Muzaffar Hussain Shah	Member
3. Senator Rana Maqbool Ahmad	Member
4. Senator Farooq Hamid Naek	Member
5. Senator Muhammad Azam Khan Swati	Member
6. Senator Kamran Murtaza	Member
7. Senator Mushtaq Ahmad	Mover
8. Senator Mohammad Abdul Qadir	Mover
9. Minister for Law & Justice	Ex-Officio Member

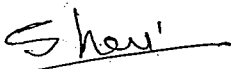
4. The Chairman Committee asked the Senator Mohammad Abdul Qadir, Mover of the bill regarding "The Establishment of the Office of Wafaqi Mohtasib (Ombudsman) (Amendment)

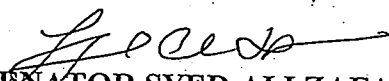
Bill, 2022 (Amendment of Article 2 & 9, Order I of 1983). Senator Mohammad Abdul Qadir was of the view that the bill aims at providing mandatory clause regarding the establishment of the regional / district offices of Wafaqi Mohtasib, throughout Pakistan, to meet the needs of people and expedite the provision of relief. Senior Advisor from Wafaqi Mohtasib Secretariat, gave a brief account of the present scenario and informed the committee that the WMS has established 16 regional offices been established, with 17th newly-established office at Mir Pur Khas. He further informed that the regional offices are established when the complaints from that particular district or region enhances from the required thrash limit necessary for the establishment of the same. There are total 164 districts in Pakistan, including districts from Gilgit-Baltistan, and AJK. It is pertinent to mention that around Rs. 1.5 Million is needed to build a single office of WMS. Thus, ensuring 164 offices of WMS in all the districts of Pakistan may cause a financial burden upon the country. Moreover, there are 9 districts from which no complaints have been received by the WMS. Thus, Advisor from Wafaqi Mohtasib Secretariat suggested to establish the office on need-basis and upon request.

5. Acting Secretary of WMS, also informed that their online portal and a mobile application has been developed, where almost 40% of the complaints per year are received. In addition to that, the envisaging of establishment of such regional offices in all the districts of country will be equal to the four times of the Annual Budget of the WMS.

6. In view of the discussion, The Mover Senator Mohammad Abdul Qadir withdraw the Constitutional Amendment Bill on Establishment of the Office of Wafaqi Mohtasib (Ombudsman) (Amendment) Bill, 2022 (Amendment of Article 2 & 9, Order I of 1983). The Committee unanimously decided to dispose-off the bill and not to further deliberate on the bill. However, the Chairman Committee directed the WMS to strengthen their public outreach through online framework by enhancing their efforts in dissemination of such online portal among the masses. Furthermore, it was also recommended that the WMS will be establishing more regional offices upon request received from any authority, and assessing the requirement on technical grounds.

7. The Committee disposed of agenda item after the withdrawal of bill by Mover Senator Mohammad Abdul Qadir and recommended report to the House. Copy of the Bill is (Attached as annexure-A).


(MIR SHAI MAZAR BALOCH)
DG/Secretary Committee


(SENATOR SYED ALI ZAFAR)
Chairman
Senate Standing Committee on Law and Justice

AS
[TO BE INTRODUCED IN THE SENATE]

A
BILL

*Further to amend the Establishment of the Office of Wafaqi Mohtasib
(Ombudsman) Order, 1983*

WHEREAS it is expedient further to amend the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983 (I of 1983), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) (Amendment) Act, 2022

(2) It shall come into force at once.

2. Amendment of Article 2, Order 1 of 1983.- In the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983 (I of 1983), hereinafter referred to the said Order, in Article 2, after clause (1), the following new clause shall be inserted, namely:-

"(1a) "District Mohtasib office" means the office set up under Article 9(4);"

3. Amendment of Article 9, Order 1 of 1983.- In the said Order, in Article 9, for clause (4), the following shall be substituted, namely:-

"(4) The Mohtasib shall set up District Mohtasib offices in every district, all across Pakistan."

STATEMENT OF OBJECTS AND REASONS

Ombudsman has the power to undertake an investigation into any allegation of mal-administration filed by an aggrieved person, on part of any agency or any of its officers or employees and thereafter to pass an order to redress the grievance. Wafaqi Mohtasib, under the Establishment of the Office of Wafaqi Mohtasib (Ombudsman) Order, 1983, is established to provide relief to the people aggrieved by mal-administration of Federal agencies throughout Pakistan. However, while providing the jurisdiction clause vide Article 9 of the Order, it has been made discretionary for the Mohtasib, to establish regional offices of Wafaqi Mohtasib, that may lead to administrative glitch for the provision of justice. This amendment aims at providing mandatory clause regarding establishment of the regional/district offices of Wafaqi Mohtasib, throughout Pakistan, to meet the needs of people and expedite the provision of relief.

**SENATOR MOHAMMAD ABDUL QADIR
SENATOR PRINCE AHMED UMER AHMEDZAI
MEMBERS- IN-CHARGE**