

Minutes of Meetings
M/F

WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT
ISLAMABAD.

No.18 (1) WMS/Coord/2017

Islamabad the, 25th April, 2017

Subject: MINUTES OF THE MEETING HELD ON 24.04.2017 REGARDING THE COMPLAINTS PERTAINING TO GAS AND ELECTRICITY

The minutes of the meeting, duly approved by the Honourable Wafaqi Mohtasib, on the subject cited above are circulated herewith for information and further necessary action, please.

Aijaz Hussain Lone
(Aijaz Hussain Lone)
Director General (Co-ordination)

Distribution:

1. All concerned officers in WMS, Islamabad.
2. All Regional Heads.

Copy for information to:

1. P.S. to HWM.
2. P.S. to Secretary WMS
3. A.P.S. to Senior Advisor/NCC
4. A.P.S. to A.S. (Co-ordination)
5. P.S to A.S. (Admn)

Suppostant
Mr. Wajid
(i) P. file
(ii) copy to all
Admn in
Islamabad
email to all
Admn in
country
(iii) My website
In 25/4

7/18
25/4/17

MINUTES OF THE MEETING HELD ON 24TH APRIL, 2017 REGARDING THE COMPLAINTS PERTAINING TO GAS AND ELECTRICITY.

A meeting was held on 24.04.2017 at 1500 hours in the conference room of the WMS under the chairmanship of the HWM to consider the position regarding the President's Secretariat advice against dealing with the complaints pertaining to gas and electricity except in restricted cases of mal-administration.

2. At the very outset, the HWM stated that issuance of findings against the complaints pertaining to gas and electricity was suspended in the wake of the President's Secretariat advice that the Wafaqi Mohtasib should not deal with such complaints except in restricted cases of mal-administration. He further stated that a response from the President's Secretariat to the reference made in this context is still awaited despite follow up at the level of the Secretary WMS as well as Senior Advisors. Meanwhile, such complaints are piling up and, resultantly, the poor complainants are suffering.

3. Sr. Advisor (Law) responded that he has submitted legal opinion supported by the order of DB of Lahore High Court, and an opinion by the Ministry of Law and Justice reaffirming unequivocally the established practice ever since the office of Wafaqi Mohtasib was created that Wafaqi Mohtasib has jurisdiction in complaints against federal agencies alleging maladministration, and to recommend redressal where the representative of the agency accepts maladministration in response to the proceedings or/and when maladministration is established as a result of proceedings. He informed that he had consulted Hon`ble Mr. Wasim Sajjad, former Minister for Law and Justice who has furnished written opinion confirming the above position.

4. Advisors including Advisors (Law) and Consultants (Law) attending the meeting or on video conferencing or skype unanimously supported the views expressed by Sr. Advisor (Law) and urged HWM to resume approval of vetted findings, to alleviate the suffering of vulnerable complainants at the hands of electricity and gas agencies. Member, Karachi Regional Office drew attention to massive protests in Karachi against maladministration in

billing by K-Electric. He informed that K-Electric which had moved against WMS jurisdiction in the High Court of Sindh withdrew the writ petition when citizen for approached the High Court to plead against the petition on legal grounds.

5. Advisors in the Head Office and Regions stated that they had long quasi- judicial experience and in some cases legal background, and they believed that President's Secretariat orders on individual representations on specific facts were not binding on WMS and do not affect the legal jurisdiction as envisaged and provided by virtue of 1983 order and 2013 Law, and as exercised in the last 35 years by Ombudsmen including former Hon'ble Chief Justice of Pakistan, several Hon'ble Judges of the Supreme Court and former Chief Justice of Lahore High Court who served as Hon'ble Wafaqi Mohtasibs.

6. HWM desired that written opinion of Advisors etc. may be submitted to him by Thursday to enable him, Secretary WMS and Senior Advisors to take decision in the matter. He said he was aware of the agony of more than 11000 complainants whose complaints were pending in WMS at present, and the protests that some of them are lodging in the Head Office and Regional Offices. However, he would like to act according to Law in force.

7. Some other administrative issues were also considered in the matter and the following decisions were taken:

- a) The Regional Offices at Karachi and Lahore should be provided biometric facility which should be operationalized within 7 days. The said offices should send daily report of attendance to the WMS.
- b) The WMS Head Office as well as all Regional Offices should ensure that all pending cases beyond the prescribed timeline of 45 days are cleared within 3 days. The progress will be reviewed at the time of renewal of contract of Advisors.

The meeting ended with a vote of thanks to and from the Chair.

LIST OF PARTICIPANTS

1. Mr. Iftikhar Babar, Secretary
2. Mr. Ejaz Ahmed Qureshi, Sr. Advisor
3. Mr. Imtiaz Inayat Elahi, Senior Advisor
4. Raja Raza Arshad, Sr. Advisor
5. Mr. S. M. Tahir, Sr. Advisor
6. Mr. Muhammad Ayub Khan Tarin, Sr. Advisor
7. Mrs. Farah Tarin, Sr. Advisor
8. Ms. Nuzrat Bashir, Sr. Advisor
9. Mr. Zafarullah Khan, Sr. Advisor
10. Hafiz Ahsaan Khokhar, Sr. Advisor
11. Mr. Abdul Hameed Sr. Advisor
12. MR. Jaweed Akhtar, Sr. Advisor
13. Hafiz Ziauddin, Advisor
14. Mr. Tarique Imam, Advisor
15. Mr. Shah Mahboob Alam, Advisor
16. Mr. Naimatullah Abid, Advisor
17. Mr. Shahid Humayun, Advisor
18. Dr. Fayyaz Ranjah, Advisor
19. Dr. Rania, Advisor
20. Syed Qamar Mustafa Shah, Associate Advisor
21. Mr. Muhammad Ashfaq Ahmed Khan, D.G.
22. Mir. Muhammad Amir Sial, Addl Secretary
23. Mr. Mushtaq Ahmed Shaikh, Addl Secretary
24. Mr. Ejaz Ahmed Lone D.G. (Coord)
25. Dr. Fazle Maula, Director
26. Mr. Saqib Khan, Consultant
27. Col. (R) Iqbal Qureshi, Consultant
28. Ms. Zariyab Mussarat, Deputy Director
29. Syed Nabil Shah Gilani, DCO
30. Mr. Sohail Phatak, MIS Expert
31. Mr. Javed Chaudhry, Media Coordinator
32. Mr. Khalid Sial, PRO