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COMMITTED TO PROVIDE INEXPENSIVE AND
PROMPT JUSTICE TO THE PEOPLE OF SINDH

PROVINCIAL OMBUDSMAN SINDH NEWSLETTER

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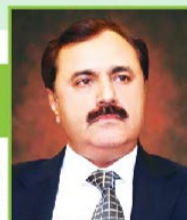
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PROFILE OF HONOURABLE OMBUDSMAN SINDH, MR. AJAZ ALI KHAN



Mr. Ajaz Ali Khan became the 6th Provincial Ombudsman for the province of Sindh, Pakistan, he was sworn in by the Honorable Governor of Sindh on 24-02-2020 at Karachi. He has been a career Civil Servant and has served in different provinces of the country besides at the Federal Capital i.e. Islamabad.

Mr. Ajaz Ali Khan joined the Civil Service of Pakistan after qualifying Central Superior Services Examination (CSS) in the year 1982. During his long career he has served in various positions in the field as well as secretariat; starting from Assistant Commissioner/Sub Divisional Magistrate, to Deputy Commissioner/District Magistrate, to Secretary and Additional Chief Secretary in the Provincial Government, and rose to positions in the Federal Government as Federal Additional Secretary and Federal Secretary before retiring in the year 2017.

During these long years Mr. Khan had the distinction of heading many Provincial Government Departments including Energy, Mining, Food, Agriculture, Planning & Development (as Additional Chief Secretary), etc. and in the Federal Government he served as Additional Secretary to the Federal Ombudsman, Additional Secretary Ministry of Water and Power, and Executive Director of the State Owned Premier Insurance Company viz. State Life Insurance Corporation, and on promotion as Federal Secretary, Ministry of Narcotics Control.

Besides the above, Mr. Khan also served on the Boards of various companies such as Hubco Power Company, Security Papers Limited, Sindh Engro Coal Mining Company, Lakhra Coal Development Company Limited, etc.

Mr. Khan also served as the Managing Director of the Thar Coal Energy Board which paved the way for the first ever mining and power generation project based on indigenous. Thar coal which brings in huge import substitution and savings for the country and revenues for the province, besides providing base load energy for the energy starved country.

During his stint with the Federal Ministry of Water and Power Mr. Khan was instrumental in reviving and expediting the CASA-1000 Project which will bring in clean and green energy from Central Asian states of Tajikistan and Kyrgyzstan to Pakistan via Afghanistan; besides this Project is expected to open up new avenues of trade and cultural interaction between South Asia and Central Asia. Similarly, Mr. Khan played a key role in expediting Dasu Hydropower Project to overcome the acute power shortages faced by the country.

Post retirement Mr. Khan joined M/s. Alpha Insurance Company as its Managing Director and CEO, thereafter, he joined the Sindh Public Service Commission (SPSC) as its Member, before being sworn in for the current assignment.

Mr. Khan has done his graduation in Commerce from University of Karachi, and Masters in Public Administration from the Arkansas State University, Jonesboro, USA. He has travelled widely on official assignments, and also has had the privilege of leading Pakistan Delegation to various countries on multiple occasions.

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OMBUDSMAN ACT AT A GLANCE

Since its establishment in 1991 Sindh Ombudsman has been providing expeditious and inexpensive administrative justice to the people against mal-administration.

The aims and objects of establishing the office of the Sindh Provincial Ombudsman (Mohtasib) have been clearly described in the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991. The Provincial Ombudsman is mandated to diagnose, investigate, redress and rectify any injustice done to a person through mal-administration committed by a Provincial Government Department / Agency.

It may be clearly understood that the primary objective of this Institution is to introduce the system of accountability and to effectively take care of the complaints arising out of the mal-administration and rectify the wrong done to the aggrieved citizens.

The role of the Ombudsman Sindh is to look into and provide relief against all unreasonable, unjust, arbitrary, biased and malafide actions of government functionaries, efforts are directed towards narrowing areas of discontent and frustration of the members of the society who are being denied their due and legitimate right. The Sindh Ombudsman's Act 1991 has therefore vested in the Ombudsman powers to meet the situation and his functions and powers have been clearly defined in the said Act.

The Ombudsman Sindh enjoys powers to deal with almost all administrative ills, with the exception of service matters of employees of the Government Agencies, as well as, matters which are "subjudice" in a Court of Law. But here again delay in dealing with the legitimate grievance of an employee resulting into serious hardship may attract attention of the Ombudsman to the extent of ensuring early disposal. It cannot be denied that delay is evidently a symptom and manifestation of mal-administration.

The Act provides that failure on the part of the Agency to comply with the Ombudsman's recommendations / directions would constitute "Defiance" which leads to referral to the Chief Minister for appropriate action.

The Ombudsman may also in a case of non-implementation make a report against the Government functionaries responsible and this will form part of his personal record and the character roll.

This unique statutory provision is quite effective in case of government functionaries.

The Ombudsman is vested with same powers as are vested in Civil Courts under the Code of Civil Procedure. Accordingly, he can summon, enforce the attendance of any person, and examine him on oath. He can compel any Agency to produce documents, relevant record, receive evidence on affidavit and issue commissions for examination of witness.

He can also direct any of his officers to inspect any premises, impound documents relating to any subject under investigation. No Agency can avoid production of any document if so required during the investigation, except sensitive matters related to the Defence of Pakistan. The Ombudsman also enjoys the same powers as vested to higher courts to punish any person for its contempt. In order to meet the ends of justice, the Ombudsman is vested with powers to award compensation to any aggrieved person for any loss or damage suffered by him on account of any mal-administration, committed by any Provincial Government Agency or functionaries working thereunder.

This institution should perform its function for protecting individuals against mal-administration of public authority without being influenced by the executive in an atmosphere of confidentiality and impartiality and should not receive any direction from any public authority and function independently. Adherence to the principle enshrined in the Ombudsman Act has earned the confidence of the common man being the ultimate beneficiary.

PERFORMANCE

The office of Provincial Ombudsman Sindh came in existence in the year 1991 and since its inception 2,04,821 complaints were received up-to June, 2021, out of which 67,713 were admitted for investigation under Section 10 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up-to-date). During this period Decisions passed in 60,925 complaints, out of which relief provided in 37,570 cases. The remaining were disposed of either on account of non-prosecution or being not proved.

During last one decade i.e. from January, 2011 to December, 2020, total 63,322 fresh complaints were received against which 26,089 complaints were admitted for detailed investigation, whereas the

remaining were either disposed of in *limini* or forwarded to concerned Government Departments for necessary action as per law. Besides, the complaints pertaining to Federal Government Agencies were forwarded to Wafaqi Mohtasib and other offices of Ombudsmen for want of jurisdiction.

During this period of one decade, 26,860 (including the cases of previous years) complaints were decided out of which relief provided to 15,306 complainants.

Mr. Ajaz Ali Khan, Honourable Ombudsman Sindh resumed the office of Provincial Ombudsman Sindh on 25.02.2020 and immediately issued directives for prompt disposal of the old pending cases.

For the purpose, His Honour assigned the task to four senior officers of the Secretariat i.e. Mr. Abid Shaikh, Advisor, Mr. Muhammad Naseer Jamali, Advisor, Mr. Zameer Ahmed Khan, Advisor and Mr. Masood Ishrat, Registrar, for scrutiny and submission of draft findings / decisions for disposal of the old cases.

During this period i.e. January, 2020 to June, 2021, total 9,512 fresh complaints were received out of which, 2,187 were admitted for detailed investigation whereas 13,942 cases (including old cases recommended by the above mentioned officers) were decided during this short span of time. The Relief was provided to 4,591 complainants during this period.

During last one and half years, the Honourable Ombudsman in exercise of powers vested in him under sub-section (1) of Section 9 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up-to-date), took cognizance of following four matters at his own motion i.e. Suo-Moto and assigned the investigations to concerned officers for prompt action:

1. Closure of Primary School Solangi village, District Hyderabad.
2. Overflowing of sewerage from gutters, completely destroyed the streets of Mirza locality in Hyderabad – (News item appeared in Daily DAWN dated 21.12.2020.)
3. Letter to Editor by Dr. Batool Qadri regarding worst

condition of sanitation in Qadri Mohalla, and Raisham Gali, Larkana.

4. Broken / open rain drains / sewerage drainages in Gulistan-e-Jauhar, Karachi, causing problems to residents, etc.

AN INTERNATIONAL WEBINAR ON UNITED NATION'S RESOLUTION ON THE "ROLE OF OMBUDSMAN AND MEDIATOR INSTITUTIONS IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, GOOD GOVERNANCE AND THE RULE OF LAW" AND COUNCIL OF EUROPE STANDARDS, HELD ON APRIL 7TH, 2021.

Ms. Rehana G. Ali Memon, Consultant attended the Webinar. It was informed that the United Nations Resolution on Ombudsman and Mediator institutions was adopted by the UN General Assembly on 16 December 2020 by following the Venice Principles adopted in March, 2019. The resolution represents a strong endorsement of the key principles of Ombudsman institutions, including independence, objectivity, transparency, fairness and impartiality. It is an important further step in securing worldwide recognition for the work of Ombudsman institutions in promoting good administration, human rights, good governance and the rule of law.



On complaint from local community regarding delay in construction of school building, Regional Director Provincial Ombudsman Sindh, Shaheed Benazirabad visited the Govt. Boys Lower Secondary School Soomar Khan Korai and directed the concerned authorities to expedite the construction work.

ACCOUNTANT GENERAL SINDH TO HOLD OPEN KATCHEHRIES TO RESOLVE THE ISSUES OF PENSIONERS.

Mr. Ajaz Ali Khan, Honourable Ombudsman Sindh observed that one of the major causes of delay in grant of pension to retired employees or family pension to legal heirs of a deceased employee is the cumbersome procedure and documentation for the purpose.

Keeping in view the same Hon'ble Ombudsman Sindh called the A.G. Sindh, Karachi, to discuss the issue and to simplify the procedure to avoid delay in pension cases.

Mr. Sajjad Hyder, Accountant General Sindh accompanied with his concerned officers attended the meeting chaired by Honourable Ombudsman Sindh who was assisted by the Secretary, Advisor-K, Consultant Legal and the Registrar, Secretariat Provincial Ombudsman Sindh.

The A.G. Sindh briefed the participants about the procedure, rules, policies and steps taken to curb the problems being faced by the retired government servants and families of deceased employees. He emphasized that the office of A.G.Sindh is only disbursing authority whereas administrative departments of Government of Sindh are the

sanctioning authority and the major problem is delayed in receipt of pension papers from the concerned departments. He highlighted that from last year or so payment of Anticipatory Pension @ 65% is being paid to retired employees from very next month in Karachi Region as well as some districts of the Province.

After detailed deliberation, it was agreed by the Accountant General Sindh to take initiatives for integration of their system with NADRA to use the facility of biometric and to get access to information about legal heirs of a deceased employee.

It was also decided that the lists of the employees going to retire should be sent to the administrative secretaries of the departments and in case where considerable delay in forwarding the pension papers is noticed, the same would be brought to the notice of Chief Secretary, Sindh.

It was also decided that A.G. Sindh will hold "Open Katchehry" in his office whereas District Accounts Officers will hold such katchehries in their respective offices in presence of Regional Director of Provincial Ombudsman Office, to facilitate and extend help in redressal of grievances of the pensioners.

It was also agreed that such meetings would be held regularly to discuss the issues to reduce the complaints about delay in grant and payment of pensionary benefits.



Mr. Sajjad Hyder, Accountant General Sindh and his team members attended the meeting held in the Ombudsman Office under the chairmanship of Honourable Ombudsman Sindh Mr. Ajaz Ali Khan to discuss and find the ways to simplify the procedure for payment of pension and service dues. Officers of both the offices are also seen in the picture.

TRAINING ON THE ROLE OF OMBUDSMAN IN PROTECTING THE RIGHTS OF PERSONS WITH DISABILITIES.

Ms. Rehana G. Ali Memon, Consultant attended the training. The training highlighted the

needed care and attention needed by persons with disabilities and the Role of ombudsman Institution in the protection of rights of persons with disabilities mainly through International convention related to Human Rights and disabled people.

EIGHT WAYS OMBUDSMAN INSTITUTES CAN CONTRIBUTE TO THE SDGS.

The Honorable Ombudsman urged his Investigation Officers (IOs) to adopt following eight ways, identified by IOI individual member, Maaik de Langen, published in IOI newsletters, in dealing with Complaints:

1. Contribute to closing the global justice gap;
2. Support the shift to people- centred justice;
3. Focus on those furthest behind;
4. Use the SDGs as a normative framework in their assessment of complaints;
5. Use the SDGs to prioritize topics for investigation;
6. Provide input to their country's Voluntary National Review;
7. Integrate the SDGs in their own organization;
8. Publish the world's first Voluntary Ombuds Review (VOR).

DIRECTIVES TO SECRETARY TO GOVERNMENT OF SINDH, HEALTH DEPARTMENT, FOR PROTECTIVE MEASURES TO PREVENT THE SPREAD OF WAVES OF COVID-19.

Keeping in view of outbreak of pandemic of COVID-19, Honourable Ombudsman, Sindh in exercise of powers vested under the provisions of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (Amended up-to-date) directed the Secretary to Government of Sindh, Health Department, to ensure wide circulation of steps and measures taken to minimize the effect of current wave of Covid-19 for awareness of general public, employees of Government as well as other formal and informal sectors.

It has also been directed to issue directions to all the Medical Superintendents of the Hospitals working under the administrative control of Health Department, for ensuring availability of all the required medicines / treatments for COVID patients in addition to creating separate desks to facilitate the general public.

Honourable Ombudsman, has further directed that a comprehensive campaign should also be

chalked out for screening of the Provincial Government Employees especially those of old age and vulnerable for the safety of rest.

In compliance of the directives the concerned officers submitted their respective reports indicating the measures taken and efforts made in the matter.

SECRETARY TO GOVERNMENT OF SINDH, SCHOOL EDUCATION & LITERACY DEPARTMENT, HAS BEEN DIRECTED TO IMPROVE CONDITION OF GOVERNMENT BOYS HIGHER SECONDARY SCHOOL, BHIRIA CITY.

Honourable Ombudsman Sindh received information about poor condition and non-functioning of Government Boys Higher Secondary School, Bhiria City.

Honourable Ombudsman deputed Mr. Riaz-ul-Hassan Memon, Regional Director, Provincial Ombudsman's Regional Office, Naushahro Feroze, to conduct site visit and submit report in the matter.

Regional Director, Naushahro Feroze submitted his report indicating that the building of the school was in deplorable condition and without furniture, electric fans and equipment for teaching / non-teaching staff. It was also reported that only few classes of secondary school level were operative whereas the higher secondary classes were not functional.

Honourable Ombudsman, Sindh directed the Secretary, School Education and Literacy Department, Government of Sindh, Karachi, to take appropriate action in the matter and report outcome of the exercise.

After persuasion, Executive Engineer, Education Works Division, Naushahro Feroze, submitted Rough Cost Estimate for Government Boys Higher Secondary School, Bhiria City, District Naushahro Feroze, for approval of the competent authority.

RESEARCH STUDY ON “ISSUES OF GIRLS’ EDUCATION IN SINDH”

The Provincial Ombudsman Sindh carried out a research study on “Issues of Girls’ Education in Sindh” through Sindh Education Foundation (SEF) in October 2020 with International Ombudsman Institutions (IOI), subsidy. The broad objectives of the research were to Identify key policy level issues causing deterioration of girls’ education in Sindh and to give key recommendations for improving access to education for girls in Sindh.

The research carried out, in three months was the mix of desk research and key informant interviews (KIIS) with key stakeholders associated with education sector and the main findings were that the Socio-Cultural, Political and Religious norms of the society, have a negative impact on women’ position and their identity in the society;



The poor quality of education in Sindh widens the gap between girls’ enrolment and retention rate in primary and secondary schools; lack of female teacher and functional private and secure wash rooms, drinking water and the boundary wall are major reasons which hinder girls from attending schools.

The main recommendation were to review the existing policies from a gender perspective Community awareness / campaigns through workshops at local level on regular basis on the importance of girls’ education and the benefits it brings to the family and society as a whole; strengthening of monitoring mechanism; priority shall be given to up-gradation and consolidation of Primary schools into Elementary / Secondary schools; provision of adequate facilities and competent female teachers and School Management Committee should be activated with female leaders.

*Mr. Abdul Kabir Kazi,
Managing Director, Sindh Education
Foundation (SEF) presented report and
multimedia presentation in connection
with study about Girls’ Education in Sindh,
carried out on request of Honourable
Ombudsman, Sindh.*

DIRECTIVES ISSUED TO INSPECTOR GENERAL OF PRISONS, SINDH, FOR TAKING SAFETY MEASURES TO PROTECT THE PRISONERS.

Keeping in view of outbreak of pandemic of COVID-19, Honourable Ombudsman Sindh in exercise of powers vested under the provisions of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (Amended up-to-date) directed the Inspector General of Prisons, Sindh, to issue directions to all the Superintendents of Prisons of the Province of Sindh to immediately take all safety measures to protect the inmates from the looming threat of pandemic of COVID-19 in jails.

It was also directed that emergency plan to segregate the old age and the sick prisoners who are

more susceptible under the situation may immediately be evolved to ensure the safety of the rest.

It was further directed that medical facilities towards all inmates and the staff posted therein be enhanced and ensured 24/7 basis.

The concerned Jail Superintendents submitted their separate reports indicating the measures taken for the safety of the prisoners and staff.

Honourable Ombudsman Sindh again directed the I. G. Prison, Sindh, to ensure all the safety measures to protect the old-aged and ailing prisoners and also to ensure provision and wearing of “MASKS” by all the prisoners in addition to precautionary measures circulated time and again by Home Department, Government of Sindh.

CHILDREN'S COMPLAINT OFFICE, PROVINCIAL OMBUDSMAN SINDH.

Keeping in view Constitution of Pakistan in its Article 35 states that the state shall protect the.....Child, and as a signatory of the United Nations Convention on the Right of the Child (UNCRC). Ombudsman Sindh Secretariat in collaboration with UNICEF has established Children's Complaint Office (CCO) in 2009.

UNICEF had provided financial and technical support to CCO from 2009 to 2014 and later this initiative was sustained by the POS till date.

OBJECTIVES

The CCO-POS aims to create a Child protective environment by combating corruption and abuse in the treatment of Children by public bodies. A platform for addressing child right issues through Research, Advocacy and Engagement with Children and stakeholders to enable the POS to advise the Provincial Government on issues which impact Rights of Children.

ACTIVITIES CONDUCTED

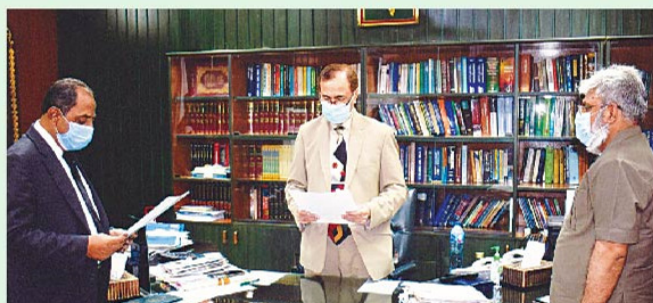
Awareness raising activities, Seminar, workshops, IEC material, networking and coordination, capacity building activities on UNCRC and investigation of Child complaint's for Investigation Officers have been conducted.

FUTURE PLANS

Communication Campaign for awareness raising on Child Rights and promotion to increase reporting of child related complaints, Establishment of Case Management System, Capacity building of Investigation Officers on new laws and amendments in the existing legislations related to children, Evidence based research on prevalence of violence, abuse and exploitation of children, Stakeholder engagement and dialogue on Children's Rights, Coordination and Monitoring visits to Regional Offices. UNICEF Sindh is also consented to support the above activities.



Mr. Muhammad Ali Shah, Senior Fellow CCO attended TOT on "Psychosocial First AID and Child Protection to Response Covid-19 Pandemic" organized by UNICEF and Health Department Sindh.



Honourable Ombudsman administered Oath from newly appointed Consultant / Regional Director Jacobabad Mr. Zahid Hussain



Honourable Ombudsman Sindh attended the condolence meeting on the sad demise of Regional Director Mr. Zulqurnain Abro. Officers Offered "Dua Fatiha"

The Nation

29 APR 2021

Ombudsman directs WASA to ensure water supply to Hyderabad localities

OUR STAFF REPORTER
KARACHI

Ombudsman Sindh Aijaz Ali Khan while disposing of two separate complaints has directed the Managing Director (MD), WASA, Hyderabad, to ensure regular supply of potable water to the residents of Masoodia Colony, Jural Shah Colony and residents of street No 4 Islam Nagar.

According to a handout issued on Wednesday, two separate complaints were filed before the Ombudsman Sindh by M/s Ghulam Hussain Shaikh and Amceruddin and others for non-supply of potable water in their respective areas. The complaints were admitted and assigned to Regional Director, Provincial Ombudsman's Regional Office, Hyderabad, who took up the matter with the authorities concerned in WASA Hyderabad and heard the parties.

During the proceedings, the Executive Engineer concerned reported that the grievances of the complainants had been redressed. The complainants in both the cases while confirming about water supply at present requested for directives to the authorities to ensure regular supply in the future. The Ombudsman Sindh has expressed his satisfaction that after his intervention, the residents of Masoodia Colony, Jural Shah Colony and street No 4 of Islam Nagar Hyderabad are getting regular supply of water and also instructed the Managing Director WASA Hyderabad to ensure regular supply of water as per undertaking submitted during proceedings.

THE NEWS

Monday March 29, 2021

Ombudsman expresses concern over delay in family pension cases

By our correspondent

Provincial Ombudsman Sindh Aijaz Ali Khan has expressed concerns over inordinate delay in the grant of family pensions to the legal heirs of deceased government employees by the office of the Accountant General (AG) Sindh.

A 70-year-old woman, Sahab Bibi, had filed a complaint on June 8, 2015, in the ombudsman's office about delay in the grant of family pension in respect of her unmarried brother who died in October, 2013.

The matter was taken up with the office of the AG Sindh and it took them three years to locate her pension

papers as there was also a long list of pre-requisites to be fulfilled by the complainant.

The complaint was made by her not once but twice and the procedure was so cumbersome that it took her two years to complete all the formalities. Finally, with constant persuasion and concerted efforts of the institution of the ombudsman, she was able to get the monthly pension along with all the consequential dues in January 2021, after five years.

Due to this, the provincial ombudsman has called on the AG Sindh to review the entire procedure of the grant of family pension.

The Nation

18 JUNE 2021

Widow gets pension after 18 years

OUR STAFF REPORTER
KARACHI

On Provincial Ombudsman's intervention widow of a policeman got pension after 18 years of the death of constable Hussain Bux. Sindh Ombudsman secretariat received a complaint filed by Mst Bhirai widow of police constable Hussain Bux in March 2018 stating that pension benefits were not allowed to her on the grounds that her husband had less than 10 years qualified service.

Hussain Bux was appointed

as police constable on 11-02-1991 and died during service on 21-03-2000. The Provincial Ombudsman Sindh Aijaz Ali Khan admitted the complaint and took it up with concerned authorities including Sindh Home Secretary and a case for condoning deficient period of 10 months and 20 days in qualifying service was submitted so that the widow could avail the pension benefits. With approval of the Finance Department concerned District Accounts Officer Hyderabad confirmed the payment to widow.

DAWN

26 May 2021

Ombudsman resolves issue of water supply to village

KARACHI: Sindh Ombudsman Aijaz Ali Khan has expressed his satisfaction over resolving the issue of repairing a damaged water pipeline of Deh 108, opposite Noor CNG Mirpurkhas, on his intervention.

A man named Faisal Mukhtar filed a complaint in January 2021 with the ombudsman office, saying there had been an inordinate delay of five to six years in repairing the damaged water pipeline by the officials of the public health engineering department despite repeated approaches. As a result people had been facing problems due to regular interruptions in the supply of water, said a statement issued here on Tuesday.

The complaint was admitted and assigned to regional director, Provincial Ombudsman Regional Office Mirpurkhas, who took up the matter with the authorities and heard the parties.

The executive engineer concerned reported that the damaged water pipeline of the area had been repaired and matter stood resolved.

The complainant thanked the ombudsman for providing assistance in resolving the long-pending issue of the area.—APP

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Ms. Rehana G. Memon, Consultant
Mr. Muhammad Zafar, Assistant Director
Mr. Muhammad Ali Shah, Senior Fellow
Mr. Zeshan Owaisi, Computer Operator