



5/11/2024-Admin
No.

**SECRETARIAT
PROVINCIAL OMBUDSMAN (MOHTASHIR)
SINDH**
Shahrah-e-Kamal Atatürk, Opp: Sindh Secretariat, Karachi

Karachi, dated the: 27-11-2024

NOTIFICATION

In exercise of powers vested with him under Sub Section (11) of Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh (Amendment) Act, 2020, the Honourable Ombudsman Sindh has been pleased to approve and notify "The Ombudsman Sindh's (Investigation and Disposal of Complaints) Regulations, 2024". This will come into force with immediate effect.

BY ORDER OF THE HONOURABLE OMBUDSMAN SINDH.

Sd/-
(SYED MANSOOR ABBAS RIZVI)
SECRETARY

Copy for information to:-

1. All Advisor / Consultant at Headquarter, _____.
2. All Regional Director, Regional Office, _____.
- ✓ 3. The Registrar, Secretariat Provincial Ombudsman Sindh, Karachi.
4. All Officers concerned _____.
5. The Dy. Registrar / Registrar, POS _____.
6. The Superintendent Printing Press, Govt. of Sindh Karachi with the request to publish the same in the next issue of Sindh Govt. Gazette.
7. The Sr. P.S to Hon'ble Ombudsman Sindh.
8. The Sr. P.S to Secretary, POS.
9. Office order file.

Siddiqui
27/11/2024
(OZAIR AHMED SIDDIQUI)
DIRECTOR (ADMN)



OFFICE OF THE OMBUDSMAN SINDH

The Ombudsman Sindh's (INVESTIGATION AND DISPOSAL OF COMPLAINTS)
REGULATIONS, 2024



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OFFICE OF THE OMBUDSMAN, SINDH
KARACHI.

In exercise of the powers conferred by Section 10 (11) of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991(as amended up to 2020) the Ombudsman Sindh is pleased to notify the following regulations, namely:—

CHAPTER-I
PRELIMINARY



1. **Short title and commencement** — (i) These Regulations may be called the Ombudsman Sindh's (Investigation and Disposal of Complaints) Regulations, 2024.
(2) They shall come into force with immediate effect.

2. **Definitions.** — (i) In these Regulations, unless there is anything repugnant in the subject or context,

- (a) "Act" means the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991(amended up to 2020);
- (b) "Authorized Officer" means an Advisor; Consultant; Registrar, Regional Director or any other officer authorized by the Ombudsman for attending to complaints as provided under the Act;
- (c) "Complaint" means a grievance received for disposal under the Act;
- (d) "Disposal" means the conduct of investigation, redressal or dismissal of a complaint filed under the Act;
- (e) "Investigation" means inquiry into allegations made in a complaint;
- (f) "Implementation Officer" means an authorized officer notified for facilitating implementation of Decisions; and
- (g) Mode of communication means transmission of information and correspondence through post, e-mail, SMS, phone, courier, dispatch rider and newspapers;
- (h) "Party" means the complainant, Agency or any other concerned person.
- (i) "Principal Officer" means the Head of the Agency or the concerned officer or an officer authorized by the Agency to respond to the allegations made in the complaint receive the notice for submission of reports.
- (j) "Preliminary Examination" means scrutiny of complaints by authorized officer to ascertain the admissibility of complaints;
- (k) "Record Room" means the premises notified by the Ombudsman for consignment of record;
- (l) "Regional Offices" means the Regional Offices established at Divisional or District level or any other place under the Act;
- (m) "Registrar" means Registrar of the Office and includes Deputy Registrars, Assistant Registrars or any other officer authorized to perform functions of the Registrar;
- (n) "Registry" means an office at the Headquarters at Karachi or at the Regional Offices where the complaints are presented or received;

(o) "Sections" means a Section of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991;

(p) "Secretariat" means the Headquarters of the office of the Ombudsman at Karachi;

(q) "Secretary" means the Secretary of the Secretariat of Provincial Office of the Ombudsman at Principal Office Karachi.

(ii) All other terms and expressions used in these regulations but not defined herein before shall have the same meanings as have been assigned to them in the Act, 1991.

CHAPTER-II PROCEDURE FOR REGISTRATION OF COMPLAINTS

3. **Presentation of complaints.** — (i) A complaint in English, Urdu or Sindhi may be presented at the Head Office or any of the Regional Offices by the complainant personally or through his authorized representative or may be sent by post, courier service, e-mail, online or any other means of communication.

(ii) The complaint can be presented in the Head Office or at the Regional Office as per jurisdiction specified in the schedule of these Regulations.

(iii) The complainant shall attach along with his complaint an Affidavit or solemn affirmation that—

(a) The allegations contained in the complaint are correct and true to the best of knowledge and belief of the complainant.

(b) Previously no complaint on the subject was filed before this office; and

(c) No suit, appeal, petition or any other judicial proceedings in connection with subject matter of the complaint, is pending before any court, tribunal or board.

4. **Examination by the Registrar.**— (i) The Registrar or the officers authorized in the Regional offices shall on receipt of the complaint ;

(a) Examine the complaint along with the documents attached thereto;

(b) Analyze main points of the complaint;

(c) Enter the main grievances on Form B; and

(d) Allot a registration number to the complaint on Complaint Management Information System (CMIS);

(e) Submit the complaints to the Ombudsman or the officers authorized for order regarding admissibility.

ii) If required, the Registrar or the authorized officers may seek further information or verifications of facts or documents from the complainant.

5. **Admission and rejection of complaints at preliminary stage.**— (i) Where the grievance of a complainant against an Agency prima facie amounts to mal-administration, and the complaint does not fall within the purview of clause (a), (b) or (c) of the proviso to Sub-Section (1) of Section 9 or Sub-Section (2) thereof or Sub-Section (2) or Sub-Section (3) of Section 10, the Ombudsman, the Registrar or any other Authorized Officer, as the case may be, may admit the complaint for investigation.



(ii) Provided further that where the complaint pertains to any of the Federal Ombudsmen or to the Ombudsman of other provinces, then, the same will be forwarded by the Registrar or officer authorized to the concerned Ombudsman under intimation to the complainant.

(iii) Provided further that Ombudsman or a member of the Staff may exercise his power under Section 33 to informally conciliate, amicably resolve, stipulate, settle or ameliorate any grievance without written memorandum and without the necessity of docketing any complaint or issuing any official notice.

(iv) Where the complaint is admitted under Sub-Regulation (1), the Registrar or the officer(s) authorized shall forward the same to the Investigating officer within three (3) days of its receipt.

(v) Where a complaint is declared in-admissible in limine, the Registrar or the authorized officer shall inform the complainant of the reasons for rejection of the complaint.

6. Presentation of complaints to Ombudsman and personal hearings. — (i) The Ombudsman may hold personal hearings at the time of presentation of complaints *or* on such dates and time as he may specify.

(ii) Where a complainant desires to present the complaint in person to the Ombudsman, he shall present it to the Registrar at the Head Office or the authorized officer at the Regional Office, before the time of hearing fixed by the Ombudsman under sub-regulation (1).

(iii) The Registrar shall record particulars of the complaint and place it before the Ombudsman for personal hearing of the complainant and further orders.

(iv) The orders of the Ombudsman made, under sub-regulation (3), on the complaints shall be recorded.

7. Complaints against staff. — Complaints against any officer or member of staff of the office of the Ombudsman shall be forwarded by the Registrar at the Head Office or by the authorized officer in the Regional office, as the case may be, to the Secretary for further action as per directions of the Ombudsman.

8. Preliminary processing of complaints not to be delayed. — (i) The Registrar or the authorized officer shall make every effort to ensure that the registration of complaints, their preliminary examination and forwarding to the Authorized Officer or Ombudsman is not delayed.

(ii) The Registrar or any authorized Officer (s) at the Head Office and the Regional Directors shall personally ensure speedy processing of complaints.

9. Statement of complaints. — The Registrar shall, by the tenth day of each month, submit to the Ombudsman, a statement relating to the institution and disposal of complaints for and upto the end of the preceding month.



CHAPTER-III

PROCEDURE FOR PROCESSING OF COMPLAINTS BY INVESTIGATING OFFICERS

10. Entrustment of complaints to Investigating Officers. — (i) For the purpose of investigation of the complaints, the Ombudsman may, by order in writing, generally or in a particular case, authorize any officer of the Office to exercise the powers under sub-Section (1) (2) and (3) of Section 14.

(ii) A complaint received in Head Office or any Regional Office against an Agency, not located within its territorial jurisdiction, shall be sent for investigation to the Regional Office or the Head Office of appropriate territorial jurisdiction:

Provided that the Ombudsman may direct that a complaint may be investigated by a particular Investigating Officer posted at the Head Office or any Regional Office.

11. **Process of Investigation.** — (i) The investigating officer shall be required to immediately examine the complaint (received by him under regulation-5) as to whether:-

(a) The complaint needs to be investigated; or

(b) A report of the Agency may be called; or

(c) The matter alleged in the complaint requires site inspection or inspection of record of the Agency or the hearing of the parties.

(ii) If the investigating officer finds by proper application of mind and keeping in view the law/rules of the agency and the circumstances leading to the complaint that this case may not be investigated for any of the reasons contained in the regulations. He shall submit his findings, recommending closure of complaint to the Ombudsman and after whose approval the complaint will be disposed of and the parties will be duly informed.

(iii) If the investigating officer finds that the complaint is not supported by Affidavit or the relevant documents or information he may inform the complainant to do so. If the complainant does not respond to the letter or furnish the required documents or information, further proceedings on the complaint may be closed with the approval of the Ombudsman and inform the complainant accordingly.

(iv) The Investigating officer shall call a report on the complaint from the concerned Agency (ies) within 07 days of the receipt the complaint, provided that in cases requiring immediate action or to avoid further maladministration, the report may be called through telephone, email or any other means of communication.

(v) The notice for submission of report under sub-Section (4) of Section 10 shall be addressed to the principal officer of the Agency or any officer authorized by the principal officer to receive the notice or to any other officer who has been complained against in the complaint.

(vi) With any such notice calling for a report from the Agency, a copy of the complaint or relevant extract of the complaint highlighting the grievances of the complainant along with all relevant documents shall be attached.

(vii) The Agency shall submit its report within seven (7) days from the receipt of notice; however, an extension of 07 days can be allowed by the authorized officer, if sought.

(viii) If the investigating officer feels that there is urgent need of spot inspection or inspection of documents or open hearing he may proceed accordingly.

12. **List of principal officers of the Agencies and their authorized officers.**— (i) The Authorized Officers at the Head Office and at Regional Offices shall maintain a list of principal officers of Agencies in consultation with the Agencies.

(ii) The **Registrar office** at the Head Office shall maintain a list of principal officers and their authorized officers, if any, throughout the Province.

(iii) The Investigating Officers shall bring to the notice of the authorized Officer and Registrar Office at the Head Office and officers-in-charge at the Regional Offices whenever any information is received



by them in respect of any change of the principal officer or the focal person of the Agency or his authorized officers.

13. Agency's report on allegations of the complainant.—(i) Where the Agency reports that the grievance of the complainant already stands redressed or relief has been provided to him on receipt of the complaint from Ombudsman Office, the complaint may be disposed of accordingly.

(ii) In a case where the Agency reports that for the relief sought the complainant was required to fulfill certain procedural requirements, the complainant shall be directed to complete such requirements and, if no information is received by the date fixed by the Investigating Officer, it shall be presumed that he does not intend to pursue the matter further and the complaint may be disposed of accordingly.

(iii) Where the Agency does not submit the report within the statutory period, the Investigating Officer shall within three (03) days after the due date, issue a notice to the Agency requiring it to depute an officer fully conversant with facts of the case to appear before him within seven (07) days on the date and time specified in the said notice along with complete record of the case and produce all such documents, including law, rules, regulations or instructions which he intends to rely upon to counter the allegations made in the complaint.

(iv) A copy of the notice, referred to in sub-regulation (3), shall also be sent to the complainant giving him the option to appear before the Investigating Officer on the date and time specified in the said notice and to produce all such documents which he intends to rely upon in support of his allegations made in the complaint.

14. Rejoinder and hearing of cases.—(i) Where the Agency, in its report, contests the allegations made by the complainant and the complaint can be resolved on the basis of available record, the Investigating Officer shall within 7 days of receipt of the report send it to the complainant to submit his rejoinder on or before the date of hearing. If the complainant fails to submit the rejoinder within the specified or extended period, the Investigating Officer shall dispose of the complaint on the basis of available record.

(ii) In other cases, if the Investigating Officer is of the view that hearing is required, he shall within 03 days of the receipt of report issue a notice to the Agency requiring it to depute an officer fully conversant with facts of the case to appear before him on the date and time specified in the said notice, with complete record of the case and to produce all documents, including law, rules, regulations or instructions, which he intends to rely upon for meeting the allegations made in the complaint.

(iii) A copy of the notice referred to in sub-regulation (2), shall also be sent to the complainant along with report of the Agency giving him the option either to send his rejoinder or appear before the Investigating Officer on the date and time specified in the said notice and to produce all said documents which he intends to rely upon in support of his allegations made in the complaint. Extension up to seven days may be given on request of either the complainant or the Agency where reasonable cause is shown.

(iv) Where the officer, referred to in sub-regulation (3) of regulation 14 and sub-regulation (2) of regulation 15, does not appear before the Investigating Officer on the appointed date(s), proceedings for exercise of the powers of a Civil Court under the Code of Civil Procedure, 1908 (Act V of 1908), as specified in Section 14 of the Act 1991 to compel appearance and production of documents may be initiated.

(v) With the prior approval of the Ombudsman the competent authority of the Agency shall be directed to take disciplinary action against the concerned officer, who fails to submit report on the complaint or to appear for hearing before the Investigating Officer on the appointed date and inform the Ombudsman within fifteen (15) days or by the date mentioned therein of the action so taken.

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(vi) Where the Agency makes a request that any portion of the report or any document annexed to its report may be kept confidential, such portion of the report or, as the case may be, documents shall not be sent to the complainant unless the Ombudsman decides otherwise.

15. **Conduct of hearing.**— (i) Without prejudice to the powers of the Investigating Officer to summon any officer by name from the Agency, the Agency shall ordinarily be asked to depute an officer fully conversant with facts of the case for the purpose of hearing:

Provided, that heads of the administrative departments shall be summoned only with the approval of the Ombudsman.

(ii) The representative of the Agency and the complainant, wherever deemed appropriate, may not be called for hearing on the same day if a confrontation or misunderstanding is anticipated.

(iii) The hearings shall be in the nature of a conference for ascertaining facts, practice and procedures of the Agency relevant to the investigation and efforts shall be made to resolve the matter.

(iv) The mutual agreement or undertaking given by parties shall be recorded and signed by the persons representing the parties.

(v) If for any reason, the hearing is to be adjourned or fixed for another date or time, the Investigating Officer shall inform both the parties well in time of the next date of hearing and time thereof.

16. **Inspections.**— (i) Where an inspection of a place, or record at a particular place, or site, is necessary, the Investigating Officer shall, proceed for the inspection of the spot or record after due intimation to the Agency:

Provided that if the place of such inspection falls within territorial jurisdiction of any other Regional Office or Head Office, the case file shall with the approval of the Ombudsman, be sent to such Regional Office or Head Office, highlighting the points in issue involved in the matter for carrying out inspection of the site or record, as the case may be.

(ii) The file of the case shall, after inspection of the spot or record with the report of such inspection, be returned to the Investigating Officer dealing with the complaint.

17. **Requisitioning of record of Agency.**— Where it is expedient to retain any portion of the record of an Agency relating to the complaint, produced by it under Sub-Section (9) of Section 10 and Sub-Section (2) of Section 14, an authentic copy thereof may be prepared and placed on the file for consideration.

18. **Information to the complainant.**— At any stage during the investigation, where the Investigating Officer desires to seek clarification on certain issues from the complainant, he may ask him on telephone or through a letter to appear before him and, likewise, where the complainant approaches him to ascertain the position of his case, he shall be briefed about the updated position of the case.

19. **Transfer of cases.**— (i) Where an Agency complained against is located within the territorial jurisdiction of any other Regional Office or the Head Office, the Ombudsman, may transfer such complaint to the concerned Regional Office or the Head Office, as the case may be.

(ii) Whenever a case is transferred under sub-regulation (1), a brief summary of the proceedings conducted till the date of transfer shall be recorded on the order sheet.

20. Maintenance of files.— (i) The Investigating Officer shall ensure that record of each complaint is properly maintained and the proceedings reflected in chronological order in the order / note sheet.

(ii) The case file shall contain following particulars on its cover, namely:-

- (a) Registration number of the complaint;
- (b) Date of receipt of the complaint by the Investigating Officer;
- (c) Complainant's name;
- (d) Name of the Agency;
- (e) Brief subject of the complaint;
- (f) Whether the file contains correspondence or noting or both; and
- (g) Date of consignment to the Record Room.

(iii) The complaint along with cover sheets, consisting of Annexures, if any, shall be tagged on the right hand side of the file, whereas the order / note sheet shall be placed on the left hand side of the file.

(iv) The pages should be numbered in chronological order with the last numbered page appearing on the right hand side on the file.

(v) The order / note sheet shall contain record of actions taken including proceeding of the hearing with dates for further processing and shall be used as noting portion of the file for obtaining orders, instructions and directions of the Ombudsman.

CHAPTER-IV

PROCEDURE FOR DISPOSAL OF COMPLAINTS



21. Completion of Investigation.—(i) The investigation of a complaint shall, with the approval of the Ombudsman, be ceased when it is found that—

- (a) The Agency alleged to have committed mal-administration does not specifically fall within jurisdiction of the Ombudsman; or
- (b) The complainant fails to furnish necessary information or supply relevant documents or does not respond despite reminders or fails to attend hearings despite notices and it is not possible to decide the complaint on the basis of the available record; or
- (c) The relief had already been provided before the complaint was lodged or during investigation and the complainant confirms the redressal of his grievances; or
- (d) The complainant is satisfied with the report submitted by the Agency or does not wish to pursue the case any further or withdraws the complaint;
- (e) The complainant and the representative of the Agency agree on the redressal of the grievances through mutual consent; or
- (f) The subject-matter of the complaint was sub-judice before a court of competent jurisdiction, tribunal or board on the date of presentation of the complaint or the matter becomes sub-judice during process of investigation; or

(g) The complaint concerns matters relating to the Agency in which the complainant is or has been working and the grievance relates to his service therein; or

(h) The complaint is premature as the cause of action has not yet arisen; or

(i) The complaint does not disclose any cause of action to justify the investigation; or

(j) The complaint involves legal issues for which the proper forum is a court of competent jurisdiction; or

(k) The complaint has been made by a person who is not an aggrieved person; or

(l) The complaint is anonymous or pseudonymous; or

(m) It warrants closure under the Act 1991 for a valid reason not covered by any of the preceding clauses.

(ii) The complaint shall, on completion of investigation and with approval of the Ombudsman, be dismissed when it is found that mal-administration has not been established.

(iii) The Ombudsman on the completion of investigation on a complaint, shall decide under sub-Section (1) of Section 11 of the Act, 1991, that the Agency was responsible for maladministration and the grievance of the complainant needs to be redressed.

(iv) A complaint shall be disposed of within 60 days of its registration.



22. Decision of the Ombudsman — (i) In all cases under sub-regulation (1) of Regulation 21, where the investigating officer does not feel the necessity of investigation, he shall prepare a draft decision and after the approval of Ombudsman inform the complainant and Agency accordingly.

(ii) In all cases where an investigation has been completed under sub-regulation (3) or (4) of Regulation 21 and it is proposed to dismiss the complaint or to allow the same with recommendations for implementation, the Investigating Officer shall prepare a draft decision accordingly for approval of Ombudsman.

(iii) The draft decision shall be submitted to the Ombudsman generally within 15 days of completion of investigation.

(iv) The draft decision shall be submitted to the Ombudsman directly or through authorized officer(s) as the case may be.

23. Completion of investigations and consignment of files to Record Room.— (i) After the Decisions are approved by the Ombudsman—

(a) All drafts prepared earlier, excluding the final draft, approved by the Ombudsman, shall be destroyed;

(b) The copies of the decision of the Ombudsman being communicated to the parties will not bear the signature of the Ombudsman, but will be a certified / attested copy; and

(c) The copies of the decisions shall be authenticated by the Investigating Officer and provided free of cost, to the parties.

(d) In case the Investigating Officer who finalized the findings has ceased to hold the office or the jurisdiction of concerned Agency has been transferred from him, the decision will be issued by the Investigation Officer, presently dealing with the Agency in the Head Office or in the Regional Office.

(ii) Important Decisions may be circulated to all Investigating officers for information, while, with approval of the Ombudsman, selected Decisions may be sent to the Public Relations Section at the Head Office for publication.

(iii) Where a complaint is closed / rejected, it shall be consigned to the Record Room within one month after making due entries. Where the recommendations for implementation under sub-Section (1) of Section 11 have been made, the Investigating Officer after receipt of the approval of decision shall send it to the Agency with the direction for compliance and submission of the report within the stipulated time.

(iv) The Investigating officer will pursue the implementation of the Decision for a period of 06 months and if he is not able to get it implemented, the matter will be transferred to the implementation cell at Head Office with the approval of Ombudsman.

(v) In case the Agency does not implement the Decision of the Ombudsman without any plausible reason, then, the matter would be referred to the Chief Minister as a case of defiance under Section 12 of the Act, 1991.

24. Correction of errors, mistakes, misrepresentation etc.— (i) Where through any typographical error, mistake or misrepresentation by the complainant or the Agency, an incorrect figure, fact or position is reflected in the findings, recommendations, order, or decision is noticed, the Investigating Officer shall after giving the complainant and the Agency an opportunity of being heard, submit the case to the Ombudsman for consequential rectification or modification of the original findings, recommendations, order or Decision, wherever needed.

(ii) In all cases where the consequential rectification or modification is approved by the Ombudsman, the Decision shall be communicated to the complainant and the Agency.

25. Contempt of Court. The Ombudsman shall have power to punish for contempt as in the Contempt of Court Act 2016, in terms of Section 16 of the Act 1991.

26. Defiance of Recommendations.— (i) Where after receipt of final findings, recommendations, order or Decision of the Ombudsman or, as the case may be, of the Governor, an Agency does not, within the specified time, fully comply with them or does not give reasons to the satisfaction of the Ombudsman for not complying, it shall be liable for initiation of proceedings against it for "Defiance" of the findings, recommendations, order or Decision under Section 12 of the Act, 1991

(ii) Where the Ombudsman is satisfied to lay a special report to the Chief Minister under sub-Section (4) of Section 11 of the Act, the Agency shall be called upon to indicate the person primarily responsible for defiance of recommendations so that the said special report may be laid.

(iii) When an Agency, before making of the special report, complies with the findings, recommendations, order or Decision, the case shall be closed and the special report shall not be forwarded.

27. Execution/Implementation of Decisions / Recommendations.— (i) the Investigating Officer (s) or Implementation Officer / Cell at Head Office on his own or on an application filed by the complainant shall, after ascertaining the public servant responsible for not complying, submit a self-contained case for approval of Ombudsman.

(ii) Before initiating proceedings, the Agency shall be called upon to show cause as to why the act of not complying of the Decision should not be taken as defiance.



(iii) On receipt of reply to the show cause notice, the Investigating Officer / Implementation Officer shall at the Head Office and Regional Offices initiate action for seeking approval of the Ombudsman for making a Reference to the Chief Minister under Section 12, in respect of defiance of the recommendations.

28. Communication of orders of the Governor or Chief Minister — (i) The orders of the Chief Minister passed on a report for defiance of recommendations under Section 12, or any other report under Section 28 or on a representation made under Section 32 shall, on receipt by the Office, be communicated to the public servant and the concerned Agency for information and appropriate action.

(ii) Where on any matter submitted under Sub-Regulation (1), the Governor's Orders for re-investigation or further investigation, shall be undertaken in accordance with these regulations.

CHAPTER-V MISCELLANEOUS

29. Monthly progress report. — (i) Every Investigating Officer shall submit monthly reports on the prescribed Form to the Registrar / any other officer authorized for this purpose at the Head office for onward submission to the Ombudsman.

(ii) The Regional Directors shall also submit monthly reports on the prescribed Forms to the Registrar / other officer authorized for this purpose for onward submission to the Ombudsman.

30. Notices. — (i) A notice shall be issued to the complainant by registered post, if he fails to —

- (a) Furnish required information or documents;
- (b) Confirm or verify the complaint or its contents;
- (c) Submit rejoinder or rebuttal within the specified time;
- (d) Confirm the compliance of the procedural requirements of the Agency; and
- (e) Confirm the provisions of relief.

(ii) If an Agency does not furnish comments within the specified time despite reminder or fails to attend the proceeding(s) on the specified date, a Summon shall be issued to such officer of the Agency for appearance.

(iii) Where the Ombudsman decides under Section 14 to refer the matter to appropriate authority for criminal or disciplinary proceedings against the Agency, public servant or other functionary, as the case may be, a prior notice to show cause shall be issued to the person who disregarded the direction of the Ombudsman.

(iv) Where the Ombudsman decides under Sub-Section (4) of Section 14 to award compensation to an Agency, public servant or other functionary, a show cause notice shall, before awarding such compensation, be issued to the complainant calling upon him as to why the proposed compensation may not be awarded.

(v) Where the Ombudsman decides under Section 16 to proceed against any person for contempt of the Office, a notice shall be issued calling upon the contemnor to show cause as to why such proceedings may not be initiated.



(vi) Where the Ombudsman decides under Section 22 to award compensation to an aggrieved party, a show cause notice shall be issued to the Agency, public servant or functionary before awarding such compensation calling upon it or him as to why the proposed compensation may not be awarded.

(vii) All notices shall, as far as possible, be issued under registered cover or other means of communication and special care shall be taken to record the correct mailing address.

(viii) Separate registers shall be maintained by each Investigating Officer to record particulars of cases in which notices are issued under these regulations.

31. Reference from the Governor or Chief Minister and other authorities, etc.— (i) Where the Ombudsman is requested through a reference from the Governor or Chief Minister or the Provincial Assembly or by a motion of the Supreme Court or a High Court under Sub-Section (1) of Section 9 for investigation into any allegation of mal-administration on the part of any Agency or of any of its officers or employees, such reference or the motion shall be dealt with in accordance with these regulations as if the reference or, as the case may be, motion was a complaint against such Agency or any of its officers or employees and the provisions of these regulations shall, mutatis mutandis, apply thereto. However, separate register may be maintained for the record thereof and specific indication number be allocated.

(ii) Efforts be made for the finalization of such matters on priority basis.



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