

Complaints Handling Procedure in the Mohtasib (Ombudsman) Secretariat AJK

Prompt redressal of the complaints of the aggrieved persons is inevitable in the Administrative justice system. It is the pivot around which revolves the conception of the establishment of the Ombudsman's Institution, both the Complainants and complaints are important for us so, we facilitate the complainants in lodging their complaints and also handle the complaints properly as per well-established law rules and prescribed mechanism.

In order to solemnly handle the complaints the procedure is divide into following terms:

- i) Submission of complaints
- ii) Registration
- iii) Admission/Rejection
- iv) Disposal
- v) Implementation
- vi) Defiance Report to the President

Submission:

A complainant may submit his complaint with the Ombudsman Office AJK, written in Urdu, English or in person or through his authorized representative or any other mode of communication available in the Ombudsman Office by post or email etc.

However, every complaint shall be made on solemn affirmation or supported by an affidavit to ensure that the contents of the filed complaints are correct and true.

Registration

The submitted complaints are registered in the Registry Section allotted number and presented before the Registrar for preliminary examination to see the merit of the Case in accordance to the Ombudsman Act XIV of 1992. If in the opinion of the Registrar the case is admissible or non-admissible (as the case may be) he writes his opinion with reasons and consigns the file to the Ombudsman. The Ombudsman finally decides to accept or reject the complaints as per law and mandated discretion. If the complaint is accepted it is sent to the concerned Investigating Officer for further process, in case of rejection, the parties are intimated accordingly.

Investigation/Disposal

"Investigation" means the process of investigation of grievances raised and conduction of enquiry. In the investigation process the versions of all the involved parties are heard before the final conclusion. After thorough investigation and in person hearings (where necessary) a detailed report in the form of Findings is presented before the Ombudsman for orders. The Ombudsman approves or disapproves the findings of the investigating Officer with his additional notes (if he deems proper) and sends the file back to the concerned Officer. The Investigation Officer apprises the parties accordingly and seeks implementation Report from the agency in the specified period of time.

Representation to the President

The Act XIV of 1992 provides if any person or agency aggrieved by a decision or order of the Mohtasib may within 30 days of the decision or order make a representations to the President who may pass such orders there on as he may deems fit.

Defiance of Recommendations

Where the agency fails to implement the recommendations of the Ombudsman and did not file representation to the President of AJK under section 32 of Act XIV of 1992; the decision issued by the Mohtasib AJK is binding upon the Agency.

Under Section 12 of the said Act the Mohtasib may exercise his power to refer the matter to the President for implementation. Defiance of recommendations report sent by the Mohtasib to the President shall become a part of the Personal file or character roll of the Public servant primarily responsible for the defiance.